

APPLICATION NO	PA/2008/1332
APPLICANT	Mr & Mrs M Moody
DEVELOPMENT	Planning permission to erect an agricultural worker's dwelling, including retention of a residential caravan for a temporary period
LOCATION	White Rose Farm, Ferry Road, Goxhill
PARISH	GOXHILL
WARD	Ferry
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Goxhill Parish Council
POLICIES	<p>Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.</p> <p>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.</p> <p>Policy DS1 (General Requirements) requires a high standard of design in all developments and poorly designed developments will be refused. The following criteria will be used to assess each proposal:</p>

- (i) the design and external appearance should reflect or enhance the character, appearance, and setting of the immediate area;
- (ii) the design and layout should respect and, where possible, retain or enhance the existing landform;
- (iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, including overlooking or overshadowing;
- (iv) amenity open space should be retained where possible;
- (v) no pollution of water, air or land should result.

CONSULTATIONS

Environment Agency: No objections provided that the dwelling is limited to an agricultural worker.

North East Lindsey Drainage Board: No objections to the proposal provided that surface water run-off is limited to 1.4 litres/per second/per hectare.

PARISH COUNCIL

Object to the proposal on the grounds that the site lies within flood zone 3a and that the proposed mound and walkway are intrusive on the countryside.

PUBLICITY

Neighbouring properties have been notified, and a site notice posted. No letters of objection have been received.

ASSESSMENT

Planning permission is sought for the development of a farm workers' dwelling located on Ferry Road, Goxhill. The site is currently used as a free range egg farm with over 2,000 chickens and has a mobile home that the applicant has been living in for the past three years.

The proposal involves the creation of a three-bedroom dwelling with all living accommodation on the first floor due to flooding concerns. Ground floor accommodation would consist of a double integral garage with a workshop and private gym.

The main issues to consider when determining this application are whether or not the concerns over flooding are sufficient to outweigh the need for this development, whether or not the applicant has provided enough information to justify the erection of a farm workers' dwelling, and whether or not the proposed development will have a detrimental effect on the amenity of the surrounding area.

The first issue to consider is flood risk. The Environment Agency, as a statutory consultee, originally objected to the proposal on the grounds that it is in the highest flood risk area. PPS25 does allow for farm workers' dwellings in areas of high flood risk, provided that the applicant has a proven need for the development. In the council's opinion the applicant has shown that there is a proven need for the development in an area of high flood risk. However, the proposal also needs to pass the sequential and exceptions test outlined in PPS25. It is apparent, however, that the proposal passes both the sequential and exceptions test – the applicant has no other land in his possession that is at less risk of flooding than this site.

Policy RD2 of the local plan allows for development in the open countryside if it is for essential forestry or agricultural workers. In this case the applicant has been living in a mobile home on the site for three years and has been running his business for same length of time. The business itself would appear to be financially sound as the applicant has provided a full set of accounts for the past three years. The applicant has also provided a short statement stating the need to be based on site due to DEFRA regulations and for security purposes as there have been attempts at theft from the site.

In terms of the proposal's impact on the open countryside, the area is isolated and the nearest dwelling is located some 500 metres away further down Ferry Road, and due to the topography of the land it could be considered a prominent location. The dwelling itself displays little in architectural flair in its design, however it looks no different from what has been built recently in North Lincolnshire. In essence, however, the proposed design is in keeping with the surrounding area and due to the constraints of the site and those which are imposed because of the Environment Agency, the dwelling is large, but is not considered to be harmful.

In conclusion, it is considered that the applicant has shown that there is a proven need for the development, and this need outweighs the potential flood risk concerns as the proposal passes both the sequential and exceptions test. The applicant has proved that there is a need for the dwelling and it is considered that the proposed dwelling will not have an adverse impact on the character and amenity of the open countryside. The proposal is therefore 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.

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.

3.

No development shall take place until details of a soakaway system have been submitted to and agreed in writing by the local planning authority and all surface water run-off from the development shall be discharged to the agreed system.

Reason

To prevent pollution of the water environment and to comply with policy DS13 of the North Lincolnshire Local Plan.

4.

No development shall take place until a flood risk assessment has been submitted to and agreed in writing by the local planning authority and the final design of the development shall incorporate all the mitigation measures identified in the agreed flood risk assessment.

Reason

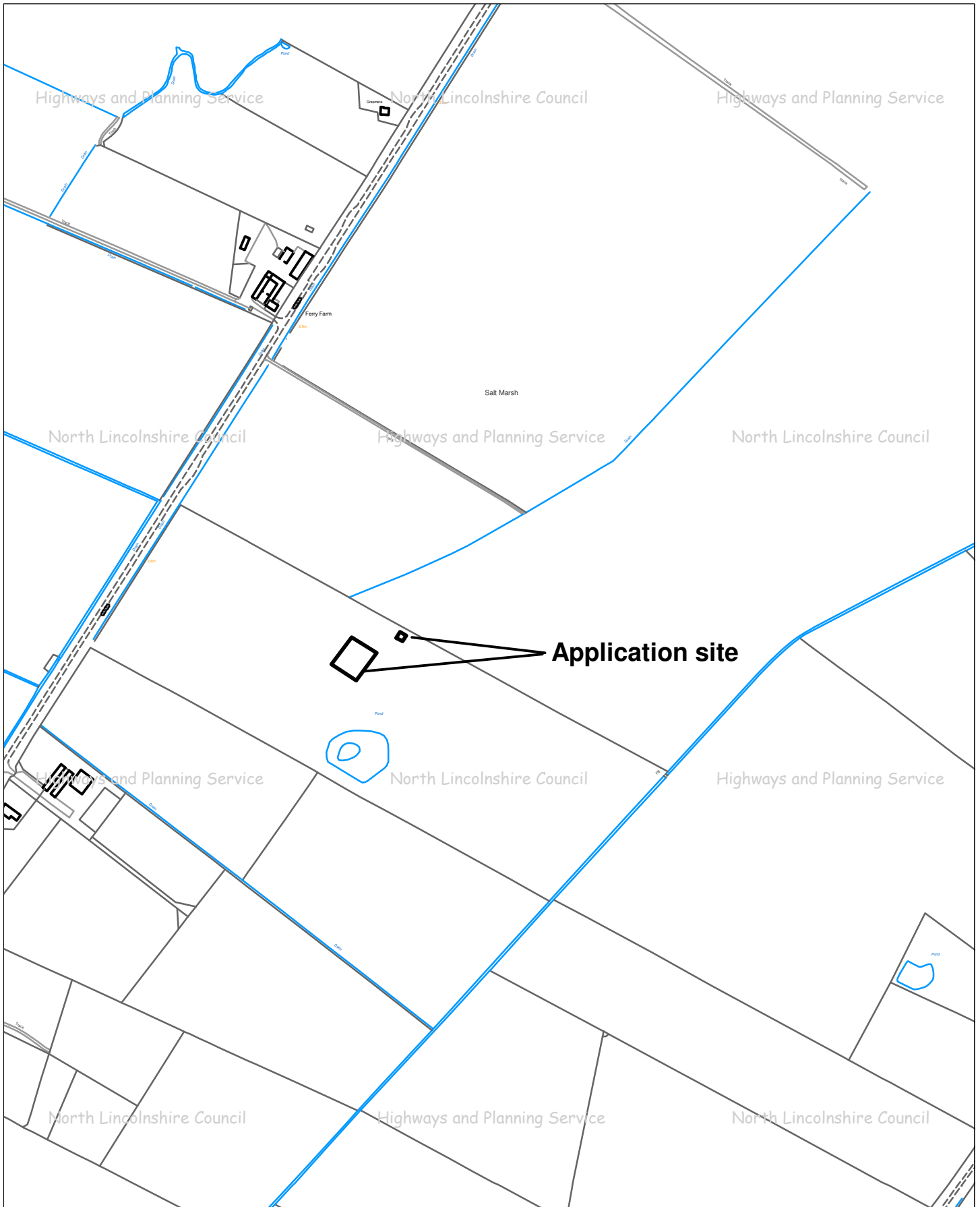
To reduce the potential impact of flooding in accordance with policy DS16 of the North Lincolnshire Local Plan.

5.

The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the adjoining White Rose agricultural business or a widow or widower of that person, and any resident dependants.

Reason

To ensure the dwelling remains available to meet the needs of the business, as permission is granted only in the light of the special justification for the accommodation, in accordance with policy H1 of the North Lincolnshire Local Plan.



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