

Officers Report

Planning Application No: 147479

PROPOSAL: Planning application for conversion of water tower to 1no. dwelling with demolition of existing attached agricultural buildings, and extension of host building.

LOCATION: Water Tower Abbey Road Bardney LN3 5XD

WARD: Bardney

WARD MEMBER(S): Cllr I Fleetwood

APPLICANT NAME: Mr C Pacey

TARGET DECISION DATE: 14/12/2023 (Extension of time agreed until 28th March 2024)

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Danielle Peck

RECOMMENDED DECISION: Grant planning permission with conditions

The application is referred to the Planning Committee in line with the Councils constitution as the proposal constitutes a departure from Part A of Policy S5 of the Central Lincolnshire Local Plan.

Site Description: The application site comprises of a disused water tower within the open countryside to the north west of the settlement of Bardney. The water tower is considered to be a non-designated heritage asset, being listed on the Lincolnshire HER¹. The site is adjoined by the highway to the east with residential dwellings beyond, open countryside adjoins all other boundaries. The Viking Way also runs along the north and east boundaries. The site is within close proximity to the Grade II * Listed Silver Birch Cottage, and the Scheduled Monument of Bardney Abbey. Part of the site is also located within Flood Zones 2 and 3 and the site is also located within a Sand and Gravel Minerals Safeguarding Area.

The Proposal: The application seeks full planning permission to convert the water tower to 1no. dwelling. The proposals also include the demolition of the existing attached single storey agricultural buildings off the east elevation and replacement with a two-storey extension.

Following discussions with the agent for the application amended plans and visualisations of the proposals were received on the 30/01/2024 and 01/02/2024, these plans removed the attached garage originally proposed and also reduced the height of the link element. The visualisation below shows what is now proposed.

¹ https://www.heritagegateway.org.uk/Gateway/Results_Single.aspx?uid=MLI53087&resourceID=1006



Relevant history:

145159- Planning application to convert water tower to 1no. dwelling, with demolition of existing attached agricultural buildings and extension of host building. Refused 02/09/2022.

1. The proposed extensions would include additional inappropriate openings and large inappropriate extensions which go beyond what is considered to be minimal alterations. The development would therefore be in conflict with Policy LP55 Part A of the Central Lincolnshire Local Plan and the provisions of the National Planning Policy Framework.

2. The proposed development would introduce large extensions and alterations which by virtue of their scale, massing, design and use of materials would create a dominant and detracting feature within the area. The proposals would therefore harm the character and setting of the surrounding countryside and landscape where the building is visible from significant distances and public footpaths, the proposal is therefore contrary to Policy LP17 and Policy LP26 of the Central Lincolnshire Local Plan and the provisions of the National Planning Policy Framework.

3. The proposals by virtue of their large scale, massing, design and use of materials would cause unacceptable harm to the host building, a non- designated heritage asset. The proposals would also cause less than substantial harm and would fail to preserve the setting of the nearby designated heritage assets, which include the remains of Bardney Abbey and Kings Hill Barrow, Scheduled Ancient Monuments and the Grade II Listed Birch Tree Farmhouse. There is no public benefit that would outweigh this level of harm. The proposal would therefore be contrary to Section 66 of the 'Act', policy LP25 of the Central Lincolnshire Local Plan and the provisions of the National Planning Policy Framework, most notably Paragraphs 199, 200, 201, 202 and 203.*

4. The proposed development is located close to the main monastic precinct of Bardney Abbey. Insufficient information has been submitted to enable the Local Planning Authority to make a reasoned decision on the impacts of the proposed development on below ground assets of archaeological interest. The proposal would therefore be contrary to policy LP25 of the Central Lincolnshire Local Plan and the provisions of the National Planning Policy Framework.

5. Insufficient information in the form of a Minerals Assessment has been submitted to assess the impact of the development on a Minerals Safeguarding Area. Therefore it cannot be demonstrated that the proposed development would not sterilise a mineral resource. The proposal would therefore be contrary to policy M11 of the Lincolnshire Minerals and Waste Local Plan and the provisions of the National Planning Policy Framework.

WR/51/68- CONSTRUCT A WATER RESERVOIR CAPACITY 100,000 GALLONS, AND METER HOUSE.

Representations- In summary:

Full versions of the representations received can be viewed on the Councils website using the following link: <https://www.west-lindsey.gov.uk/planning-building-control/planning/view-search-planning-applications/search-planning-application-database?docid=147479>

Chairman/Ward member(s): No representations received to date.

Bardney Parish Council: No representations received to date.

Local residents:

A general observation has been received from Silver Birch House, Abbey Road- I would like assurances that the road will be kept clear and clean, as well as property access kept clear. I have no objections to the plans submitted.

LCC Highways/Lead Local Flood Authority:

05/02/2024- The proposal is for conversion of water tower to 1no. dwelling with demolition of existing attached agricultural buildings, and extension of host building and it does not have an impact on the Public Highway or Surface Water Flood Risk. Access improvements have been demonstrated therefore the proposals don't have an unacceptable impact on highway safety.

08/11/2023- Additional information required. Please request the applicant demonstrate a bound access within the extent of the highway- the current proposals show a gravel driveway however gravel isn't permitted within 1m of the highway in the interest of highway safety.

WLDC Conservation Officer:

06/03/2024- No objections to the amended proposals. Recommends conditions.

28/12/2023- The proposal seeks to remove the mid-20th century agricultural structure. This has no architectural or historic interest, and the removal will conserve the historic environment. The glazed link to separate the property will provide a visual break from the original structure and the new development. This design will preserve the original water tower.

The new development is predominantly sited upon the footprint of the existing agricultural shelter. This is considered the most appropriate position for the development which will create a harmonious approach with the existing structure. However, the garage is located further north and is an addition to this footprint, which is incongruous to the setting of the NDHA. This is harmful to the landscape, scale, siting, and layout of the heritage assets which would not be supported under policy S57. This garage section should be removed from the proposal all together.

The scale is still a significant addition which is large in scale and negatively impacts upon the dominance of the original Water Tower in the wider setting. I disagree with the Heritage Statement that suggests this extension reuses the general volume and scale of the existing structures.

Policy S57 states that features essential to the special interest of the individual heritage asset are not harmed to facilitate the change of use. The prominence of the tower is a significant factor and the current proposal diminishes this due to its scale.

The proposal reaches roughly half way up the tower which minimises the visual impact of what is originally an individual tall tower and the height does not offer the visual of a subservient addition when considering the scale and the views within the setting. Due to the landscape, the extension would be visibly connected from the many views which would diminish the significance of the original tower structure which will combine with the new large-scale extension.

A single storey addition would be the best solution but there may be an option for a more discrete two storey element if this can be suitably designed. If there is proposal designed with a suitable two-storey extension, then the connection of the second floor to the tower should also be reconsidered. It would be better to disconnect the levels of the extension with the Water Tower to retain the tower as a separate space visually within the setting to preserve the heritage asset.

This also does not meet the requirements of Policy S57 in the CLLP therefore, I must object to this application.

I strongly feel we are close to a positive outcome here and would be happy to consider amended plans. The scale of the proposal is the main issue. The type of design and materials proposed are compatible with the Tower and would preserve the setting if reduced.

LCC Archaeology:

15/02/2024- The trial trench did not record any archaeological features or deposits. Therefore, no further archaeological input will be required.

08/12/2023- To reiterate, the proposed development is located adjacent to the remains of Bardney Abbey, which is designated as a Scheduled Monument because of its national importance. The site is publicly accessible with a suite of interpretation and is promoted as a site for visitors, particularly popular with walkers on the Viking Way long distance path. Bardney Abbey was the earliest of the monastic sites that once lined this part of the Witham Valley between Lincoln and Boston, which form part of a ritual landscape whose archaeological remains are of international importance. This includes not only the medieval monasteries but many earlier pre-Christian religious sites, including Bronze Age barrow cemeteries, and a series of causeways which from the Iron Age onwards that were used for ritual deposition into the waters, with finds displayed in The Lincoln Museum and the British Museum in London. The site is also close to another Scheduled Monument, the King's Hill Barrow, which is associated with King Athelread of Mercia (who founded the Abbey in AD 697) and King Oswald of Northumbria who was also buried here before his bones were later captured and taken away as relics to Gloucester. The proposed development has the potential to impact both directly upon any below ground remains associated with the Abbey, and indirectly on the setting of the nationally important designated heritage assets. There will also be direct impacts on the fabric of the non-designated water tower as part of the proposed conversion.

Our previous advice advised that Historic England be consulted over the effect on the setting of the designated important remains and I see from their comments that they are satisfied that the new proposals will cause less than substantial harm to the setting of the designated assets.

My colleagues' previous comments raised concerns regarding the design, massing and materials of the proposed development and the effect this would have on the significance of the water tower itself, being a non-designated heritage asset. Clearly there have been significant changes to the design of the new building which appears to have largely addressed these concerns, the materials in particular are much more in keeping with the character of the Tower and this section will offer no more comment on these matters. It is also noted that the comments regarding there being no need for a separate historic building record still apply.

The proposed extension building will still have a potential archaeological impact, siting as it does within a landscape that has been of great practical and ritual significance from the prehistoric to the medieval period as evidenced by the considerable finds and monuments of these and other periods along the valley and in close proximity to the Site. There is a high potential for as yet unrecorded below ground remains to survive in the area of the water tower and these remains may be of national or greater importance. It is recommended that the local planning authority should require the developer to carry out an archaeological trial trench evaluation prior to determination to provide site specific

evidence for the significance and condition of any archaeological remains on this site that may be impacted by the proposed development. This is in accordance with the NPPF, section 16, paragraph 194, and Central Lincolnshire Local Plan Policy LP25 for Archaeology. The results of the evaluation should be sufficient for the local planning authority to make a reasoned decision on the impacts of the proposed development on below ground assets of archaeological interest.

Historic England- In Summary:

29/02/2024- Same response received as 13th November 2023.

13/11/2023- Bardney Abbey, Birch Tree Farmhouse and King's Hill Barrow form an associated group of upper tier designated heritage assets. At the disused water tower contributes positively to their significance, a structured approach to understanding setting issues can be found in our setting of heritage assets https://historicengland.org.uk/imagesbooks/publications/gpa3-setting-of-heritage_assets/. The revised scheme largely addresses our previous concerns regarding design, materials and modifications to the water tower and the associated setting impacts of the former scheme upon designated heritage assets. With regards to below ground archaeological impacts including access and service works as well as footings etc we refer you to the expertise of the County Council historic environment advisors. We welcome a sustainable scheme for the reuse of the water tower. It will be of the utmost importance that if consented the quality of materials and design in the finished building are closely secured through conditions including the approval of material samples (NPPF paragraph 135). We strongly recommend that if the scheme is approved Permitted Development rights are removed so as to better secure the setting of the assets discussed above - further to NPPF paragraphs 189, 195, 199, 200, 202.

Recommendation- Historic England has no objection to the application on heritage grounds but is concerned that should it be minded to grant consent your authority secures the design quality and execution of the scheme (NPPF 135 & 189, 195, 199, 200 , 202) and refers you to the expertise of the County Council historic environment advisors as regards below ground impacts (NPPF 205 and footnote 69). In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. Your authority should take these representations into account in determining the application.

The Victorian Society:

Support for Reuse and Conservation: Initially, we would like to emphasize our support for the reuse and conservation of the unlisted Water Tower at Barney. Recognizing its

heritage value as a local architectural and historic asset, we acknowledge the importance of preserving such structures for the benefit of future generations.

Significance: The Water Tower, dating back to c.1903, stands as a tangible heritage asset, contributing significantly to the local architectural landscape. Its distinctive features, including a two-storey red brick structure, an 8ft iron tank with a curved cover, and iron-framed windows. The tower's architectural details, such as blue brick bands and arches, further highlight its historical and aesthetic significance.

Harm: Our principal concerns revolve around the potential harm that the proposed extension may inflict upon this heritage asset. Specifically, we are apprehensive about the impact on the setting of the Water Tower, citing the extension's size, proximity, and massing as potential sources of harm. The proposed extension, in its current form, risks compromising the simplicity and visual integrity of the tower.

Advice: 1. Single-Story Extension and Greater Degree of Separation: We strongly advise that the proposed extension be limited to a single story to minimize its visual impact on the Water Tower. Additionally, providing a greater degree of separation between the tower and the extension would help preserve the tower's prominence and architectural clarity. 2. Removal of Garage from Extension Plans: To further mitigate the impact, we suggest reconsidering the inclusion of a garage in the extension plans. The removal of the garage would contribute to a more harmonious integration of the extension with the Water Tower. 3. Conservation of Iron Water Tank: We encourage comprehensive plans for the conservation of the iron water tank, ensuring that its historical integrity is maintained throughout any development process. We firmly believe that these recommendations, if incorporated into the proposal, would enable the achievement of the desired objectives while safeguarding the heritage value of the Water Tower.

Lincolnshire Wildlife Trust: The 'Ecology and Protected Species Survey' submitted with the applications makes several recommendations for ecological enhancement of the site and we request these measures are conditioned for this application. Provision for bat roosts on site should be created through the addition of integrated bat bricks, given a lack of mature trees on site, and nest boxes for common breeding birds should also be incorporated into the final designs. A Barn Owl nest box has also been recommended (paragraph 5.2.3) "to compensate for the eventual loss of the building as a roosting site". A pole mounted box overlooking open countryside is recommended and we suggest the applicant seeks further advice here. These enhancements should ideally be incorporated into a landscape plan for the site that also includes a planting scheme with native tree and shrub species. There has been no UK Habitat Assessment survey with an accompanying Biodiversity Metric calculation. It is therefore unclear how the development will meet the mandatory 10% as required by The Environment Act 2021 and Policy S61 of the Local Plan and how these habitats will be managed and monitored for the next 30 years. Given the agricultural nature of the site in its contemporary state we anticipate the development will exceed this requirement using the information provided in the block plan and visuals submitted.

Lincolnshire Bat Group- Thank you for referring this application to Lincs bat group. There was no evidence of roosting, but note Recommendations 5.1.2 re lighting.

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

- ***Central Lincolnshire Local Plan 2023 (CLLP)***

Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S5: Development in the Countryside

Policy S13: Reducing Energy Consumption in Existing Buildings

Policy S21: Flood Risk and Water Resources

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S57: The Historic Environment

Policy S60: Protecting Biodiversity and Geodiversity

Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains

<https://www.n-kesteven.gov.uk/central-lincolnshire>

- ***Lincolnshire Minerals and Waste Local Plan (LMWLP)***

The site is in a Minerals Safeguarding Area and policy M11 of the Core Strategy applies.

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

National policy & guidance (Material Consideration)

- ***National Planning Policy Framework (NPPF)***

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions.

The most recent iteration of the NPPF was published in December 2023.

https://assets.publishing.service.gov.uk/media/65829e99fc07f3000d8d4529/NPPF_December_2023.pdf

- **National Planning Practice Guidance**
<https://www.gov.uk/government/collections/planning-practice-guidance>
- **National Design Guide (2019)**
<https://www.gov.uk/government/publications/national-design-guide>
- **National Design Code (2021)**
<https://www.gov.uk/government/publications/national-model-design-code>

Other Relevant Legislation

Section 66 of the Town and Country Planning (Listed Building & Conservation Areas) Act 1990 (The 'Act').

<https://www.legislation.gov.uk/ukpga/1990/9/section/66>

Main issues

- Principle of Development;
Minerals
Flood Risk
- Visual Impact;
- Impact on Heritage Assets, including archaeology;
- Impact upon Residential Amenity;
- Ecology;
- Highways;
- Drainage;
- Other Matters

Assessment:

Principle of Development

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Policy S1 of the CLLP sets out a spatial hierarchy for the District and where development should be focused. The application site is clearly located within the open countryside being well separated from the nearby settlement of Bardney. Tier 8 of Policy S1 relates to Countryside and states; Unless *allowed by*:

a) policy in any of the levels 1-7 above;

or b) any other policy in the Local Plan (such as Policies S4, S5, S34, or S43) or a relevant policy in a neighbourhood plan.....

Policy S5 relates to development within the open countryside. Part A of S5 states the following: *Where a change of use proposal to residential use requires permission, and where the proposal is outside the developed footprint of a settlement listed in the Settlement Hierarchy or the developed footprint of a hamlet, then the proposal will be supported provided that the following criteria are met:*

- a) Comprehensive and proportionate evidence is provided to justify either that the building can no longer be used for the purpose for which it was originally built, or the purpose for which it was last used, **or** that there is no demand (as demonstrated through a thorough and robust marketing exercise) for the use of the building for business purposes; and*
- b) The building is capable of conversion with minimal alteration, including no need for inappropriate new openings and additional features; and*
- c) The building is of notable architectural or historic merit and intrinsically worthy of retention in its setting.*

The host building was historically purpose built as a water tower serving the Bardney Village. The water tower was completed in 1905 and was purpose-built as a water tower and pumping station, the location was reputedly selected due to well water quality. The water tower has been redundant for a long period of time and due to technological changes in the water supply there is no possibility of it being returned to its original use. Therefore, an alternative use would be acceptable in principle to meet point a) of S5.

Point b) of S5 states that the building is capable of conversion without the need for inappropriate new openings or additions. The proposals include the conversion of the tower, split into four floors comprising of a living room at ground floor level with bedrooms and en-suites on the other three floors. It is also proposed to erect a glazed link from the host building to new extensions off the east elevation. The existing agricultural building attached to the east elevation would be replaced by a two-storey extension which would be broadly on the footprint of the existing extension, albeit the proposed extension is of a larger scale and size.

It is acknowledged that the scale of the extension goes beyond the provisions of criteria b) of Part A. However, the proposals have been designed, through discussion, appropriately. They now provide interest to the host building and would enhance its historic interest as well as providing an appropriate level of living accommodation for future occupiers.

With regard to criteria c) of Part A, the exterior of the building is red brick with stone dressings with the iron tank at the top, original windows and doors are also visible. The building is listed on the Lincolnshire HER (ref: MLI53087). and is considered to be a non-designated heritage asset. The buildings historic importance and its importance within the area is also described in detail by all of the heritage consultation responses. It is therefore considered that it is an important feature within its setting and is worthy of retention and would meet point c) of S5.

With regard to the above discussion, in conclusion the proposal would comprise of a departure from Part A, specifically criteria b) of Policy S5. However, significant weight is given to the fact that the conversion would bring back into use a non- designated heritage asset as well as securing its long-term use. It is noted that the proposals are also supported by Historic England and the Councils Conservation Officer. The amended alterations and extensions are considered to be acceptable and would preserve the setting of the nearby designated heritage assets and the wider character of the area this is discussed in more detail within the relevant sections of this report. In this case, it is considered that a departure from Policy S5 is justified.

Minerals

The site is located within a Sand and Minerals Safeguarding Area. Policy M11 of the LMWLP seeks to ensure that developments do not prevent the exploitation of mineral deposits as an economic resource within identified MSAs without adequate justification. Within MSAs proposals for non-minerals development should be accompanied by a Minerals Assessment, unless the development falls within one of the exemptions to the Policy M11 of the Core Strategy.

The proposals comprise of a change of use of an existing building together with a two-storey extension on a similar footprint to the attached agricultural building. The policy does list changes of use and alterations to existing buildings as exemptions. In any case it is considered that the site would be unsuitable for the extraction of minerals due to its location close to residential properties. It is noted that the Waste and Minerals Authority have not provided any comments on the proposals.

Flood Risk

It is noted that the eastern part of the site is located within Flood Zone 2. However, the proposals, including the new extensions will not be located within the area therefore the proposed location of the accommodation is sequentially acceptable. The agent for the application has stated the following: *The existing building (to which the new finished floor levels will relate) is also well elevated (7.48 AODN - Bench Mark on the Water Tower itself).* This is considered to be acceptable and the proposal would not increase flood risk at the site or to others.

Visual Impact

Policy S53 states that; *All development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all. Good design will be at the centre of every development proposal and this will be required to be demonstrated through evidence supporting planning applications to a degree proportionate to the proposal.*

Section 1 of the policy states that all development proposals will:

1. Context

- a) Be based on a sound understanding of the context, integrating into the surroundings and responding to local history, culture and heritage;*
- b) Relate well to the site, its local and wider context and existing characteristics including the retention of existing natural and historic features wherever possible and including appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area;*
- c) Protect any important local views into, out of or through the site;*

The proposals include the conversion of the tower, removal of existing agricultural building and replacement with a two-storey extension off the eastern elevation and a glazed link. Through the application process amended plans were received, the amended plans have removed the attached double garage and have also reduced the height of the glazed link. As detailed in previous sections of this report the site is located within a sensitive landscape. The existing building is a prominent feature within the landscape and is visible from significant distances away. In addition to this the Viking Way, a well-used public footpath runs adjacent to the north boundary.

Due to the visual impact concerns on the previous application the submission has been accompanied with a Landscape Visual Impact Assessment (LVIA), contained within the Design and Access Statement. The photographic montages shown within the statement give a good idea of how the water tower will appear within the landscape (from the Public Rights of Way) in comparison to the existing building, views from the nearby designated heritage assets are also shown. The proposed design is sympathetic and inspired by the appearance of the Tower and its historic features, and “champions” the Tower as an independent vertical historic structure within the landscape. The extensions would be set to the rear (east) of the building, they would be at a lower height of the tower and are not considered to over dominate the host building which would remain the most notable element. The Local Planning Authority agrees with the conclusions within the LVIA which concludes that the amendments to the Tower has negligible impact on the surrounding historic assets and landscape.

The proposed extension takes precedence from the key features and design of the Tower; the mass to the south and west elevation containing the snug area and bedroom imitates the top of the existing Tower in a more contemporary style. The windows used in this element mimic the existing curved windows in the Tower, but instead will go down to floor level. The glazed link gives a clear definition between the host building and extension.

With regard to materials to be used these are noted to match the existing Water Tower with red brick external walls, blue brick detailing, and red cladding inspired by the original metal tank. Timber is a present material within the existing Tower, which has inspired the cladding material to the first floor of the extension. The introduction of the timber to the first-floor facades creates a “softer” appearance, rather than the red brick being utilised throughout the extension which would likely appear dominating in comparison to the tower. It is however considered that the quality of materials to be used in the development

will need to be carefully chosen, such detail will be secured by means of condition to enable the Local Planning Authority to ensure these are of a high quality and appropriate in the context of the host building and wider area.

Overall, it is considered that the proposals would now have an acceptable visual impact upon the open countryside and landscape which it lies within. Views of the proposal are not considered to be harmful and the extensions respect the host building. It is considered that the amendments to the scheme have overcome the previous reason for refusal. The proposals accord to the aims of Policy S53.

Impact on Designated Heritage Assets, including Archaeology

Policy S57 of the CLLP states that, *Development proposals will be supported where they:*
d) protect the significance of heritage assets (including where relevant their setting) by protecting and enhancing architectural and historic character, historical associations, landscape and townscape features and through consideration of scale, design, architectural detailing, materials, siting, layout, mass, use, and views and vistas both from and towards the asset;
e) promote opportunities to better reveal significance of heritage assets, where possible;
f) take into account the desirability of sustaining and enhancing non-designated heritage assets and their setting.

Paragraph 200 of the NPPF states that: *In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.*

In considering potential impacts, Paragraph 206 of the NPPF states that: *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

Paragraph 209 of the NPPF relates to non-designated heritage assets and states; *The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

In relation to Listed Buildings and their settings, Section 66 of the 'Act' places a legislative requirement on Local Planning Authorities when considering whether to grant planning

permission to special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The host building is considered to be a non-designated heritage asset being listed on the Lincolnshire HER (ref: MLI53087). The site is also nearby to the remains of Bardney Abbey (150m to the north) a scheduled ancient monument, the Grade II * Listed Birch Tree Farmhouse (180m to the north west) and the Kings Hill Barrow another scheduled ancient monument (500m to the north west).

The application has been submitted with an Assessment of Significance and Heritage Impact Assessment by Austin Heritage Consultants. The assessment gives in depth details of the Water Tower including its historic development. In terms of impacts upon the host building and designated heritage assets, the assessment details the following;

Conversion of Tower- Changes to the fabric include the insertion of new floors; the reinstatement of a door in an existing opening in the west elevation; insertion of 2 no. arched-head windows on the second floor of the north elevation to provide necessary light to the new stair and ensuite (to match the windows below on the ground floor and needed as rooflights are not possible due to the positioning of the roof tank); and restoration of windows at the upper level to provide light to the bedroom and reuse of the existing doorway in the south elevation.

There will be a minor impact on fabric with the removal of the internal ladder and insertion of new floors within the tower, but this will be mitigated by the survival of the tower and its appearance in the landscape overall, plus retention and repair of surviving pipework on the north side of the building as a feature within the spaces, relocating the ladder in the same room as a feature, and retaining the existing open space of the ground floor as an open living room. Insertion of only 2 new windows will have a minor impact on fabric and the appearance of the original fenestration of the north elevation. However, it is understood that they will be designed to match existing with metal-framed, crittall style replacements that will be sympathetic to the original design and character. It is expected that views to the Abbey will also be enhanced by the new window openings in the wall fabric at second floor level.

The iron tank will be retained and restored as part of the overall works, which will preserve and retain this distinctive original feature as existing, enhancing the overall appearance of the tower in the landscape and reflecting its original purpose.

Reuse of the building would have the benefit of restoring the original structure while incorporating it as the core feature within a newly built structure designed to enhance the presence of the tower in the landscape and preserve it for the future.

Addition to the tower- The overall aim is to complement, but separate the new addition, and the glazed link will also permit views of the east elevation from inside and outside the building. There will be some physical impact on the east elevation with the addition of the link, but it will only extend to the first floor level, and it is expected that the enhanced visibility and appreciation of this elevation will mitigate the physical impact where the new

fabric attaches to the original. The tower itself will continue to remain the key feature of the development and reflect its historical use. The new work will be set to the rear of the building where current structures exist, and the addition will be set considerably lower than and back from the tower itself, so it can be better appreciated from the surrounding landscape.

Birch Tree Farmhouse- The Grade II listed Birch Tree Farmhouse is located approximately 190m to the west of Bardney Water Tower. As the proposed works would be located to the rear on the east side of the tower, if any of the study area was visible from the farmhouse or its garden setting, the tower would clearly still remain the dominant feature in any narrow view. It is therefore not expected that the new work would adversely affect the appreciation of the tower from this location.*

Bardney Abbey- Bardney Abbey is a Scheduled Ancient Monument with the southern boundary of the scheduled area located approximately 125m northwest of Bardney Water Tower. The new works would likely be noticeable to the side of the tower, but it is expected that due to careful selection of materials and replication of some detailing from the tower, and the horizontal and considerably lower nature of the addition, that the proposed works would blend with and complement the overall character of the existing tower as viewed from its surroundings.

The conclusions and findings within the statement and assessment are largely agreed with by the Local Planning Authority and relevant heritage consultees. The revised scheme has addressed previous concerns regarding the design, materials and alterations which were previously not considered to be appropriate. As detailed in the visual amenity section, the proposals are considered to be more respectful of the host building and are appropriate within the wider setting of the designated heritage assets.

Overall, the proposals would now preserve the setting of the nearby designated heritage assets in accordance with the Statutory Duty under Section 66 of the Act as well as the provisions of the policies within the CLLP and the NPPF.

Archaeology

With regard to Archaeology Policy S57 states that where development affects archaeological remains, *Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them.*

The comments from the historic environment officer are clear in that there is the high potential for further unrecorded below ground remains to have survived in the area of the water tower. The proposed development is located close to the main monastic precinct of Bardney Abbey, which as described above is part of a wider ritual landscape of national and international archaeological importance.

Pre-determination trial trenching has been carried out at the site in February 2024 following the initial comments. The trial trenching did not record any archaeological features or deposits and therefore no further archaeological input is required in this instance as confirmed by the historic environment officer in email dated 15/02/2024. The previous refusal reason for 145159 has now been overcome.

Impact upon Residential Amenity

Part 8, criteria d of Policy S53 of the CLLP states that development proposals will:

d) Not result in harm to people's amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare;

Paragraph 135 f) of the NPPF states that decisions should ensure that development...;

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The proposal includes the installation of many new openings, to facilitate the conversion. The site is adjoined by open countryside to the north, east and south, with two residential properties adjacent to the west boundary. There is significant separation distances from the proposals as to not cause any unduly harmful overlooking impacts. It is also not considered that the proposal would cause any loss of light impacts due to the separation distance.

Existing residential properties are located to the south west of the site. There are large separation distances from the western elevation of the water to these properties of c. 40-60m. Openings to the north, south and east will look over open fields. The proposals would not have an unacceptable impact upon residential amenity. The proposal also includes an adequate amount of amenity space for future occupiers of the dwelling. Overall the proposals accord to Policy S53 of the CLLP.

Ecology and Biodiversity

The application has included the submission of an Ecology and Protected Species Survey dated May 2022. In terms of protected species, the following is described in the survey:

Bats

The Water Tower and attached open agricultural building are both considered to have a low potential for transient roosting and a negligible potential for maternity and hibernation use. No bats were recorded emerging from the buildings and no field signs were noted during the daylight assessment. It is considered that the proposals to develop the site is

unlikely to result in a breach in the legislation relating to bats and there is no requirement for a European Protected Species licence.

Birds

The site has high potential to be used for nesting by species of common bird and disused and active nests were noted during the survey. Any site preparation/clearance work should commence outside the active nesting season which typically runs from March through to late August. If work commences during the bird breeding season, a search for nests should be carried out before they begin, and active nests should be protected until the young fledge. The water tower and open sided shed are being used by barn owls as a day roost. No potential nest site was identified and there are no indications that barn owls have bred on the site. As the site is not used for breeding, the proposed development will not result in a breach of the legislation which protect this species. However, long term roost areas are important to the reproductive success and long-term favourable conservation status of these species.

The report recommends that new bird and bat boxes are installed to ensure that there is a biodiversity net gain. The report also recommends that a new owl roosting feature is put in place as soon as possible before works commence. Further details of their positioning around the site would be secured by a condition in the event that permission is granted.

Local policy S61 of the CLLP requires *“all development proposals should ensure opportunities are taken to retain, protect and enhance biodiversity and geodiversity features proportionate to their scale, through site layout, design of new buildings and proposals for existing buildings with consideration to the construction phase and ongoing site management”*. Local policy S61 goes on to state that *“All qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attributable to the development. The net gain for biodiversity should be calculated using Natural England’s Biodiversity Metric”*.

However there are no legally binding targets at the moment such as a 10% net biodiversity gain to consider as a planning material consideration. The Government has recently announced that the 10% mandatory target for minor developments will be April 2024 and given that small-scale self-build and custom-build schemes are expected to be exempt from the requirement nationally, proposals for single dwellings such as this application are not required to submit a Bio-diversity net gain statement or biodiversity plan at this time.

In any case it is expected that given the agricultural nature of the site in its contemporary state it is anticipated that the development will provide significant biodiversity enhancements based on the information provided in the block plan and visuals (which include green roofs) submitted.

Overall, with the imposition of conditions it is considered that the proposal would accord to the aims of the biodiversity policies of the CLLP as well as the National Planning Policy Framework and the National Planning Policy Guidance.

Highways

Policy S47 of the CLLP states that *“Development proposals which contribute towards an efficient and safe transport network that offers a range of transport choices for the movement of people and goods will be supported.”* Policy S49 sets out parking standards for the District.

There is an existing access point to the west boundary of the site. The proposal includes a large area for parking for at least three cars. The highways authority has been consulted on the proposals and initially requested more information. An amended plan was received on which included a note to indicate that a bound surface will be used. Therefore, the proposal accords to Policies S47 and S49.

Drainage

The majority of the application site and its access are in flood zone 1 (low risk for river and sea flooding); the main body of the site is at very low risk of surface water flooding whilst a small section of the access to Abbey Road is at low risk of surface water flooding.

Government guidance and the Building regulations (Approved document H) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. *Connection to the public sewer;*
2. *Package sewage treatment plant (which can be offered to the Sewerage Undertaker for adoption);*
3. *Septic Tank;*
4. *If none of the above are feasible a cesspool*

The application indicates that foul water is proposed to package treatment plant and surface water to soakaway. The NPPG advises that where a connection to a public sewage treatment plant is not feasible, a package treatment plan can be considered. Given the open countryside location, connection to a public sewer would not be expected to be a feasible option. If permission were to be granted then a condition would be placed on the decision to provide further details in relation to this. With regard to the disposal of surface water, this represents the preferred methods of surface water drainage as set out within the NPPG. No percolation testing has been undertaken however, it is considered that means of proposed foul and surface water drainage can be conditioned if permission were to be granted. The proposal accords to Policy S21.

Other Matters

Energy Efficiency Policies- The proposals comprise of the conversion of an existing building. Policy S13 of the CLLP states that; *For all development proposals which involve the change of use or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended)**. It is recommended that an informative is added to the decision notice to encourage the applicant to consider the use of energy efficiency measures in the conversion.

Removal of Permitted Development Rights- It is considered reasonable and necessary in this case, due to the sites sensitive location to remove permitted development rights for any further alterations to the building as well as the erection of any outbuildings. This will allow the Local Planning Authority to properly assess any alterations or outbuildings and their impact on the character of the area and nearby designated heritage assets.

Planning balance and Conclusion: The application has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S5: Development in the Countryside, Policy S13: Reducing Energy Consumption in Existing Buildings, Policy S21: Flood Risk and Water Resources, Policy S47: Accessibility and Transport, Policy S49: Parking Provision, Policy S53: Design and Amenity, Policy S57: The Historic Environment, Policy S60: Protecting Biodiversity and Geodiversity and Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains of the Central Lincolnshire Local Plan, Policy M11 of the Core Strategy and Section 66 of the 'Act' in the first instance as well as the guidance contained within the NPPG and the provisions of the NPPF.

In light of this assessment it is considered, on balance, that the principle of development can be supported with weight being given to the proposal bringing back into use a non-designated heritage asset and securing its long-term future. The proposals would preserve the setting of the nearby designated heritage assets as well as the character of the area. The impacts upon residential amenity, highway safety, drainage and ecology and biodiversity are all considered to be acceptable subject to conditions. It is considered that the submission has addressed the previous reasons for refusal and can now be supported. It is therefore recommended that planning permission is granted subject to conditions.

RECOMMENDATION- Grant Planning Permission with Conditions

Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

None.

Conditions which apply or are to be observed during the course of the development:

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details as shown on the approved plans and any other document forming part of the application:

- Site Location Plan with Proposed Block Plan- 2668-A1-04C received 01/02/2024;
- Proposed Elevations- 2668-A1-06A received 01/02/2024;
- Proposed Floor Plans – 2668- A2-05A received 01/02/2024.

Reason: To ensure the development proceeds in accordance with the approved plans

3. No development, other than to foundations level on the proposed extension shall take place until details and samples (where stated) of the following materials have been made available on site for inspection and agreed in writing with the Local Planning Authority. The proposed development shall only proceed in accordance with the approved materials.

- Brickwork- 1m square sample panel to be made available on site for inspection;
- Sample of any replacement stone;
- All new external cladding – Samples to be made available on site for inspection;
- Specifications of all new windows, doors, glazing and joinery details at a scale of 1:20, including colour and finish,
- Rainwater goods.

Reason: In the interests of visual amenity and to ensure the materials used are appropriate in this sensitive setting in accordance with Policies S53 and S57 of the Central Lincolnshire Local Plan 2023 and the NPPF.

3. No development other than to foundation level on the proposed extension shall take place until full details of foul and surface water drainage (including the results of percolation tests) has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure adequate drainage facilities are provided to serve the development and to prevent pollution of the water environment in accordance with Policy S21 of the Central Lincolnshire Local Plan 2023.

4. The development hereby approved must only be carried out in accordance with the recommendations set out in Section 5 of the Ecology and Protected Species Survey dated May 2022.

Reason: In the interest of nature conservation to accord with the National Planning Policy Framework and Policies S60 and S61 of the Central Lincolnshire Local Plan 2023.

5. All new external and internal finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the fabric and appearance of the host building, a non- designated heritage asset in accordance with Policies S53 and S57 of the Central Lincolnshire Local Plan 2023.

6. No development other than to foundation level on the proposed extension shall take place until full details until a scheme of ecological enhancements, including the provision of Bat and Bird Boxes and the Owl nest box have been submitted to and approved in writing by the Local Planning Authority. (See note to applicant section)

Reason: To protect and enhance the biodiversity value of the site to accord with the National Planning Policy Framework and Policies S60 and S61 of the Central Lincolnshire Local Plan.

7. Prior to the first occupation of the dwelling hereby permitted, a scheme of landscaping including details of the size, species and position or density of all trees and hedges to be planted, shall be submitted to and approved in writing by the Local Planning Authority. All planting comprised in the approved details of landscaping shall at the latest be carried out in the first planting season following the occupation of the relevant dwelling; and any landscaping which within a period of 5 years from the completion of the development dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the visual impact of the development on the area is minimised and in the interests of providing biodiversity enhancements in accordance with the requirements of Policies S53, S60 and S61 of the Central Lincolnshire Local Plan.

Conditions which apply or relate to matters which are to be observed following completion of the development:

8. Notwithstanding the provisions of Class A, AA, B, C, D and E of Schedule 2 Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order), following the commencement of the development hereby permitted, there shall be no further

alterations, windows, additions or enlargement of the dwelling, or additional buildings within its curtilage, unless planning permission has first been granted by the local planning authority.

Reason: To allow the Local Planning Authority to appropriately assess the visual impacts of any alterations to the development in accordance with Policies S53 and S57.

Notes to Applicant

COMMUNITY INFRASTRUCTURE LEVY

Please be aware that as of the 22nd January 2018 West Lindsey District Council implemented a Community Infrastructure Levy and that eligible development granted on or after this date will be subject to this charge. The development subject to this Decision Notice could fall within the definitions held within the adopted charging schedule and as such may be liable to pay the levy. For further information on CIL, processes, calculating the levy and associated forms please visit the Planning Portal www.west-lindsey.gov.uk/cilforms and West Lindsey District Council's own website www.west-lindsey.gov.uk/CIL

Please note that CIL liable development cannot commence until all forms and necessary fees have been submitted and paid. Failure to do so will result in surcharges and penalties

Highways

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link: <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>

Reducing Energy Consumption in Existing Buildings

Policy S13 of the Central Lincolnshire Local Plan encourages the improvement of energy efficiency as stated below:

'For all development proposals which involve the change of use or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended).'

The applicant is therefore encouraged to use PAS 2035:2019 Specifications and Guidance (or any superseding guidance) for this proposal. Please see the link below:

<https://knowledge.bsigroup.com/products/retrofitting-dwellings-for-improved-energy-efficiency-specification-and-guidance-1/standard>

Ecology

Please use the following link for advice on the barn owl pole nest box as recommended in the Ecology Report. <https://www.barnowltrust.org.uk/barn-owl-nestbox/barn-owl-pole-nest-box/>

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report