

# Development Management Delegated Decision Report

B/24/0120



SUMMARY OF APPLICATION				
<b>Application Reference</b>	B/24/0120			
<b>Application Type</b>	Full Planning Permission			
<b>Proposal</b>	Conversion and alterations to existing agricultural building to form a garage (for domestic use) and storage area (for agricultural use)			
<b>Location</b>	Burton House, Nidds Lane, Kirton, Boston PE20 1LZ			
<b>Applicant</b>	Mr James Cheer, J E Cheer Farming Ltd., C/O Origin Design Studio Ltd			
<b>Agent</b>	Mr Michael Orridge, Origin Design Studio Ltd			
<b>Received Date:</b>	20-Mar-2024	<b>Consultation / Publicity Expiry Date:</b>	11-May-2024	
<b>Valid Date:</b>	20-Mar-2024	<b>Statutory Expiry Date:</b>	<b>15-May-2024</b>	
<b>Date of Site Visit:</b>	17-Apr-2024	<b>Extension of Time Date:</b>	N/A	
<b>Objections received?</b>	None.			
<b>5 day notification record:</b>				
	<b>Councillors notified</b>	<b>Date</b>	<b>Response received – date</b>	<b>Ok to continue</b>
<b>Recommendation</b>	Approve with Conditions			
<b>Report by:</b>	Megan Epton			
<b>Date:</b>	13-May-2024			

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The site is located on the southern side of Nidds Lane, Kirton and comprises of 1no. agricultural building within a wider agricultural and residential site. It is not directly adjacent to any residential neighbours but is in close proximity to the holiday accommodation at the front of the site.

### DETAILS OF PROPOSAL:



It is proposed to convert the existing agricultural building to accommodate a combined use of domestic garage space and an agricultural storage area (50/50 split). The alterations include dividing the floor area up with new partition walls, introducing new wall openings for new entrances and raising the roof ridge height.

#### **RELEVANT SITE HISTORY:**

- **B/09/0133 – FULL** - Change of use and refurbishment of outbuildings including provision of external staircase, children's games room, lounge, kitchenette and toilet facilities - **APPROVED**
- **B/14/0280 – FULL** - Erection of extension and associated alterations – **APPROVED**.
- **B/17/0060 – FULL** - Construction of extension and alterations to outbuilding to form a garage – **APPROVED**.
- **B/18/0342 – FULL** - Change of use to convert existing barn to two storey holiday cottage – **APPROVED**.
- **B/23/0286 – FULL** - Application under S73 for the variation of Condition 2 (Approved Plans) and removal of C4 (Occupancy Period) of approval B/18/0342 – **APPROVED**.

#### **RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:**

##### **South East Lincolnshire Local Plan (2019)**

The South East Lincolnshire Local Plan (2019) does not show the site as falling within any settlement boundaries and it is therefore considered to be 'Open Countryside', but no specific allocations or designations apply. The relevant Policies of the Local Plan are:

- Policy 1: Spatial Strategy;
- Policy 2: Development Management;
- Policy 3: Design of New Development; and
- Policy 4: Approach to Flood Risk.

#### **OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:**

##### **National Planning Policy Framework (2023)**

At the heart of the 2023 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 4: Decision making;
- Section 12: Achieving well-designed and beautiful places; and
- Section 14: Meeting the challenge of climate change, flooding and coastal change.

##### **National Planning Practice Guidance (PPG)**

#### **CONSULTATION RESPONSES:**

Lincolnshire County Council (Local Highway and Lead Local Flood Authority) were consulted and raised no objections.

Environmental Health were consulted and raised no objections.

The Environment Agency were consulted and offered no comments.

### **THIRD PARTY REPRESENTATIONS RECEIVED:**

No third party representations have been received.

### **EVALUATION:**

The key material planning issues considered in the determination of this application are:

- Principle of development;
- Design and impact on the character and appearance of the area;
- Impact on residential amenity; and
- Flood risk.

#### **Principle of Development**

Policy 1 of the Local Plan identifies that, in the Countryside, development will be permitted that is necessary to such a location and/or when it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

The proposal introduces a new shared use for the existing agricultural building, with half of the building proposed to be utilised as a domestic garage. As the wider site incorporates both agricultural and residential/domestic uses the proposal is considered to comply with Policy 1 as the principle of these combined uses is established within the wider site.

As such, the principle of development is deemed acceptable subject to the other relevant policy considerations being met.

#### **Design and Impact on the Character and Appearance**

Policy 2 of the SELLP indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area. Policy 3 states that all developments must create a sense of place by respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area.

It is proposed to convert an existing single storey agricultural building and alter it in a number of ways. Alterations include raising the height of the roof from 3.67m (at ridge) to 5.1m and 2.09m (at eaves) to 2.5m; dividing up the internal floor space; adding 2no. wall openings for a car port and introducing a new roller shutter door to the closed garage element. The proposed materials are horizontal timber cladding to external walls and corrugated bitumen sheets for the roof.

It is considered that the proposed works respect the existing character and scale of the site- utilising rural materials and ensuring the building is not expanded to an overbearing scale. Based on this, overall, the proposals respect the rural context of the site and its

existing character and appearance, and it is therefore considered that the proposal is in accordance with SELLP Policies 2 and 3.

### **Residential Amenity**

Policies 2, 3 and 30 of the SELLP seek to ensure that new development does not significantly impact neighbouring land uses by reason of noise, odour, disturbance or visual intrusion.

The red line site are is located within a wider site under the ownership of the applicant, with the closest residential neighbour located approximately 100m to the north west and screened by various existing buildings, as a result the proposals are not considered to cause any issues for nearby neighbours or future residents. The introduction of the domestic garage is not considered to be a use that would lead to any detrimental impacts on amenity.

No objections have been received with regards to this proposal and therefore, in respect of the impact on the occupiers of nearby dwellings, the proposal is considered to accord with SELLP Policies 2 and 3.

### **Flood Risk**

Policy 4 of the SELLP seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere.

The site is located within the Environment Agency's designated Flood Zone 3 and a completed Flood Risk Statement has been submitted alongside the proposals. The statement confirms that the proposed development will reuse the existing surface water disposal method and as there are no additions to the existing floor area of the building, it is not considered to pose a threat to the drainage or level of flood risk or the site or wider surrounding area.

It is considered that as the proposal only introduces non-habitable accommodation, with no additions to the footprint, the flood risk of the area would not be adversely affected and therefore, it is considered that the proposal meets the requirements of SELLP Policy 4.

### **CONCLUSION:**

To conclude this proposal is considered to be an acceptable form of development that accords with Policies 1, 2, 3, 4 and 30 of the SELLP and Sections 4, 12 and 14 of the NPPF.

### **RECOMMENDATION:**

#### **Approve with Conditions**

<b>CONDITIONS / REASONS</b>	
1	The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

	<b>Reason:</b> Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2	<p>The development hereby permitted shall not be carried out except in complete accordance with the following details shown on the submitted plan(s):</p> <ul style="list-style-type: none"> <li>▪ J2055-PL-01 Site Location Plan, Existing Block Plan, Floor Plans &amp; Elevations;</li> <li>▪ J2055-PL-02 Proposed Plans &amp; Elevations.</li> </ul> <p><b>Reason:</b> To ensure that the development is undertaken in accordance with the approved details, in the interests of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.</p>
3	<p>The development hereby approved shall be carried out in accordance with the materials specified within drawing number: 'J2055-PL-02 Proposed Plans &amp; Elevations'.</p> <p>The materials shall be implemented and thereafter retained as approved unless otherwise agreed in writing by the Local Planning Authority.</p> <p><b>Reason:</b> In the interests of visual amenity and character in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.</p>

**INFORMATIVES / NOTES  
TO BE INCLUDED ON/WITH DECISION NOTICE**

STATEMENT OF PROACTIVE WORKING:

In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2023 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.