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| APPLICATION NO | PA/2010/1175 |
| APPLICANT | Mr R Acroyd |
| DEVELOPMENT | Outline planning permission to erect a single-storey dwelling and farm building for the purpose of a live work unit in connection with small animal husbandry (all matters reserved) |
| LOCATION | Plot south of Belton Fields Lane, Westgate, Belton |
| PARISH | BELTON CP |
| WARD | Axholme Central |
| SUMMARY RECOMMENDATION | Refuse permission |
| REASONS FOR REFERENCE TO COMMITTEE | Agent request to address the committee |

POLICIES

Planning Policy Statement 1: Delivering sustainable development.

Planning Policy Statement 7: Sustainable development in rural areas.

Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.

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 identifies the Isle of Axholme as an Area of Special Historic Landscape Interest (AOSHLI) 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 applies and sets out general primary requirements for all new developments in North Lincolnshire.

Supplementary Planning Guidance - North Lincolnshire Landscape Assessment and Guidelines: Identifies the site as being 'Open Island Farmland.

Supplementary Planning Guidance - North Lincolnshire Countryside Design Summary: Sets out the requirements for development in the countryside.

CONSULTATIONS

Highways: Suggest conditions.

Drainage Board: Support the application.

PARISH COUNCIL

'The Parish Council is opposed to this application for similar reasons objecting to 2006/1154 namely: it is in open countryside outside of the North Lincs Local Plan and would be contrary to policies DS1, RD2, and LC14 of that plan. It would cause unacceptable harm to the historic landscape which is of national and local importance by introducing a dwelling and associated structures into an open area. The Parish Council would like to point out that in addition to refusing 2006/1154 it refused permission to a similar application on 2005/1324. The Planning Inspector also refused an appeal on the basis that to protect the character and appearance of the area, which is part of an area designated in the Local Plan as an Area Of Special Historic Landscape Interest. In particular, the proposal would conflict with Local Plan policies LC14, DS1 and RD2.'

PUBLICITY

Neighbouring properties have been notified and a site notice posted. Letters of objection and a petition have been received on the following grounds:

- this is a historical area of strip farming and a house would be completely out of place
- would set a precedent for other inappropriate applications
- access lanes poorly maintained and unsuitable for road vehicles
- drainage issues
- noise from dog breeding, particularly as there is an existing noise problem from nearby boarding kennels
- development would spoil open aspect/what is currently a pleasant walk along public footpaths
- loss of corn buntings
- no necessity for farm buildings in this location as there are houses available within the village
- area is outside development boundary
- area is of great historical and social importance to village

- unacceptable noise, smells and traffic generation
- previous applications refused, nothing/little changed
- impact on character of Belton Fields
- development will disturb field birds and other creatures
- original application refused because 'it would cause unacceptable harm to the historic landscape of the Isle of Axholme which is of national and local importance...and would be detrimental to the landscapes character.' This has not changed.
- no amount of alternative landscaping can relate the proposed development to the historic landscape
- running a business in the middle of the Fields would corrupt the landscape
- existing sight lines between 52 and 54 High Street inadequate
- possible impact on pedestrians as the site is close to a public footpath
- backland development
- would detract from the rural character of the area

ASSESSMENT

Outline planning permission is sought to provide living accommodation and a small animal breeding centre, including a farm building. Two previous applications (PA/2006/1154 and PA/2005/1324) have been refused on the impact of the development on the historic landscape and application PA/2006/1154 was subsequently dismissed at appeal.

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 would be caused to the amenities of the occupiers of neighbouring properties, and whether the impact of the development upon the historic landscape would be acceptable.

The site is outside the development boundary for Belton and is within the open countryside. National and local planning policy does allow for new businesses in the open countryside if that is the only suitable location, and for living accommodation if it is proved to be functionally required by a business which is financially viable.

The husbandry of animals is generally accepted to meet the functional need test but whether 24-hour supervision is required for pet breeding is less certain.

The applicant has submitted a three-year profit and loss projection that demonstrates that the business would clearly be profitable within that time period.

The breeding of animals, including dogs and parrots, would not normally be acceptable in a residential area and therefore a site in the countryside can be considered as one way of ensuring the amenities of the occupiers of residential properties are not adversely affected.

In this instance it is considered that the site is a sufficient distance from neighbouring properties to prevent unacceptable disturbance from noise and smell.

The countryside around Belton is designated as part of the Isle of Axholme Historic Landscape Area (LC14) which merits special protection.

The applicant has questioned whether the strip farming in this location is of medieval origin and has submitted two reports which suggest that any S-shapes occurred after 1870 and these strips have combined to form one enclosure. As such they cannot be described as medieval.

The council's sites and monuments officer states 'The application site lies within the Isle of Axholme Area of Special Historic Landscape Interest (Policy LC14). The essential nature of this landscape is open agricultural land, cultivated in long narrow unenclosed strips, with all 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, agricultural buildings, access, fencing etc.

The surrounding landscape is not homogenous but is further designated into sub-categories with distinctive features and varying levels of importance locally and nationally.

The landscape within which the site lies is categorised as "Open Island Farmland" and can be considered as amongst the most important and environmentally valuable parts of the Isle of Axholme. 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 guidelines which emphasises the retention of areas of open fields and avoiding blocking views across the open areas within the landscape.

The applicant has amended the designs of the proposal from the previous refusals, to an ecofriendly, carbon neutral home, which would, in effect be underground with a significant amount of rammed earth and visual buffers. It is considered that this would have a more detrimental impact on the historic landscape than what a small, cottage style dwelling would, both of which would be considered unacceptable.

The fundamental issue is the unacceptable introduction of domestic and commercial buildings and associated paraphernalia into a very sensitive open landscape. The reasons for refusal of the previous applications have not been overcome.

It is considered, therefore, that whilst the applicant may have shown that the functional and financial viability tests can be met and that this type of business is best kept away from residential areas, the national and local significance of the landscape is of overriding

importance and the proposals are therefore unacceptable and should be refused planning permission. This was also the view taken by the planning inspector in the appeal relating to the previous application (PA/2006/1154). The following extracts are taken from the appeal decision.

'From my own observations, it is clear that the site is at the centre of a significant open area, accessed only by a single-lane track and a network of public footpaths. The appellant's field, of which the appeal site forms part, is relatively narrow by modern standards and adjoins a number of even narrower fields, variously cultivated and generally separated by only power and wire fences. Whilst there are larger, single-crop fields in the vicinity and some agricultural dwellings and buildings are visible from the site, I am satisfied that strong evidence of the medieval field pattern survives in this locality.

On the evidence before me, I have no good reason to doubt the need for a relatively remote location for animal breeding, or the requirement for associated living accommodation. Nevertheless, despite the scope for sensitive building design and boundary treatment, the proposal would result in conspicuous and incongruous operational development in the middle of a predominantly open and historically important landscape, adversely affecting the AOSHLI. I note that other recent developments have been permitted within the AOSHLI. However, I am not aware of all the circumstances surrounding those schemes. Furthermore, I have had regard to the particular characteristics of the appeal site and its immediate environs. The evidence of increasing development pressure on this diminishing historical landscape resource enhances its value.'

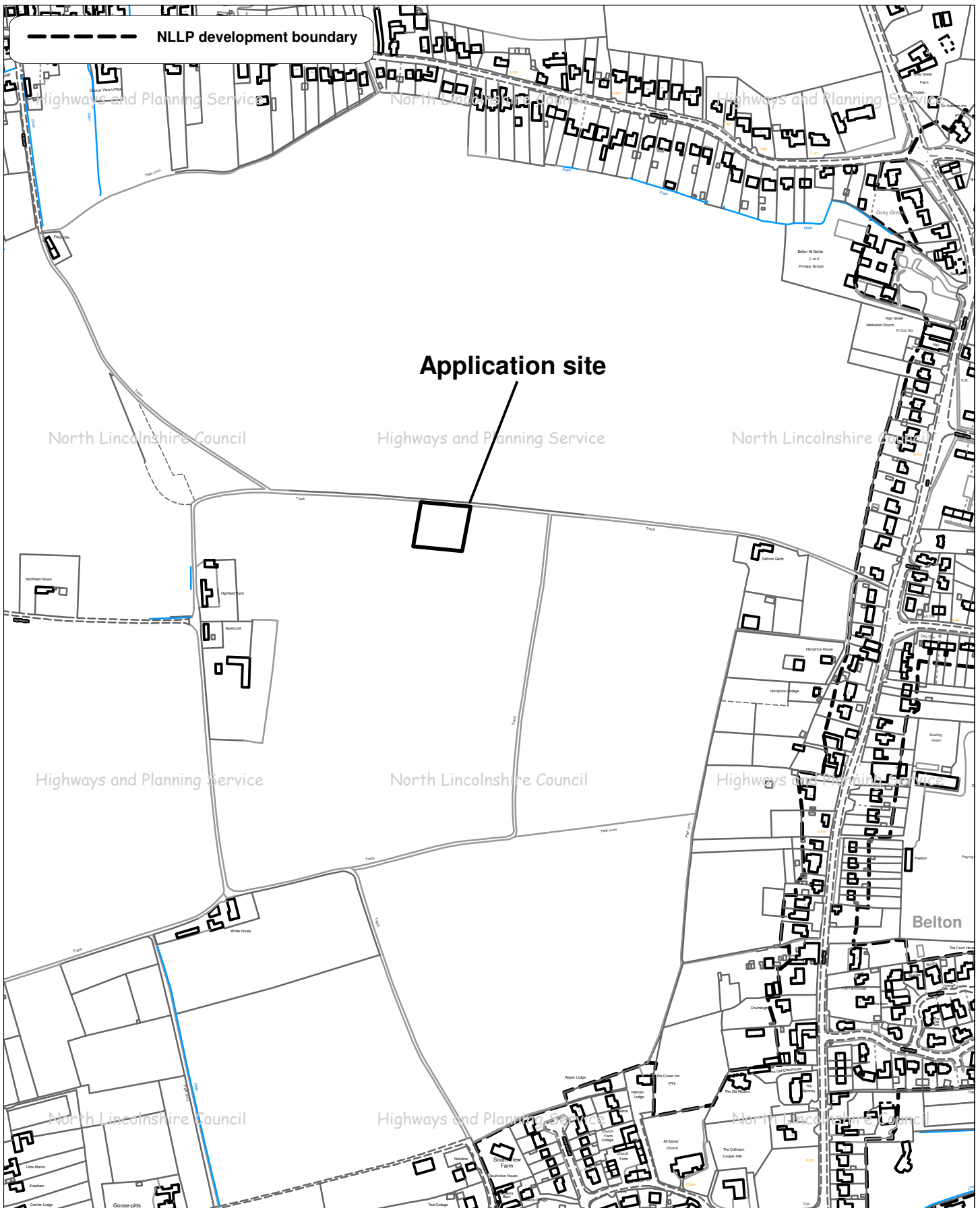
The inspector concluded by stating, 'I have had regard to all other matters raised, including the need for the proposal, but none is sufficient to outweigh the harm identified.'

RECOMMENDATION Refuse permission for the following reasons:

1.

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 bunding into an open 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

Service Director,
G Pople

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