

Parish:	Walsoken	
Proposal:	PROPOSED BARN CONVERSION AND NEW LINK	
Location:	Barns And Land At Rosalie Farm Lynn Road Walsoken	
Applicant:	MR KEVIN CLARK	
Case No:	23/00342/F (Full Application)	
Case Officer:	Bradley Downes	Date for Determination: 12 June 2023

Reason for Referral to Planning Committee – Parish Council objection contrary to officer recommendation and Sifting Panel referred the application to Planning Committee

Neighbourhood Plan: No

Case Summary

The application is for the conversion of agricultural barns with a link extension to create a single dwelling. The site lies in the countryside on the north of Lynn Road, Walsoken. The site lies in an area known as 'S-Bend' on Lynn Road, approximately 1.4km to the north-east of the built-up edge of Wisbech. The barns are situated in between other buildings that already benefit from planning permission to be converted to dwellings. The character of the area is considered to be highly rural. While the south of Lynn Road has sporadic linear development and various commercial uses, the north side is largely undeveloped.

Key Issues

Principle of development
Form and character
Impact on neighbour amenity
Flood risk
Highway safety
Any other matters requiring consideration prior to determination of the application

Recommendation

APPROVE

THE APPLICATION

The application is for conversion of agricultural barns with a link extension to create a single dwelling. The site lies in the countryside on the north of Lynn Road, Walsoken. The site lies in an area on Lynn Road, known as 'S-Bend', approximately 1.4km to the north-east of the built-up edge of Wisbech. The barns are situated in between other buildings that already benefit from planning permission to be converted to dwellings. To the west are former grain silos which have planning permission for conversion to a dwelling, and to the north planning

permission has been granted for the demolition of a barn and erection of a dwelling. To the east of the site lies an existing dwelling 'Rosalie Farm'.

The character of the area is considered to be highly rural. While the south of Lynn Road has sporadic linear development and various commercial uses, the north side is largely undeveloped and currently comprised of agricultural land with a community farm to the west. The barns are single storey of brick construction with metal corrugated roofs. The proposed link extension is proposed to be single-storey and finished in timber cladding. The proposed access is taken from an existing private track serving the dwelling Rosalie Farm.

PLANNING HISTORY

NO relevant history

RESPONSE TO CONSULTATION

Parish Council: OBJECT

Concerns raised regarding an estate being built and over-development of the area.

Highways Authority: NO OBJECTION

Having regard for the existing use class, it would be difficult to substantiate an objection on highway safety grounds. The site is remote from services with limited public transport or footpaths. The Local Highway Authority consider the development is likely to conflict with the aims of sustainable development. If you wish to approve the application, I recommend a condition to ensure the permanent availability of the parking and turning area prior to occupation of the dwelling.

Environment Agency: NO OBJECTION

Recommend that mitigation measures set out in the submitted flood risk assessment are adhered to.

Internal Drainage Board: NO OBJECTION

Land drainage consent may be required.

Ecology Officer: NO OBJECTION

I have reviewed the submitted documents. Both buildings are assessed to have negligible potential to support roosting bats. Low risk of small-scale impacts were identified on other species including badger, nesting birds and barn owls. Best practice avoidance and mitigation measures are recommended within the report to avoid and mitigate the potential impacts identified. No direct impacts are anticipated on designated sites. GIRAMS has been paid. If you are minded to grant permission then please condition ecological mitigation in line with the ecology report.

Environmental Quality: NO OBJECTION

Applicant has provided a phase 1 geo environmental desk study by EPS dated 27th Jan. The report identifies risks from localised made-ground fill materials, especially in areas to be converted to soft landscaping. The report recommends further investigation into shallow soils

to ensure they are suitable for residential use. The surrounding landscape is largely agricultural. Due to the need for further investigation to evaluate the potential risks of contamination we recommend conditions to ensure site is sufficiently characterised and remediated if necessary. The geo environmental study also identifies asbestos containing materials to be present within the building so conditions for controlling asbestos are recommended.

Emergency Planning: NO OBJECTION

Occupiers should sign up to the EA flood warning service and a flood evacuation plan should be prepared.

REPRESENTATIONS

NONE received

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development
- Form and Character
- Impact on Neighbour Amenity
- Flood Risk
- Highway Safety
- Any Other Matters Requiring Consideration Prior to Determination of the Application

Principle of Development

The application is for conversion of two barns on the site including an extension to link them into 1 building to create a single dwellinghouse. The site lies in the countryside, however Policy CS06 of the Core Strategy sets out that conversion of buildings in rural areas may be acceptable where the existing building makes a positive contribution to the landscape, a non-residential use is proven to be unviable, the accommodation is commensurate with the settlement pattern and the building is easily accessible to employment and services. A set of storage silos to the south-west has been granted planning permission to be converted to a dwelling under 21/02397/F and the barn to the north benefits from planning permission for demolition and erection of a dwelling under 22/00829/F following a prior approval application to convert. The dwelling Rosalie Farm lies to the east.

Permitted development rights under Class Q or Part 3, Schedule 2 of the General Permitted Development Order 2015 allow for agricultural buildings to be converted to dwellings where certain criteria have been met. Class Q does not permit any extensions to take place and it is considered the smaller barn to the front of the site would not be capable of conversion by itself. However, the larger barn to the rear could be suitable under the permitted development right. In any case, it is considered the proposed development meets the requirements of the Development Plan and therefore does not need to rely on a fallback position.

The smaller barn to the south can be seen on the first edition ordnance survey maps while the larger barn to the rear is more recent. Both barns are of red brick construction but are not considered to be undesignated heritage assets. However, it is considered the buildings have a positive contribution on the character and appearance of the area due to their traditional agricultural appearance. The barns have not been used in association with a viable agricultural enterprise for some time and continued use of the building for agricultural purposes could give rise to disamenity for future occupants of neighbouring dwellings which are existing and permitted. As such it is considered the building is not necessary or viable to carry on in agricultural use. The proposed dwelling would be situated suitably in between existing development and would not adversely affect the appearance of the wider countryside. In addition, the site is not isolated and while there is no direct footpath provision, the site has convenient access to the A47 and good public transport links. Overall, it is considered the development would meet Policy CS06 and the principle of development is acceptable.

Form and Character

The proposed conversion involves a modest link extension to join the two barns into a single dwelling. The front barn is approximately 43sqm in footprint with a height of approximately 4.25m. The rear barn has a footprint of approximately 84sqm and an overall height of approximately 4.7m. The proposed link extension will have a dual-pitched roof and will be of contemporary design with a footprint of approximately 59sqm and a proposed height to match the smaller front barn. The design of the development maintains the traditional appearance of the building by retaining the majority of the red brick walls, with the use of timber cladding on the link extension retaining a rural character. The application form indicates that the proposed roof material will be a concrete pantile. It is considered that insufficient information has been provided to fully assess materials at this stage, but this could be secured via condition to ensure a satisfactory appearance.

The submitted plan indicates a planting scheme including a hedgerow to the side boundaries and a post and rail fence is proposed along the rear boundary. It is considered these landscaping works will complement the appearance of the development and contribute to maintaining the character and appearance of the countryside. It is recommended that

permitted development rights for extensions and outbuildings are removed to protect the character and appearance of the countryside from potentially harmful development.

The Parish Council has raised an objection to the development on the basis that it would – in combination with the other permissions for dwellings adjoining the site – create the appearance of an estate and would represent over-development of the area. While this comment is noted, it is considered that as a conversion of existing barns, the proposed dwelling would not have any significant impact in terms of over-development of the area. The other permissions for dwellings adjoining the site were each considered on their own merits. It is considered the cumulative visual impact of the proposals is acceptable as they retain an agricultural character. Overall, it is considered the proposed conversion with link extension would maintain the rural character of the area in accordance with Policy CS06 of the Core Strategy 2011 and DM15 of the SADMPP 2015.

Impact on Neighbour Amenity

The proposed conversion would not have any significant overbearing or overshadowing impact on neighbours as the majority of the building already exists. The proposed link extension would be sufficiently far from neighbouring occupiers to avoid any significant overbearing or overshadowing impacts. While the development involves a significant amount of glazing, this is mainly to fill existing large openings in the building which were previously used for storing vehicles and machinery. The dwelling will be fully single storey height, and due to the gaps to neighbouring dwellings and proposed boundary treatments, it is considered there would not be any detrimental overlooking impact. Overall, it is considered the development will not have any significant adverse impact on residential amenity in accordance with Policy DM15 of the SADMPP 2016 and CS08 of the Core Strategy 2011.

Flood Risk

The site lies in Flood Zone 3a and the Tidal Hazard zone. The Flood Risk assessment indicates that flood depths in the event of a tidal breach are predicted to be between 0m and 0.25m. Proposed mitigation includes raising the floor levels by 0.3m above ground level and 0.3m of flood resilient construction is implemented above finished floor level. It is considered these measures are sufficient ensure the property is reasonably safe from the risks of flooding for its lifetime. The Environment Agency do not object subject to the mitigation measures set out in the FRA being adhered to.

The Borough Council emergency planning officer has commented with no objection but recommends the occupiers subscribe to the EA flood warning service and produce a flood evacuation plan. Given the proposed mitigation measures are considered sufficient, it is not considered reasonably necessary to require these to be submitted via condition. Overall, it is considered the development would be acceptable in terms of flood risk, in accordance with Policy CS08 of the Core Strategy 2011 and the NPPF.

Highway Safety:

The site provides sufficient space within the layout for parking and turning of vehicles, and visibility at the point of access is considered to be sufficient. The access is existing and serves the dwelling Rosalie Farm, along with the two approved dwellings with which it will be shared. Subject to the condition set out by the Local Highway Authority, it is considered the development will not have any significant adverse impact on highway safety in accordance with Policy DM15 of the SADMPP 2016 and CS11 of the Core Strategy 2011.

Other Matters Requiring Consideration Prior to the Determination of this Application

The application was submitted with an ecology report. The report concludes that no further surveys are necessary as potential for protected species including bats was considered to be negligible to low. As such, it is not considered necessary to consider the likelihood of Natural England granting the developer a bat license. However, evidence of roosting birds and barn owls was found, and it is considered subject to condition setting out appropriate mitigation there would not be any significant adverse impact on ecology.

The site lies within the Zone of Influence for the The Wash and the North Norfolk Coast habitats sites. As such, the proposed development would have the potential to adversely impact on the integrity of those habitats sites through increased recreational pressure. However, the proposal is for less than 50 units and the site does not lie within or adjacent a designated site. As such, in this case it is considered that a payment of the appropriate GIRAMS habitat mitigation fee sufficiently negates any adverse effects of the proposal.

Lastly, the Borough Council Environmental Quality officer does not object to the application subject to conditions which require the site to be assessed for any existing contamination and a remediation scheme submitted if necessary. It is considered these conditions are necessary given the previous use of the site. On that basis, the proposal would not be at significant risk of land contamination in accordance with Policy DM15 of the SADMPP 2016.

CONCLUSION

The proposed conversion and link extension is considered to be acceptable in principle as it meets the criteria for conversion of buildings in Policy CS06. Furthermore, it is considered the development will maintain the character of the area and would not have any significant adverse impact on residential amenity. Highway safety, flood risk, ecology and contamination matters are considered acceptable, subject to the imposition of the conditions set out below.

As a result, the proposed development is in accordance with Policies DM2 and DM15 of the SADMPP 2016, and CS06, CS08 and CS11 of the Core Strategy 2011. The application is therefore recommended for approval.

RECOMMENDATION

APPROVE subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans. Dwg nos. PL16 (Location Plan and Existing Plans), and PL15 (Proposed Site Plan, Elevations and Floor Plan).
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The development hereby permitted shall be carried out in accordance with the mitigation measures set out in the submitted Flood Risk Assessment (FRA)

(ECL0314-2/Peter Humphrey Associates LTD, dated Jan 2023). In particular, the FRA requires that:

- Finished floor levels will be raised 0.3m above surrounding ground levels.
 - Flood resilient measures will be incorporated up to 0.3m above finished floor levels.
- 3 Reason: To ensure the development is reasonably safe for its lifetime from the risks of flooding in accordance with Policy CS08 of the Core Strategy 2011 and the NPPF.
 - 4 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning waiting area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
 - 4 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
 - 5 Condition: No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the conversion and link extension have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
 - 5 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
 - 6 Condition: Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
 - 6 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
 - 7 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
 - 7 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF and to ensure the residential boundary of the property is sufficiently demarcated.
 - 8 Condition: The development hereby permitted shall be carried out in accordance with the ecological mitigation measures recommended in Section 7 of the submitted ecology report (by Wild Frontier Ecology dated Feb 2023), and includes:

- Installation of bat and barn owl boxes in accordance with dwg no. PL15
- Sowing a mixed wildflower lawn in accordance with Paragraph 7.2 of the ecology report.
- Installation of two nest chambers within the fabric of the new building.
- Lighting shall be used only in accordance with Section 7.4 of the ecology report.
- Best practice measures (work outside of bird nesting season, no trenches left open overnight etc) set out in Section 7.5 of the ecology report.

8 Reason: To safeguard the ecological interests of the site and mitigate impacts to protected species in accordance with Policy CS12 of the Core Strategy 2011 and the NPPF.

9 Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - * human health,
 - * property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - * adjoining land,
 - * groundwaters and surface waters,
 - * ecological systems,
 - * archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's Land Contamination Risk Management (LCRM).

9 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

10 Condition: Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

10 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters,

property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

- 11 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
- 11 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 12 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 9, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 10, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 11.
- 12 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 13 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Classes A, AA, B, D, E, F and G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or alterations to the dwelling (except those permitted under Classes C and H), or erection or alteration of outbuildings or hardstandings incidental to the enjoyment of the dwelling shall be allowed without the granting of specific planning permission.
- 13 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.