

APPLICATION NO	PA/2013/0571
APPLICANT	Mr K Philips
DEVELOPMENT	Planning permission to change the use of a garage into temporary accommodation for a rare breeds manager
LOCATION	Shepherds Place Farm, Akeferry Road, Graizelound, Haxey
PARISH	HAXEY
WARD	Axholme South
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council Contrary to policy

POLICIES

National Planning Policy Framework: Paragraph 28

North Lincolnshire Local Plan: Policy DS1 (General Requirements) provides general design guidance for all new development.

Policy RD2 (Development in the Open Countryside) lists the type of development considered to be acceptable in the open countryside.

Policy RD13 (Temporary Agricultural and Forestry Dwellings in the Open Countryside) sets out the criteria for permitting temporary dwellings in the open countryside.

Policy LC14 (Area of Special Historic Landscape) – development will not be permitted which would destroy, damage or adversely affect the character, appearance or setting of the historic landscape, or any of its features.

North Lincolnshire Core Strategy: Policy CS3 (Development Limits) – development will be restricted to that which is essential to the functioning of the countryside. This will include uses such as those related to agriculture or forestry, or other uses which require a countryside location or which contribute to the sustainable development of the tourist industry.

Policy CS15 (Culture and Tourism) – existing tourism facilities will be protected and enhanced, and the development and promotion of sustainable tourism will be supported.

CONSULTATIONS

Highways: No objection.

Severn Trent Water Ltd: No objection.

Yorkshire Water: No comments.

Environment Agency: No objection subject to a condition requiring the submission of an evacuation plan.

PARISH COUNCIL

Object in principle to the conversion for the temporary use, for both the period requested and the need. There is a presumption that when the planning application lapses in 2014 it will be renewed. The parish council does not agree with the statement that an on-site caravan would look unsightly – with proper and adequate screening the problem could be mitigated. If any temporary application is granted, it would set a strong precedent under current planning rules for permanent approval in the future, albeit the promise would be for three years. North Lincolnshire Council all too often ignore their own restrictions upon re-application and the parish council would expect this condition to be very clear in any granting of the application that is without prejudice. Any grant of planning permission should be subject to the rural development section of the council's local plan and in particular the application of an agriculture tie. The parish council does not agree that it is a brownfield site. The parish council notes the concern relating to the welfare of animals and is not wholly convinced that off-site management cannot provide good animal welfare (as described in doc 3.3) in common with many isolated animal husbandry businesses. The parish council sees this as only an argument and not a justification for planning. As yet it is unaware if this site is registered under the Zoo Licensing Act 1981 for the type of animals being kept in the report and this should be critical to the welfare of non-domestic animals.

PUBLICITY

Advertised by site notice and adjoining properties notified. No responses have been received.

ASSESSMENT

The site is located in the open countryside and within an Area of Historic Landscape Interest. It is surrounded by farmland to the north, south and west. To the east is a railway embankment. Some residential properties are located to the north and east of the site. The site is a rare breeds centre and is a tourist attraction in the Isle of Axholme.

The main issues associated with this proposal are whether it is acceptable in planning policy terms, or if not, whether there is a case of special circumstances that justifies departing from prevailing planning policy and granting the proposal.

The proposal is to use the existing garage located on the site to provide temporary residential accommodation for a rear breeds farm manager.

Outline planning permission was granted for a dwelling on the site in July 2008 (PA/2008/0717). Subsequent reserved matters applications were approved on 7 January 2009 (PA/2008/1628) and 1 June 2011 (PA/2011/0390). PA/2011/0390 has been implemented on the site as pre-commencement conditions have been discharged and the garage the subject of this application has been constructed. The principle of the need for a dwelling to accommodate a farm manager has already been established by these earlier permissions.

The applicant claims, due to the financial investment in the farm, he cannot afford to build the approved dwelling on the site. Temporary planning permission for a mobile home on the site was granted on 6 March 2008 and this permission expired in 2011. The site is a rare breeds centre and contains various animals and buildings associated with this use. The site is currently open and is a tourist attraction. Recent planning applications have been submitted for a play barn and miniature railway on the site to provide additional visitor facilities. There is an intention therefore to create further investment into the enterprise. Paragraph 28 of the National Planning Policy Framework and policy CS15 of the North Lincolnshire Core Strategy strongly support tourism.

It is accepted that there is a need for a farm manager to live on site to attend to the functional need of the rare breeds centre. This has been established by the outline and reserved matters applications giving approval for a dwelling on the site. It is accepted that the applicant is investing in the rare breeds centre and cannot afford to build the approved dwelling on the site at the present time. The approved garage has been built on the site and minimal alterations are proposed to use this building for residential accommodation. As a result the garage will have no adverse impact on the site or on the amenity of neighbours. The proposal therefore accords with policies CS3 and CS15 of the North Lincolnshire Core Strategy and policies DS1, RD2, RD13 and LC14 of the North Lincolnshire Local Plan.

Concerns from the parish council are noted. However, the garage is already located on the site and it is preferable in terms of the visual appearance of the site for an existing building to be utilised for the residential accommodation. A temporary permission for three years is proposed which should give the applicant time to obtain a return on his investment to allow the approved dwelling to be constructed. A personal permission will also be given by virtue of a planning condition so that only the applicant and any dependants can live in the temporary dwelling. The concerns raised in relation to the functional need for the farm manager to live on the site were dealt with under the outline planning permission PA/2008/0717 and it was considered there was a functional need for a farm worker to live on the site.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The use of the garage for temporary residential accommodation shall be discontinued on or before 31 July 2016 and the building reverted to a garage as approved under PA/2011/0390 to the satisfaction of the local planning authority.

Reason

Permission is granted only in the light of the short-term need for the development.

2.

The temporary dwelling hereby permitted shall only be occupied by Mr K Philips and any resident dependants at any time.

Reason

In order to regulate and control development on this site which is located in the open countryside in accordance with policies CS3 of the North Lincolnshire Core Strategy and RD2 of the North Lincolnshire Local Plan.

3.

The development hereby permitted shall not be commenced until an evacuation plan has been submitted to and approved in writing by the local planning authority. This should ensure a safe means of access and egress from the site in the event of any flooding during the lifetime of the development. The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the local planning authority.

Reason

To ensure the occupants' safety whilst occupying the approved temporary dwelling.

4.

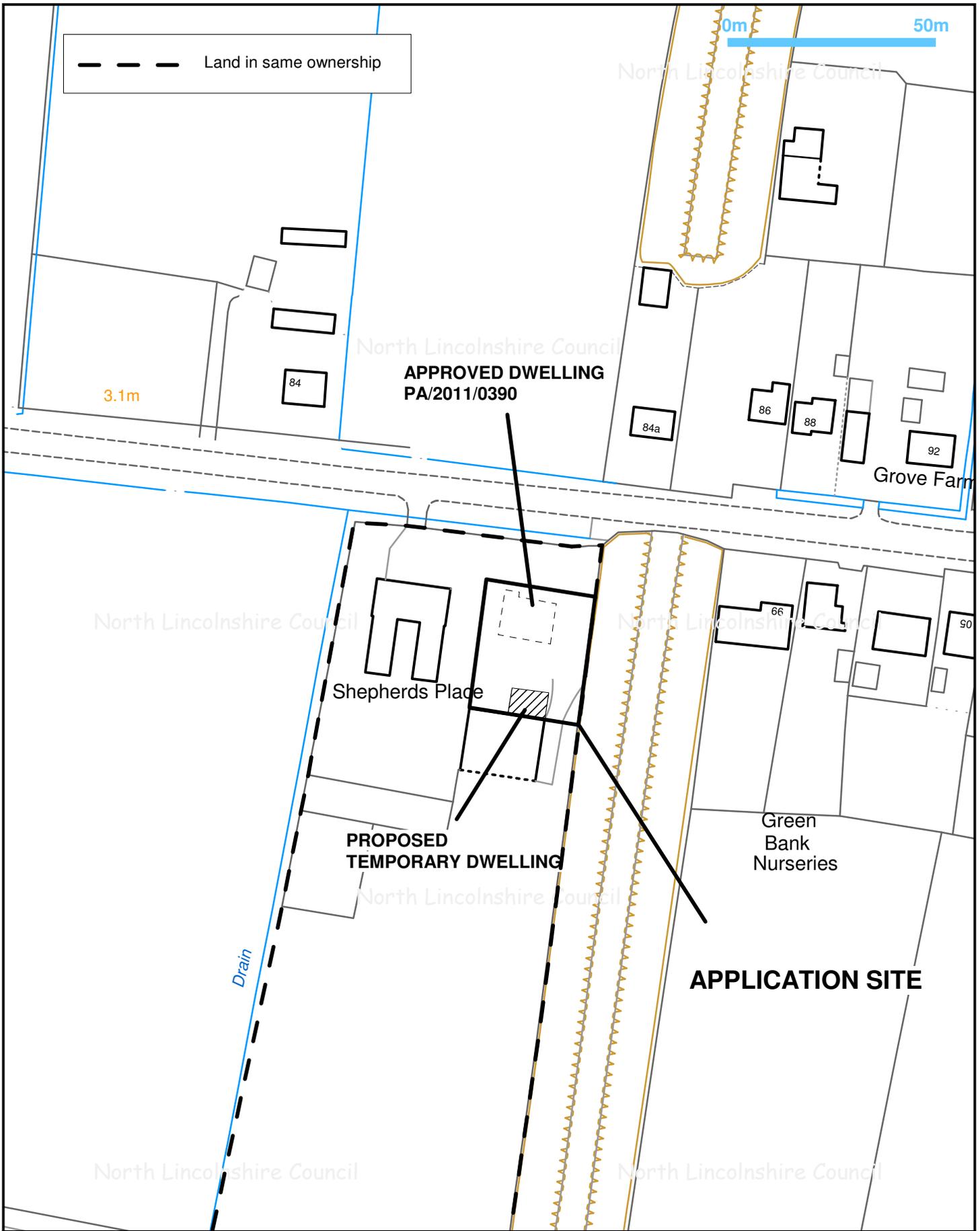
The development hereby permitted shall be carried out in accordance with the following approved plans: 273.01.

Reason

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

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.



Title: PA/2013/0571			
Drawn by: Sue Barden	Date: 11/07/2013	Scale: 1:1250	
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