

APPLICATION NO	PA/2012/0450
APPLICANT	Mr & Mrs J Maw
DEVELOPMENT	Planning permission to erect an agricultural worker's dwelling and retain change of use of part buildings and land for the keeping of horses for livery
LOCATION	Micklehill Farm, Brackenhill Road, East Lound, Haxey
PARISH	HAXEY
WARD	Axholme South
CASE OFFICER	Emma Stanley
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework: Paragraph 17 – planning should recognise the intrinsic character and beauty of the countryside and support thriving rural communities within it.

Paragraph 28 - planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Plans should promote the development and diversification of agricultural and other land-based rural businesses

Paragraph 55 – local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside.

Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.

North Lincolnshire Local Plan: Policy RD2 (Development in the Open Countryside)

Policy RD6 (Re-use and/or Adaptation of Rural Buildings for Industrial and Commercial Uses in the Open Countryside)

Policy RD7 (Agriculture, Forestry and Farm Diversification)

Policy R8 (Commercial Horse-riding Establishments)

Policy LC14 (Area of Special Historic Landscape)

North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS6 (Historic Environment)

CONSULTATIONS

Highways: No objections.

Environment Agency: In flood zone 1 therefore no objections.

Environmental Protection: No objections subject to a condition requiring any contamination found to be reported to the local planning authority.

PARISH COUNCIL

Raise objections as the site is located outside the building limits of the hamlet of East Lound, in a prominent position in an area identified as Historic Landscape and is concerned that:

- insufficient evidence has been submitted to demonstrate that there is an essential need for the development and consider that it is unsustainable;
- the location of the development will have a negative impact on the character of the historic landscape;
- the equine business is not appropriate as there is limited access to off-road trails and bridleways;
- the type, design and scale of the dwelling does not represent a historical Lincolnshire cottage/country house;
- the development is contrary to local plan policies LC2, LC14, RD2, RD6, RD7, RD11; core strategy policies CS1, CS2, CS3, CS5, CS8; and National Planning Policy Framework paragraph 55.

PUBLICITY

Neighbouring properties have been notified and a site notice posted. No comments have been received.

ASSESSMENT

The applicants seek permission to retain the change of use of part of existing outbuildings and surrounding land for the keeping of horses and livery. Permission is also sought to erect a detached dwelling in connection with the livery business and an existing agricultural unit. The proposed dwelling is located adjacent to the access, at the entrance to the farmyard, which includes the stables and existing cattle and storage sheds. The dwelling is modest in size, with three bedrooms, a lounge, dining room, kitchen, office and attached

double garage, and is set within a modest residential curtilage. The site is located outside any development limit and is therefore in the open countryside.

The main issues in the determination of this application are whether there is sufficient justification in policy terms for the erection of an agricultural worker's dwelling and livery business, and whether the development would have an adverse impact on the character of the historic landscape.

The farm is currently 56 acres in size, with 35 suckler cows, 30-40 suckled calves/store cattle, 60 sheep, 6 rare breed long-horns and 1 bull. Calving takes place in two batches (spring and autumn). The livery business was started approximately three years ago, and consists of 12 stables, with 8 horses on site at present. The applicants state that a dwelling is required in order to manage both enterprises, in an efficient and economical way, as managing livestock requires at least one member of the workforce to be on site at any one time. A breakdown of the farm labour requirements suggests that there is sufficient work for two full-time workers.

Information has been submitted with the application which demonstrates that the farm has been in operation since at least 2001, with further supporting information submitted which demonstrates that the business is profitable, and has been for a number of years. Current policy permits new residential development in the open countryside, provided that it is essential for the purposes of agriculture, forestry or other use which requires a countryside location. Paragraph 55 of the National Planning Policy Framework requires local authorities to avoid permitting isolated new dwellings in the open countryside unless there are special circumstances, such as where there is a need to house a rural worker at or near to their place of work. In this particular case, it is considered that the applicants have demonstrated that there is a need for at least one worker to live at the site, and that the erection of a dwelling, in principle, would comply with both current national and local policies.

In relation to the livery business, this makes use of part of the existing buildings within the yard area. A shed has been subdivided to provide 12 stables, a tack room and a feed room. Paddocks adjacent to the yard area have been utilised as grazing and for the keeping of horses. The keeping of horses is a use that is considered to be appropriate in a countryside location. There are no alterations to the physical appearance of the existing building, therefore it retains its agricultural appearance. It is considered that the livery business is appropriate for this location, and would not have a detrimental impact on the character of the area.

Concern has been expressed about the location of the proposed dwelling, and that being located away from the built-up part of East Lound, will be prominent and have a detrimental impact on the character of the countryside and the historic landscape. The dwelling is located adjacent to the access to the site and to the west of the existing yard and buildings. In planning terms this is an appropriate location, as it is close to the yard and readily associated with the farm that it is proposed to serve. If the dwelling was to be located closer to the yard, this would limit access to the yard and buildings; any further away, the site would then start to encroach further into the open countryside, becoming more detached from the existing built-up area, with more of an impact on the character of the area. Whilst concern has been expressed about the impact on the character of the historic landscape and the countryside as a whole, it is considered that there is no alternative site that would have less of an impact, and as this is a modestly proportioned dwelling with a modest garden, located on the edge of the farmyard, the impact is considered to be minimal. The

applicants have also suggested that, due to more recent farming practices, this site no longer represents the historic character referred to.

The parish council has raised concerns that the design of the dwelling does not represent a historical Lincolnshire cottage/country house. However, there is no particular style or design of dwelling in the area that stands out as being typical for the area, and the scale and design of the proposed dwelling does not differ from those in the surrounding area to the extent that is harmful to the character and appearance of the countryside. It is considered, therefore, that the proposal is in accordance with the policies referred to above, and is recommended for approval.

RECOMMENDATION Grant permission subject to the following conditions:

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

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.
The development hereby permitted shall be carried out in accordance with the following approved plans: 756/ 1 of 3, 756/ 2 of 3, 756/ 3 of 3 and 756/ 3 of 3 dated 30/4/12.

Reason

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

3.
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 of the North Lincolnshire Local Plan because the dwelling is only approved as it has been demonstrated that it is essential for the operation of agriculture on this site and would otherwise not have been approved.

4.
If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

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 off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

5.
No development shall take place until details have been submitted to and approved in

writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

6.

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, no extensions or buildings shall be erected on the site other than those expressly authorised by this permission.

Reason

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

7.

The residential curtilage of the dwelling shall be limited to that which is outlined on drawing 756/ 3 of 3 dated 30/4/12.

Reason

For the avoidance of doubt and to ensure that the development is in keeping with the character of the area, being in open countryside, in accordance with policy RD2 of the North Lincolnshire Local Plan.

8.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

9.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To ensure the implementation and maintenance of the submitted scheme of landscaping for the proposed development.

10.

No development shall take place until areas for the storage and disposal of manure have been agreed in writing by the local planning authority and only the agreed storage and

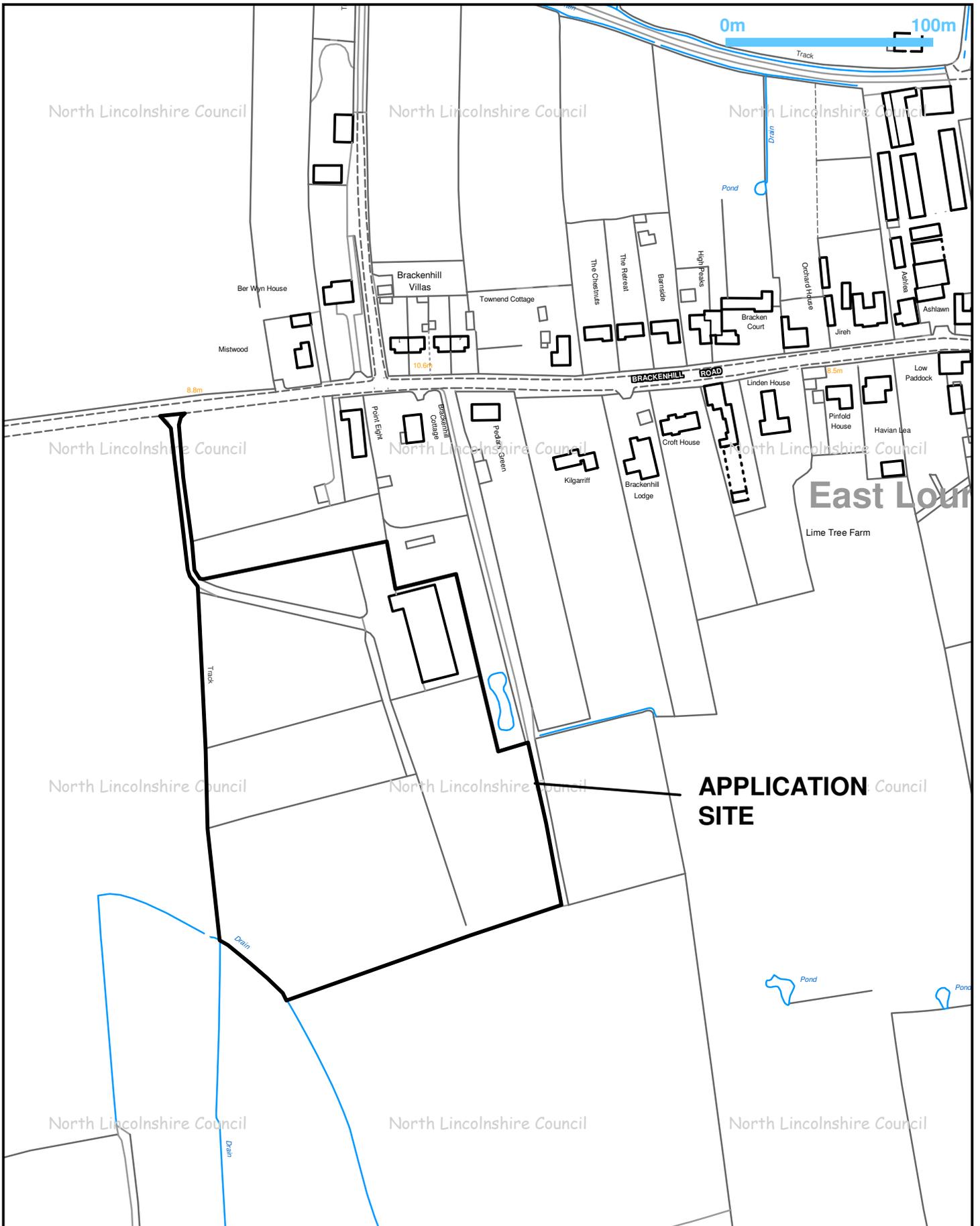
disposal areas shall be used.

Reason

To ensure the satisfactory storage and disposal of manure in areas where the impact on the surroundings is minimal, in accordance with policy DS1(iii) of the North Lincolnshire Local Plan.

Reasons for approval,

The council, as local planning authority, has had regard to the relevant policies of the development plan as set out below and considers that, subject to compliance with the conditions attached to the permission, the proposed development would be in accordance with the development plan, would not materially harm the character of the area nor the living conditions of neighbouring occupiers, and would be acceptable in all other planning considerations. The council has taken into account all other matters, none of which outweigh the considerations that have led to its decision. The policies taken into consideration in the determination of this application are RD2, RD6, RD7, R8, LC14 of the North Lincolnshire Local Plan and CS1, CS2, CS3, CS5 and CS6 of the North Lincolnshire Core Strategy.



Title: 2012/0450			
Drawn by: Sue Barden	Date: 05/07/2012	Scale: 1:2500	

	<p>© Crown copyright and database rights 2012 Ordnance Survey 0100023560</p>	 <p>NORTH LINCOLNSHIRE COUNCIL www.northlincs.gov.uk</p>	<p>Director of Places Peter Williams BSc,DMS,CEng,MEI,MCMI,AMIMechE</p>
---	--	--	---

