

**APPLICATION NO** PA/2013/0005

**APPLICANT** North Lincs Property Holdings Ltd

**DEVELOPMENT** Planning permission to remove condition 3 of planning permission PA/2000/0482 to allow unrestricted occupation of a dwelling (resubmission of PA/2012/0502)

**LOCATION** Far Scawcett Farm, Scawcett Lane, Epworth

**PARISH** EPWORTH

**WARD** Axholme Central

**CASE OFFICER** Graeme Moore

**SUMMARY RECOMMENDATION** Grant permission

**REASONS FOR REFERENCE TO COMMITTEE** Objection by Epworth Town Council

## **POLICIES**

**National Planning Policy Framework:** No specific policies apply.

**North Lincolnshire Local Plan:** Policy RD12 (Removal of Agricultural Occupancy Conditions)

**North Lincolnshire Core Strategy:** No specific policies apply.

## **CONSULTATIONS**

**Highways:** No objections.

## **TOWN COUNCIL**

Object to the removal of the condition as they consider that neither of the conditions that are stipulated in policy RD12 have been complied with.

## **PUBLICITY**

Neighbouring properties have been notified. No responses have been received.

## **ASSESSMENT**

Planning permission is sought for the removal of condition 3 of PA/2000/0482 to allow for the unrestricted occupation of the dwelling known as Far Scawcett Farm. Condition 3 stipulates that the occupation of the property shall be limited someone who is employed or was last employed in agriculture.

Far Scawcett Farm is a large detached dwelling, located at the end of Scawcett Lane, which is unadopted and in various places in a poor condition. There are a number of farm houses and large dwellings located along the length of Scawcett Lane. The landscape is flat, which leaves the properties on Scawcett Lane prominent in the landscape.

Far Scawcett Farm is a large detached dwelling which was built in 2000 but has been unoccupied for a number of years now and is showing signs of disrepair; the front entrance to the dwelling is overgrown and the entrance gates are rusting.

**The main issue to consider in the determination of this application is whether or not there is a justified need for an agricultural condition on Far Scawcett Farm.**

Planning permission was originally granted in 1999 (PA/1998/1510) for an agriculturally tied dwelling on the site known as Far Scawcett Farm. As part of the justification for the proposed dwelling the applicant, Mr Chant, stated that he had an agricultural holding of 112.5 acres with an average herd of 100 cattle. It was therefore considered that there was a case for the establishment of an agriculturally tied dwelling on the site.

The applicant, Mr Chant, then sold the land to Mr Ken Embleton who subsequently made a planning application in 2000 (PA/2000/0482) to which this application relates. The dwelling, together with a stable block, Dutch barn and a wildlife pond, were substantially completed in 2001. The dwelling was sold by Mr Embleton in November 2003 to a Mr Simon Harley but with only 2.8 acres of land. Mr Embleton retained the remainder of the land and the existing outbuildings, including the stable block etc. The house and the 2.8 acres of land were later sold on again to Mr Malcolm Daniels in September 2004. As of February 2012 the property was owned by North Lincs Property Holdings.

In respect of policy RD12, there is a requirement to show that the property has been marketed for a period of 12 months or more at a price that reflects the agricultural occupancy condition. To this end, the applicant's agent has supplied information from the estate agent responsible for the sale of the property. The information shown states that it has been on sale since April 2012 for £355,000 which it is stated accurately reflects the value of the property and the land for sale. Since that time, the estate agents have said that whilst there has been some interest, potential buyers have been unable to go through with the purchase of the property due to the fact that they would be unable to comply with the occupancy and the fact that there are a number of properties that are of similar style and size which are not inhibited by an occupancy condition.

Additionally, it is claimed by both the agent and the estate agent that the amount land available to farm is approximately 2 acres once the curtilage of the dwelling is taken into account. It is their case that it would be commercially unviable to be able to live and farm the land connected to the dwelling. In this matter the council does not dispute the fact that it would be unviable to farm and make a living out of 2 acres.

Due to the fact that the original 112 acres associated with the dwelling has been substantially reduced over the years, down to 2.8 acres, the fact that there is no longer a cattle herd associated with the farm and that the existing outbuildings etc were sold off as a separate holding, it is considered that there is a case for the removal of the occupancy condition. Therefore, in accordance with policy RD11, the proposal is recommended for approval.

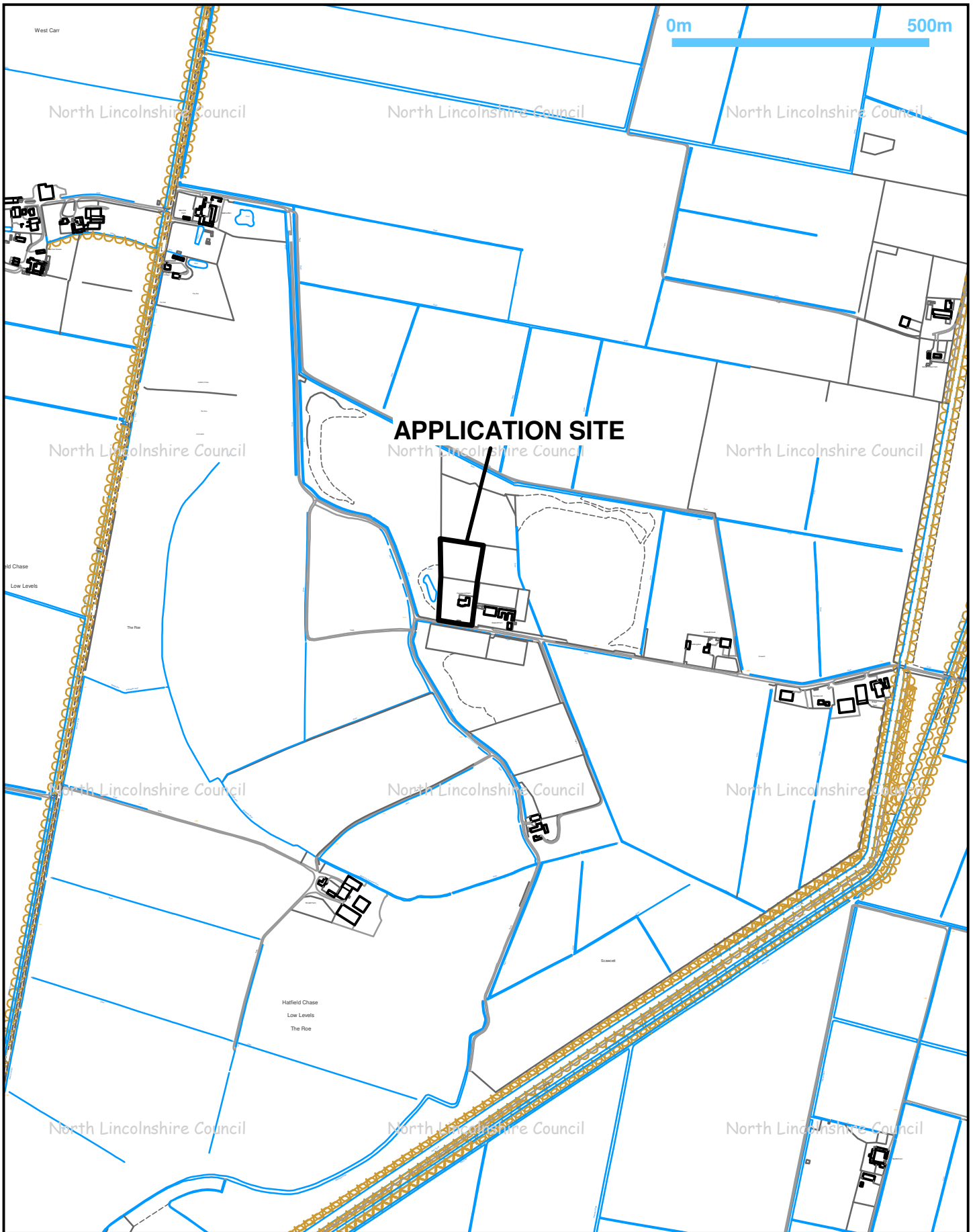
**RECOMMENDATION      Grant permission.**

### **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 policy RD11 of the North Lincolnshire Local Plan.

### **Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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