

APPLICATION NO PA/2011/0820

APPLICANT Mr A Hussain

DEVELOPMENT Planning permission to retain and complete a bungalow

LOCATION Sandbank Farm, Sandbank Lane, Eastoft

PARISH EASTOFT

WARD Axholme North

SUMMARY RECOMMENDATION **Subject to the revocation of planning permission PA/2009/0424 being confirmed, grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE **Officer discretion**

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber: Policy H1 (Provision and Distribution of Housing) states that the region's housing stock should be improved and increased to provide appropriate accommodation for all households wanting homes.

North Lincolnshire Local Plan: Policy RD2 (Development in the Open Countryside) only allows proposals for development in the open countryside which are essential to the efficient operation of agriculture or forestry; employment-related development related to the open countryside; affordable housing; outdoor sport or countryside recreation provision; re-use and adaptation of existing rural buildings; farm diversification; replacement, alteration or extension of existing dwellings; or essential for the provision of roadside or utility services; provided that the open countryside is the only appropriate location and development cannot be accommodated within defined development boundaries; the proposal accords with other specific requirements of this chapter of the local plan; it would not be detrimental to the character or appearance of the open countryside or nearby settlement in terms of siting, scale, massing, design or materials; it would not adversely affect residential amenity or highway safety; the proposal must be capable of being served by public transport; and make the best use of existing and new landscaping.

Policy DS1 (General Requirements) requires all new development to be of a high standard of design.

North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire) states that the spatial vision and future development requirements will be delivered through the spatial strategy for North Lincolnshire as outlined below:

- (a) delivering an urban renaissance in Scunthorpe and supporting its role as a major sub-regional town
- (b) supporting the market towns of Barton, Brigg, Crowle, Epworth, Kirton and Winterton as thriving places to live, work and visit, and as important service centres serving the needs of local communities across North Lincolnshire

- (c) supporting thriving rural communities and a vibrant countryside through the protection and enhancement of local services, creating opportunities for rural economic diversification and the promotion of tourism
- (d) supporting the development of key strategic employment sites at the South Humber Bank, Humberside Airport and Sandtoft Airfield
- (e) supporting the protection and enhancement of North Lincolnshire's world class natural and built environment to ensure the continued attractiveness of the area as a place to live, work and visit.

All future growth, regardless of location, should contribute to sustainable development, in particular in respect of those criteria set out in policy C2 as well as the other policies of the plan.

Policy CS2 (Delivering More Sustainable Development) states that in supporting the delivery of the spatial strategy set out in policy CS1, as well as determining how future development needs will be met in North Lincolnshire, a sequential approach will be adopted. Development should be focused on:

- (1) previously developed land and buildings within the Scunthorpe urban area, followed by other suitable infill opportunities within the town, then by appropriate greenfield urban extensions;
- (2) previously developed land and buildings within the defined development limits of North Lincolnshire's market towns, followed by other suitable infill opportunities then appropriate small-scale greenfield extensions to meet identified local needs;
- (3) small-scale developments within the defined development limits of rural settlements to meet identified local needs.

Any development that takes place outside defined development limits will be restricted and only development essential to the functioning of the countryside will be allowed. A sequential approach will also be applied to ensure that development is, where possible, directed to areas that have the lowest possibility of flooding.

Proposals should comply with the overall spatial strategy together with the following sustainable development principles:

- be located to minimise the need to travel and to encourage any journeys that remain necessary to be possible by walking, cycling and public transport
- be located where it can make the best use of existing transport infrastructure and capacity
- where large freight movements are involved the use of rail and water transport should be maximised
- contribute towards to the creation of locally distinctive, sustainable, inclusive, healthy and vibrant communities

- contribute to achieving sustainable economic development to support a competitive business and industrial sector
- ensure that everyone has access to health, education, jobs, shops, leisure and other community and cultural facilities that they need for their daily lives
- ensure the appropriate provision of services, facilities and infrastructure to meet the needs of the development
- to be constructed and operated using a minimum amount of non-renewable resources including increasing the use of renewable energy in construction and operation
- take account of local environmental capacity and to improve air, water and soil quality and minimise the risk and hazards associated with flooding
- be designed to a high standard, consistent with policy CS5, and use sustainable construction and design techniques.

Policy CS3 (Development Limits) states that development outside defined development boundaries will be restricted to that which is essential to the functioning of the countryside. This will include uses related to agriculture, forestry or other uses which require a countryside location or that which will contribute to the sustainable development of the tourist industry.

Policy CS8 (Spatial Distribution of Housing sites) states that the principal focus for housing is previously developed land and buildings within the development limits of Scunthorpe followed by a greenfield urban extension to the west of the town. The market towns of Barton, Brigg, Crowle, Epworth, Kirton and Winterton are also expected to accommodate 18% of new housing development. In rural settlements in the countryside and in the open countryside outside development limits, housing development will be strictly limited to development which relates to agriculture, forestry or to meet a special need associated with the countryside. The first priority is to re-use previously developed land and buildings within North Lincolnshire's built-up areas. Second priority will be given to other suitable infill opportunities in North Lincolnshire's built-up areas. Development on greenfield sites will only be allowed where it can be demonstrated that this will bring additional community benefits, contribute to building sustainable communities and is acceptable in terms of its impact on the quality of the urban space and adjoining countryside. Flood risk will also be taken into account, as this will be a determining factor in the distribution and location of housing.

CONSULTATIONS

Highways: Do not wish to restrict the grant of planning permission.

Environment Agency: No objection.

EASTOFT PARISH COUNCIL

Far enough away from main road, isolated property, this issue is a problem for North Lincolnshire planning officials; he has not adhered to regulations. The parish council refer to an earlier letter, however they do not state whether they support the application or object to it.

PUBLICITY

The neighbouring property has been consulted by letter – no representations have been received.

ASSESSMENT

This application seeks permission to retain (and complete) a dwelling which has been built in Eastoft. At September's committee members resolved that they would grant permission subject to revocation of the previous permission. Members also indicated the dormer windows should be retained. The applicant and another party with an interest in the land have agreed to revocation of the original approval and amended plans have been submitted retaining the dormer windows.

The main issues to consider in the determination of this planning application are the principle of the development in terms of policy and whether the proposed dwelling would have a detrimental impact on the character and appearance of the site and its surroundings.

In 2009 planning permission was granted for an agricultural worker's dwelling (PA/2009/0424). The application was supported by a comprehensive statement on the need for an agricultural worker's dwelling on the site, which justified the four-bedroomed bungalow.

The applicant has, however, erected a significantly larger dwelling with dormer windows and additional accommodation, which has not been built in the correct place on the site.

An earlier planning application to retain this dwelling was refused for the following reason:

'The site is in open countryside where living accommodation is only allowed if it meets a proven need for housing agricultural or forestry workers or to meet a special countryside need and is commensurate with the established functional needs of that holding. The dwelling, as built, is significantly larger than the approved dwelling and is not commensurate with the functional requirements of the agricultural business. PPS7 requires that new residential accommodation should be appropriate to the needs of the business. Therefore the development is contrary to policies ST3 and RD2 of the North Lincolnshire Local Plan and PPS7.'

The original permission was for a bungalow, 5.1m to the highest point with hipped roofs and no roof windows. The dwelling as built is 6.7m high, with gable ends and six dormer windows. This application seeks consent to retain the existing structure of the dwelling but includes the removal of the dormer windows, to be replaced with rooflights.

The accommodation provided would include six bedrooms, a wet room, lounge, two bathrooms, kitchen/dining room, utility, cloakroom, study and large hall. The original permission would have provided four bedrooms (including a disabled bedroom and two en suite), a bathroom, utility, lounge and dining room, all on the ground floor and on a smaller footprint. The dwelling that has been built is significantly larger than that approved.

Whilst the design, size and scale of the dwelling as built is not unacceptably harmful to the character of the area, the proposals are in conflict with the fundamental principle of sustainability which underpins all planning policy. The original planning permission was

granted following a detailed and comprehensive report which justified a dwelling on this site, however the dwelling erected is much larger and is not justified or acceptable and therefore is not sustainable in this open countryside location.

The applicant has submitted a design and access statement which explains why the dwelling is so much larger than approved: three sons and his parents will need to reside with him as he is now their carer and he believed that the alterations to the dwelling were so minor as to not need a further planning application. The actual footprint of the dwelling is only 10% larger than that approved and, although they concede that the roof is noticeably different, they believe the as-built design is not incongruous and is more in keeping than the hipped roof.

UPDATE

Members resolved at the Planning Committee on 21 September 2011 to defer determination of this application as they were minded to approve it if the original planning permission was revoked. The revocation order has now been made. Members agreed that the design of the dwelling with dormer windows and increased roof height was acceptable, and an amended plan retaining the dormer windows has been submitted.

RECOMMENDATION **That authority be delegated to officers to issue planning permission, subject to the following conditions, once the revocation of planning permission PA/2009/0424 has been confirmed:**

1.

The development hereby permitted shall be carried out in accordance with the following approved plans: amended plans 747 Huss 1 of 2 and 747 Huss 2 of 2 received 27 September 2011.

Reason

For the avoidance of doubt and in the interests of proper planning.

2.

The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason

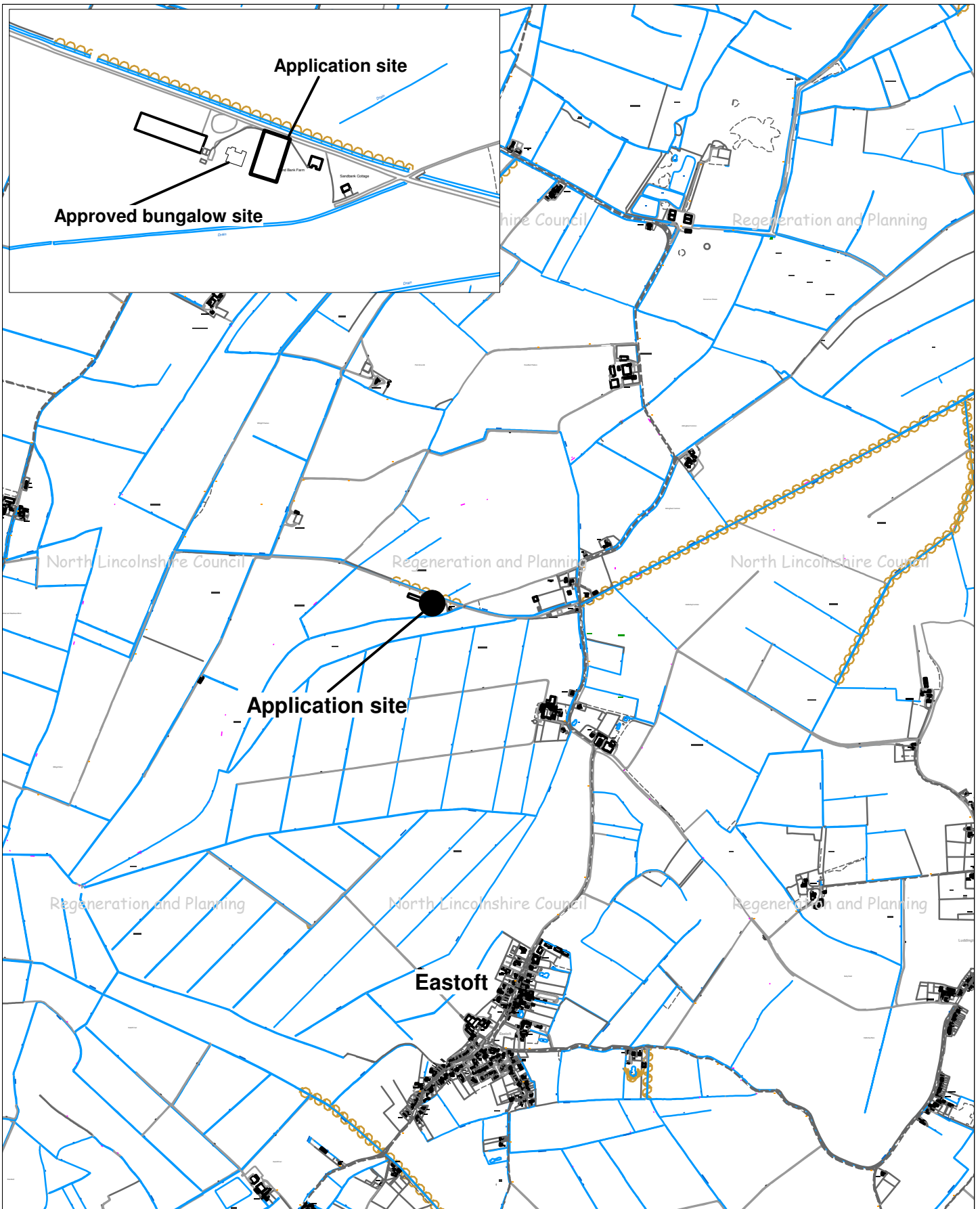
To comply with policy RD2 and PPS7 of the North Lincolnshire Local Plan because the site lies in an area where permission for development unrelated to the essential needs of agriculture is not normally granted.

3.

Notwithstanding the provisions of Classes A to E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 or any order revoking and re-enacting that order with or without modification, none of the development normally allowed under those classes shall be carried out other than those specifically authorised by this permission

Reason

To maintain the character of the development in accordance with policy DS1 of the North Lincolnshire Local Plan.



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Regeneration and Planning

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