

APPLICATION NO	PA/2009/0538
APPLICANT	Mrs L S Bennett
DEVELOPMENT	Planning permission to erect a detached bungalow with reception area together with detached cattery building (resubmission of PA/2008/1614)
LOCATION	Land off Thornton Road, Goxhill
PARISH	GOXHILL
WARD	Ferry
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Support by Goxhill Parish Council
POLICIES	<p>National Planning Guidance: Planning Policy Statement 7: Sustainable Development in Rural Areas states that proposals for new dwellings in the open countryside should be justified against the functional need. Annex A of this guidance states that new permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units provided that the functional need is met.</p> <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) states that planning permission will only be granted for development which is essential to the efficient operation of agriculture or forestry provided that the open countryside is the only appropriate location and development cannot reasonably be accommodated within defined development boundaries.</p> <p>Policy H1 (Housing Development Hierarchy) states that residential development in the open countryside will only be permitted where it is essential to enable agricultural and forestry workers to live at or near their place of work.</p> <p>Policy ST3 (Development Limits) states that development in open countryside will only be permitted if it is essential for the purposes of agriculture, forestry or to meet a special need associated with the countryside.</p>

CONSULTATIONS

Highways: Advise conditions.

Environment Agency: Comments made.

PARISH COUNCIL

Support the application for the following reasons:

- There are sufficient mitigating circumstances to allow a dwelling to be built.
- The proposed dwelling would improve the visual appearance of the site within the open countryside and clear up the site.
- The proposed development would provide local employment opportunities.

PUBLICITY

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

ASSESSMENT

The application site is located in the open countryside outside of Goxhill which is sited to the north-east. There are a number of outbuildings on the site which are dilapidated in appearance. The applicant's existing property, namely The Hallands, is located approximately 134 metres to the north-west and has a boarding kennels business established at that site.

This is a resubmission of 2008/1614 which was refused permission under delegated powers in January 2009.

The main issue in determining this application is whether there is an essential need for the proposed additional dwelling to be sited in this open countryside location.

An explanatory note has been provided with the planning application. However, when assessed against the functional need in PPS7 for a permanent agricultural dwelling, the application fails for the following reasons:

- The proposed dwelling will not be used to support an existing agricultural activity on a site which is not used for agriculture.
- The functional need can be fulfilled by the existing dwelling on the adjacent site which is owned by the applicant and is currently used in connection with the dog boarding kennels.
- The need doesn't relate to a full-time worker as there is no cattery business established at the site.

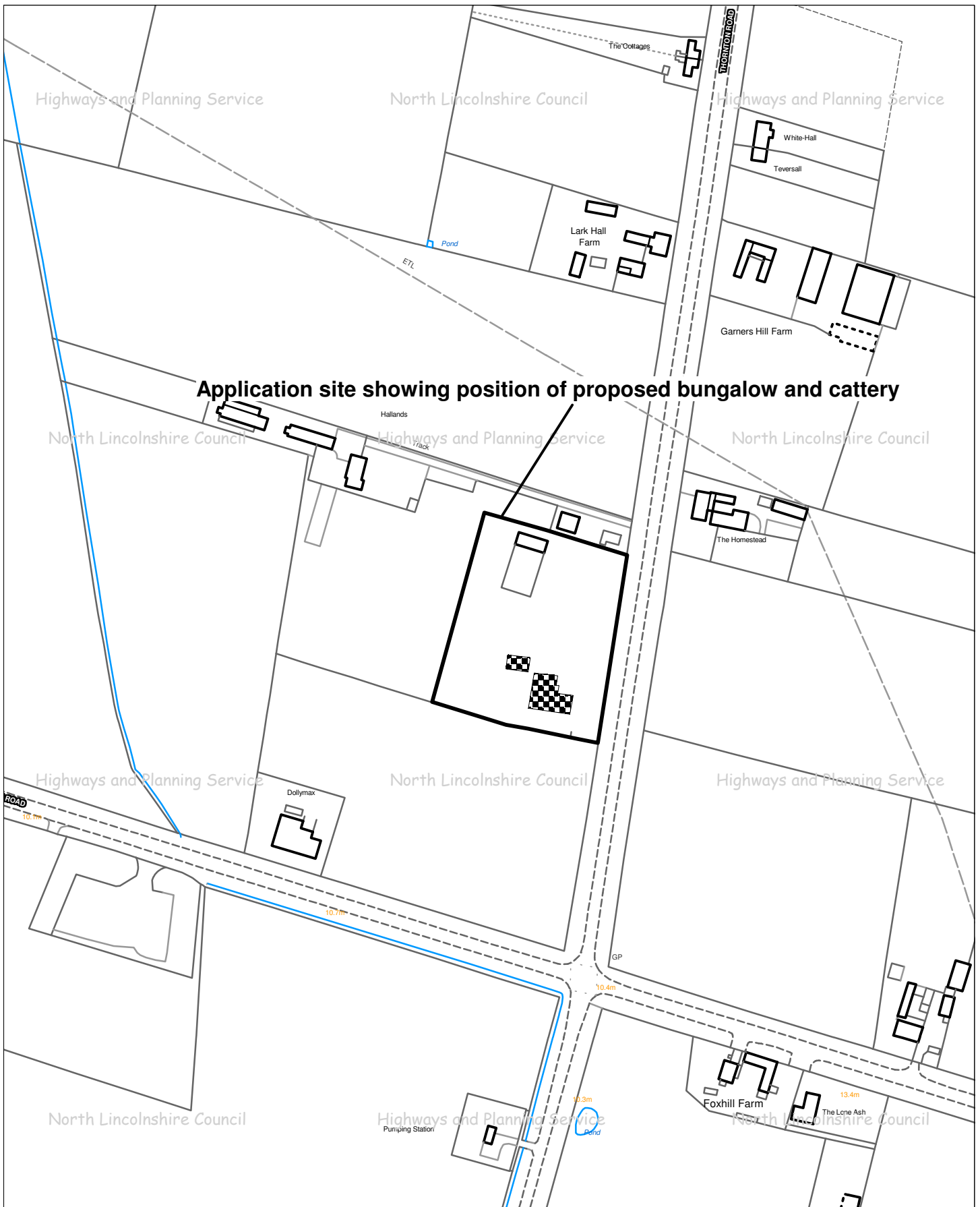
- There is no cattery business established at the site, therefore there is no financial information to support the business proposal.
- The functional test can be met by the applicant's existing property where the applicant will be able to deal with the needs of the boarding kennels business.

Furthermore the applicant has failed to demonstrate that there are no existing properties within the nearby settlement of Goxhill that could accommodate the cattery business. The proposed dwelling will not be used in connection with an agricultural or forestry use, therefore the site is not an appropriate location.

RECOMMENDATION

Refuse permission for the following reasons:

The application site is in the open countryside outside the confines of any defined settlement boundary, wherein policies ST3 and H1 of the North Lincolnshire Local Plan apply, together with advice contained within PPS7 - Sustainable Development in Rural Areas and policy RD2 of the North Lincolnshire Local Plan. The proposal fails to comply with policies ST3, H1 and RD2 as it is considered that the applicant has not provided sufficient justification to satisfy the local planning authority that there is an established, functional need for a further dwelling on the site to serve the existing business or that there is an established need in relation to the proposed new cattery. The proposal is therefore contrary to policies ST3, H1 and RD2 of the North Lincolnshire Plan and PPS7.



Drawing Title: 2009/0538

OS Grid Ref: TA09502021

Drawn by: KC

Scale: 1:2500

Date: 07/07/2009



Based upon the Ordnance Survey mapping with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

NORTH LINCOLNSHIRE COUNCIL 0100023560 2009



Highways and Planning Service

Service Director,
G Pople

The Ordnance Survey map data included within this publication is provided by North Lincolnshire Council under license from Ordnance Survey in order to fulfil its public function to act as a highways and planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to license Ordnance Survey map data for their own use.