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| APPLICATION NO | PA/2010/1070 |
| APPLICANT | Miss P Gibbons |
| DEVELOPMENT | Planning permission to erect a temporary agricultural dwelling |
| LOCATION | Hippopottering Nursery, Low Hall Road, East Lound, Haxey |
| PARISH | HAXEY |
| WARD | Axholme South |
| SUMMARY RECOMMENDATION | Refuse permission |
| REASONS FOR REFERENCE TO COMMITTEE | Support by Haxey Parish Council |

POLICIES

Planning Policy Statement 1: Delivering sustainable development.

Planning Policy Statement 7: Sustainable development in rural areas.

North Lincolnshire Local Plan: Policy ST3 (Development Limits) states that development outside development boundaries will be considered as being in the open countryside and will only be permitted if it is essential for the purposes of agriculture, forestry or to meet a special need associated with the countryside.

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, or other special countryside associated need, 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 settlements in terms of siting, scale, massing, design or materials.

Policy LC14 (Area of Special Historic Landscape Interest) identifies the Isle of Axholme as within this area and states that within this area 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.

Policy DS1 (General Requirements) applies and sets out general primary requirements for all new developments in North Lincolnshire.

North Lincolnshire Landscape Assessment and Guidelines and Supplementary Planning Guidance – North Lincolnshire Countryside Design Summary: sets out requirements for development in the countryside

CONSULTATIONS

Highways: Advise a condition requiring access and parking to be provided before the dwelling is occupied.

PARISH COUNCIL

'Haxey Parish Council supports the application but asks for clarification on the purpose of the dwelling.'

PUBLICITY

The application has been advertised by site notice and the following objections have been received:

- what is the justification for putting a dwelling in the open countryside without existing business
- the building shown in the brochure is much more permanent than the term inferred by 'mobile home'
- would set a precedent
- would adversely affect the visual environment of what is a wholly unspoilt countryside
- disturbance to wildlife
- all traffic has to use an unadopted, unmade, single-width farm track
- large numbers of riders and pedestrians use this route, is the council responsible for safety, who will maintain the road?
- what are the arrangements for waste disposal?
- there are no services to this site
- vineyard and orange grove workers do not all live on site and those crops are susceptible to sudden frosts, etc
- living in the village only a few hundred yards away would be perfectly adequate
- effect on nature reserve, impact on nature reserve of wind-carried non-native species
- numerous new homes in the countryside.

A letter of support has also been received from a horticulturist based in Somerset:

- the very nature of horticultural buildings means that they are frequently in remote and rural locations
- plants can require immediate attention at certain times of the year

- potted and containerised stock is at greater risk of drying out or sudden freezes than plants safely planted in the ground
- the applicant produces much of her own stock by the grafting method which requires constant attention to ensure the delicate grafts do not fail
- Hippopottering has been in operation since the mid 1980s
- the Royal Horticultural Society are considered to be experts at home and worldwide – they know of three nurseries that have been burgled in the past three years

The applicant has submitted a representation in support of their application:

- due to the death of their father, there is a need to remove the business from the family house
- the surrounding land is not strip farming
- other fields have stables; they are the only person wishing to use the land for agriculture
- tree planting will screen the nursery in two to three years
- organic methods
- encourage wildlife
- if they live on site they will grow all their own trees so no deliveries
- if unable to live on the land, they will not be able to have a toilet or cooking, so could not employ anyone
- been operational 25 years – are an asset
- security issues – extremely high value cash crop

ASSESSMENT

This application was presented to the Planning Committee in November and was deferred for a site visit. The application is now re-presented for determination.

Planning permission is sought to provide living accommodation on land at East Lound in connection with a business growing Japanese Maples.

The key issues to be considered in the determination of this planning application are whether the proposals are acceptable in policy terms, whether any unacceptable harm to the amenities of the occupiers of neighbouring properties would occur, and whether the impact of the development upon the historic landscape would be acceptable.

The site is outside any development boundary and is within the open countryside. National and local planning policy allows for living accommodation in connection with certain types of business if it is proved to be functionally required and that the business is financially viable.

Businesses such as the husbandry of animals are generally accepted to meet the functional need test if they can demonstrate that 24-hour supervision is required. Horticultural businesses can be considered in the same way as agriculture if they meet the tests set out in PPS 7; indeed the definition of agriculture includes horticultural activities.

The proposed temporary dwelling would be in connection with growing Japanese Maples. A letter of support from the Royal Horticultural Society (RHS) has been submitted with the application in which the RHS states that they believe the business warrants a dwelling on site, however this is only an opinion and is not substantiated by any evidence. The planning officer does not agree with the opinion of the RHS. With the use of modern alarm systems any fault with automatic systems or severe and/or quick changes in weather conditions could be responded to in perfectly adequate time from a dwelling in one of the nearby settlements.

Although the lack of a functional need is the main reason the application fails to comply with PPS 7, the applicant has also failed to submit a three-year profit and loss projection (or accounts from the last three years) that demonstrates that the business would clearly be profitable within that time period.

The countryside around East Lound is designated as part of the Isle of Axholme Historic Landscape Area which merits special protection.

The landscaping assessment and guidelines SPG states that:

‘The medieval strip system farming areas common to the settlements on the elevated land of the Isle of Axholme are of cultural and heritage importance.

Their presence should be conserved and enhanced so as to retain open character by avoiding development and enclosure.’

The North Lincolnshire Countryside Design Summary stresses the national importance of these areas of open fields and the need to protect them. The SPG gives design guidance which emphasises the retention of areas of open fields and avoiding blocking views across the open areas within the landscape.

From an archaeological perspective, the application site lies within the Isle of Axholme Area of Special Historic Landscape Interest. The essential nature of this landscape is open agricultural land cultivated in long narrow unenclosed strips with farmhouses and agricultural buildings located within the villages. The land has been farmed on this system since medieval times and the Isle is acknowledged as the best example of very few surviving landscapes of this type in the country.

The proposed development is not related to the historic landscape and would inevitably introduce features that would be detrimental to the landscape character including residential property and agricultural buildings. The application should be refused as contrary to policy LC14.

It is considered, therefore, that as the applicant has not shown that the functional and financial viability tests have been met; and as the national and local significance of the landscape is of overriding importance the proposals are unacceptable and should be refused planning permission.

RECOMMENDATION Refuse permission for the following reasons:

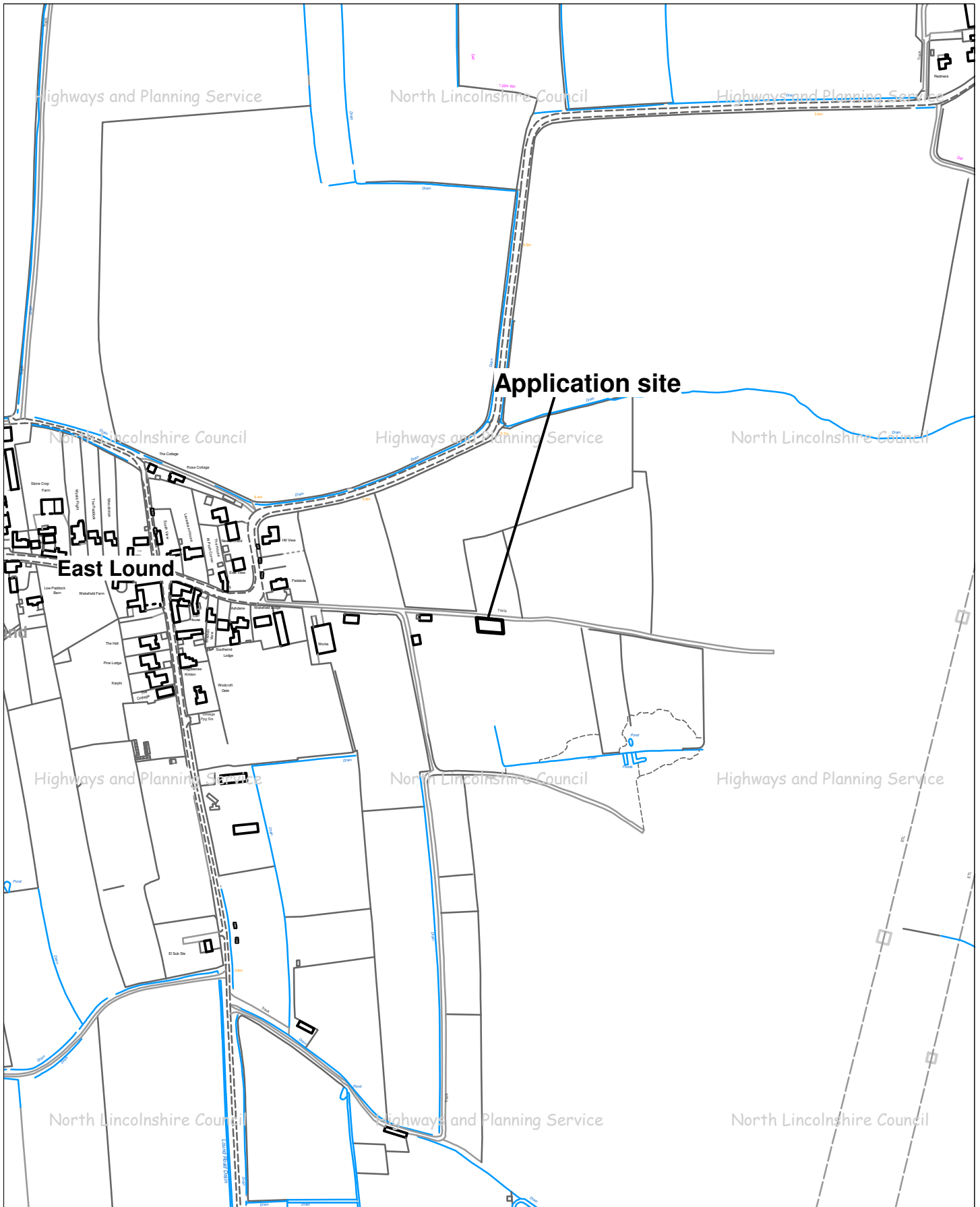
1.

The site is in open countryside where living accommodation is only allowed if it meets a proven need for housing agricultural or forestry workers or to meet a special countryside need. The proposed accommodation would be associated with a business which does not meet the functional test set out in PPS7. Additionally, the applicant has not provided any evidence regarding the financial test as required by PPS7. The proposals are therefore contrary to policies ST3 and RD2 of the North Lincolnshire Local Plan and PPS7.

2.

If allowed, the proposed development would cause unacceptable harm to the historic landscape of the Isle of Axholme which is of national and local importance due to the introduction of buildings and associated structures into an area of fields with a history of medieval strip farming. The proposed development is not related to the historic landscape and would be detrimental to the landscape's character.

The proposals are therefore contrary to policies DS1, RD2 and LC14 of the North Lincolnshire Local Plan and to Supplementary Planning Guidance Notes 'Landscape Assessment and Guidelines' and 'Countryside Design Summary'.



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Highways and Planning Service

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