



Report to Planning Committee 9 June 2022

Business Manager Lead: Lisa Hughes – Planning Development

Lead Officer: Clare Walker, Senior Planner, ext. 5834

Report Summary			
Application Number	22/00626/FUL		
Proposal	Conversion and extension of redundant agricultural to one residential property		
Location	Redfields Farm, Greaves Lane, Edingley, NG22 8BH		
Applicant	Andrew Tucker	Agent	Jigsaw Planning and Development Ltd
Web Link	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/advancedSearchResults.do?action=firstPage		
Registered	29.03.2022	Target Date	20.05.2022
Recommendation	Approve, subject to conditions		

The application represents a potential departure to the development plan and in accordance with the constitution requires determination by the Planning Committee.

1.0 The Site

This application site relates to a former pig farm building (which has extant approval for conversion to a single dwelling) and adjacent small outbuilding, land to the west (its approved curtilage) and access to it from Greaves Lane. A dwelling known as 'Redfields' lies to the south and is within the same control.

Land to the east comprises a former horse manège and yard which is disused with open countryside located to the west. The manège is partly grazed and laid with hardstanding but is overgrown. This is enclosed from the access to the east by a block wall.

2.0 Relevant Planning History

22/00213/FUL – Change of use of horse manège and stables to domestic curtilage. Approved 09.03.2022. Not yet implemented.

21/02345/CPRIOR - Notification for Prior Approval for a Proposed Change of Use of Agricultural Building to dwellinghouse and for building operations reasonably necessary for the conversion. Prior approval required and granted 02.12.2021. Not yet implemented.

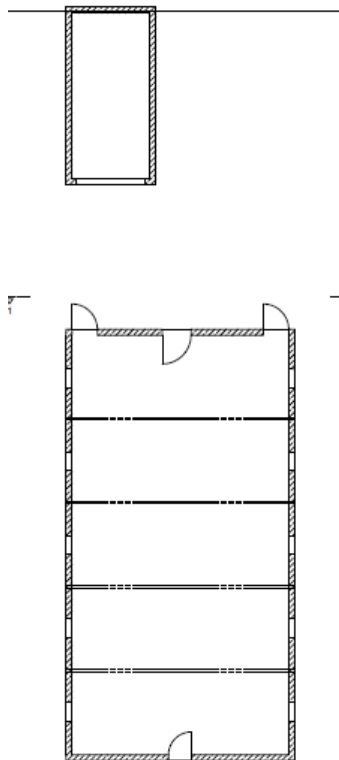
37910068 – Remove agricultural occupancy condition from property (Redfields Farm to south of the site) refused 18.03.1991.

37911104 – Removal of agricultural occupancy condition (for Redfields Farm) imposed on consent 37751159, approved 28.07.1992.

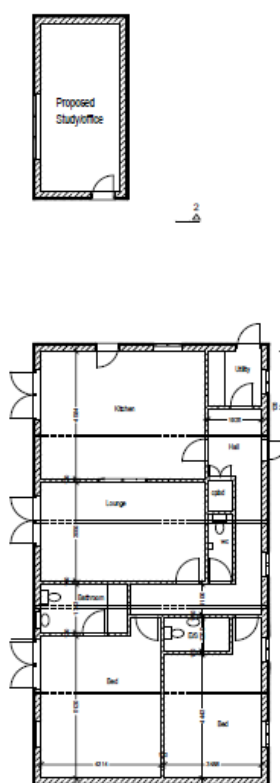
3.0 The Proposal

Full planning permission is sought for the conversion and extension of a former agricultural building to one residential property. Noting that the conversion is already approved via a prior approval the main changes over and above the approved scheme relate to a link extension to connect the main existing building to a modest existing outbuilding with an additional floor area of 18.2sq m. In addition the internal configuration has been amended and would result in new openings.

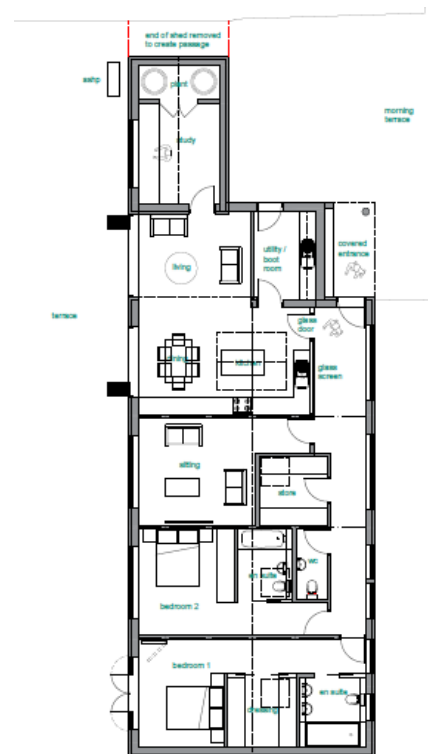
Building as existing



Building as approved CPRIOR



Proposal



The following documents have been deposited with the application:

- Site Location Plan 2201 (P) 00
- Existing Plans and Elevations 2921/2
- Ground Floor as Proposed 2201 (P) 01
- Roof Plan 2201 (P) 02
- Elevations Proposed SW and SE, 2201 (P) 04
- Elevations Proposed NE and NW, 2201 (SK) 03
- Supporting Planning Statement, Jigsaw Planning and Development Ltd
- Proposed Species (Bat) Survey, CBE Consulting (September 2020)



4.0 Departure/Public Advertisement Procedure

Occupiers of two properties have been notified by letter. The application has been advertised as a departure in the local press and by site notice, which expire 28.04.2022

5.0 Planning Policy Framework

Newark and Sherwood Core Strategy DPD (adopted March 2019)

Spatial Policy 3 – Rural Areas
Core Policy 3 – Housing Mix Type and Density
Core Policy 9 -Sustainable Design
Core Policy 10 – Climate Change
Core Policy 12 – Biodiversity and Green Infrastructure
Core Policy 13 – Landscape Character

Allocations & Development Management DPD

DM5 – Design
DM7 – Biodiversity and Green Infrastructure
DM8 – Development in the Open Countryside
DM10 – Pollution and Hazardous Substances
DM12 – Presumption in Favour of Sustainable Development

Other Material Considerations

National Planning Policy Framework 2021
NPPG
Residential Cycle and Parking Design Guide SPD, 2021
Landscape Character Assessment, SPD

6.0 Consultations

Edingley Parish Council – Support

Environmental Health Officer – request that our standard phased contamination conditions are attached to the planning consent.

No other representations have been received.

7.0 Comments of the Business Manager – Planning Development

The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.

Principle of Development/Fallback

Full planning permission is sought for the conversion of a former agricultural building to a dwelling which requires assessment against Spatial Policy 3 and DM8 of the Development Plan. Together these policies restrict development in the open countryside to certain types of development. One of these is for conversions to residential where it can be demonstrated that the architectural or historical merit of the buildings warrant their preservation and where they can be converted without significant rebuilding, alterations or extensions.

The building in question is not of any architectural or historical merit and would fail the straight application of this policy. However in this case it is important to note that a prior approval for one dwelling has already been approved. This constitutes a realistic fallback position in that this remains extant and could be implemented at any time. This should be given significant weight as the principle of conversion has effectively been established. It was demonstrated through the previous prior approval that the building was capable of conversion without rebuilding and that it can be converted without significant alteration. This scheme therefore represents a desire to reconfigure the internal layout (and consequently the fenestration/openings) without the constraints of the prior approval by adding a modest link extension between the main building and the existing outbuilding. Taking all of this into account I consider it reasonable to only consider the merits of the amendments over and above what has already been approved.

Impact on the Open Countryside and the Visual Amenities of the Area

The application is required to be considered against the policy context of CP9, CP13 and DM5. I have excluded assessment against the SPD on the conversion of traditional rural buildings as this building is not of merit and it isn't applicable.

The building is single storey and modern, yet solid, in construction. Given its position between an existing two storey dwelling and a farmstead and that the extension that actually needs the permission lies between two existing buildings means that the proposal causes no encroachment into the countryside. It is modest in scale and represents an approximate 13% increase in footprint which would have likely been acceptable if it had been presented as a

householder extension in the future. This infill extension is subservient to the dwelling and allows for the building to be better configured. I consider the new openings and amended design to cause no further harm than the previous iteration and find no adverse impacts that would warrant a reason for refusal in respect of these policies.

Housing Mix

In respect of CP3, the extant approval formed a two bedroom dwelling on one level and this proposal would see the dwelling remain as a two bedroom unit with small study (not suitably sized for a bedroom). This would assist in a small way of catering for the District's housing needs, one of which is noted as being 2 bedrooms or less. This is a neutral consideration however given it represents no change.

Highways and Parking Impacts

During the prior approval process Nottinghamshire County Council as Highways Authority confirmed they had no objection to the scheme and its access provision. No conditions were sought or imposed.

This scheme would need to be assessed against Policies SP7 and DM5. However again given the extant approval which carries significant weight I do not anticipate that this scheme would cause any highway safety issues either. Adequate parking for 2/3 cars will be possible at this site in line with the SPD on residential parking and there are no reasons to resist the application on highway or parking grounds.

Residential Amenity Impacts

Assessment against Policies CP9 and DM5 on the residential amenity of any existing occupiers is necessary. However given the sites location away from other residential dwellings, there are no concerns regarding loss of privacy etc. Redfields within the same ownership is the nearest dwelling and there is no issues given the building is single storey.

Ecology

Noting the policy context of Policies CP12 and DM9, the proposal has been assessed in relation to bats with a protected species survey having been submitted to accompany the application. This has concluded the absence of bats albeit mitigation in the form of controlling proposed lighting is required which can be secured through condition.

Other Matters

Noting the comments regarding possible contamination from Environmental Health colleagues, I consider that it would be reasonable to impose a condition to ensure that this is dealt with before the land is brought into use.

It is noted that the bat survey suggests that the applicant seeks to demolish the buildings and replace with a new build dwelling; one of the enhancement measures is to design the building to include a new bat roost tube. I must make clear that a new dwelling is not what has been

applied for. This would need to be assessed on its own merits and may well be considered as a step too far, unsustainable and contrary to policy.

I have considered whether it is reasonable to remove permitted development rights for the new dwelling. As the dwelling would not be gained through a prior approval, the dwelling hereby created would benefit from all the usual permitted development rights unless these are withdrawn. Given its countryside location and it is being slightly enlarged and that the recommendation is for approval, only on the basis that there is a building for conversion, I consider that it is reasonable to withdraw permitted development rights for enlargements to the dwelling as detailed in recommended condition 7.

8.0 Conclusion

In conclusion I find that this scheme, which is essentially for a small extension plus the conversion already approved, is acceptable having regard to the realistic fallback position and allows for a more cohesive conversion. There is no harm identified.

9.0 Conditions

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

Unless otherwise agreed, the development must not commence until Parts A to D of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part D has been complied with in relation to that contamination.

Part A: Site Characterisation

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:
 - a. human health,

- b. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - c. adjoining land,
 - d. groundwaters and surface waters,
 - e. ecological systems,
 - f. archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

Part B: Submission of Remediation Scheme

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.

Part C: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development 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 (referred to in PPS23 as a validation 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.

Part D: Reporting of Unexpected Contamination

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 Part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part B, 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 Part C.

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.

03

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans:

- Site Location Plan 2201 (P) 00
- Ground Floor as Proposed 2201 (P) 01
- Roof Plan 2201 (P) 02
- Elevations Proposed SW and SE, 2201 (P) 04
- Elevations Proposed NE and NW, 2201 (SK) 03

Reason: So as to define this permission.

04

No development above damp proof course shall take place until manufacturers details (and samples upon request) of the external facing materials (including colour/finish) have been submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

05

Prior to first occupation details of any external lighting to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, design, levels of brightness and beam orientation, together with measures to minimise overspill and light pollution and impacts on nocturnal wildlife. The lighting scheme shall thereafter be carried out in accordance with the approved details and the measures to reduce overspill, light pollution and impacts on wildlife retained for the lifetime of the development.

Reason: In the interests of visual and residential amenity as well as biodiversity.

06

Prior to first occupation of the dwelling hereby approved, a scheme of ecological enhancement should be submitted to and be approved in writing by the Local Planning Authority. This scheme shall details the number, type and precise location of artificial roost/bird boxes to be positioned within the site. The approved enhancement scheme shall be implemented on site prior to first occupation and shall be retained for the lifetime of the development.

Reason: To offer appropriate enhancements in line with the policy requirements of CP12 and DM7 as well as the recommendations of the Protected Species (Bat) Survey by CBE Consulting dated September 2020 which forms part of the application submission.

07

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and any order revoking, re-enacting or modifying that Order), other than development expressly authorised by this permission, there shall be no development under Schedule 2, Part 1 of the Order in respect of:

Class A: The enlargement, improvement or other alteration of a dwellinghouse.

Class B: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Class C: Any other alteration to the roof of a dwellinghouse.

Class E: Buildings etc incidental to the enjoyment of a dwellinghouse.

Reason: To ensure that any proposed further alterations or extensions do not adversely impact upon the openness of the countryside.

Notes to Applicant

01

The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

02

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.newark-sherwooddc.gov.uk/cil/

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the gross internal area of new build is less 100 square metres.

BACKGROUND PAPERS

Application case file.

Committee Plan - 22/00626/FUL

