

<b>APPLICATION NO</b>	<b>PA/2011/0539</b>
<b>APPLICANT</b>	Mr Ayman Sabi
<b>DEVELOPMENT</b>	Planning permission to erect a temporary agricultural dwelling
<b>LOCATION</b>	Sabi's Farm, Eastoft Road, Crowle
<b>PARISH</b>	<b>CROWLE</b>
<b>WARD</b>	Axholme North
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Crowle Town Council

## **POLICIES**

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

**North Lincolnshire Local Plan:** Policy RD2 lists the type of development considered to be acceptable in the open countryside.

Policy T2 requires all new development to have a satisfactory access.

Policy LC14 – the site is located with an Area of Historic Landscape Interest.

Policy DS1 provides general design guidance for all new development.

**North Lincolnshire Core Strategy:** Policy CS1 – in the countryside, support will be given to development that promotes rural economic diversification and small-scale employment opportunities, particularly on previously used land or in existing rural buildings. Tourism development will also be supported, in particular the development of green tourism making the most of the area's important natural and built environments.

Policy CS2 – any development that takes place outside the defined development limits of settlements or in rural settlements in the countryside will be restricted. Only development which is essential to the functioning of the countryside will be allowed to take place. This might include uses related to agriculture, forestry or other uses which require a countryside location or which will contribute to the sustainable development of the tourist industry.

Policy CS3 – development outside these defined boundaries will be restricted to that which is essential to the functioning of the countryside. This will include uses related to agriculture, forestry or other uses which require a countryside location or which will contribute to the sustainable development of the tourist industry.

Policy CS6 - safeguarding the nationally significant medieval landscapes of the Isle of Axholme (notably the open strip fields and turbaries) and supporting initiatives which seek to realise the potential of these areas as a tourist, educational and environmental resource.

**Other relevant guidance:** PPS7 Sustainable Development in Rural Areas (Annex A).

## **CONSULTATIONS**

**Highways:** No objections.

**Environment Agency:** No objection.

## **TOWN COUNCIL**

Object because 'the application is outside of the building boundary'.

## **PUBLICITY**

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

## **ASSESSMENT**

The proposal involves the erection of a temporary building for agricultural purposes on the site. The proposed dwelling takes the form of a log cabin. The log cabin's accommodation would comprise two bedrooms, a bathroom, lounge and kitchen. It would be sited to the rear of the site and would not be particularly visible on the landscape due to its size, height and design.

The applicant intends to produce table birds, free range eggs, salad crops and lamb, and would produce halal meat to sell in his food outlets. The crops will be grown in the existing polytunnels on the site. The chickens and lamb will be free range and will graze on the grassland. Birds will be taken from the site to be slaughtered and returned to the applicant's catering outlets to be vacuum sealed.

The applicant intends to bring livestock to the site as soon as possible. By 2014 it is intended that there will be 2,600 table birds per year (50 slaughtered per week), 250 free range laying hens and 10 ewes producing 15 lambs a year.

**The main issue associated with this proposal is whether a temporary dwelling in the open countryside for use in connection with a chicken farm and the growing of crops on the site is acceptable in terms of the criteria listed within Annex A of PPS7. If the principle of the development is considered to be acceptable then are the design, location and access to the building acceptable?**

Policies CS1, CS2 and CS3 of the Core Strategy permit this type of development in the open countryside if there is a need for the development in terms of an agriculture need.

Policies RD11 and RD13 have not been saved within the North Lincolnshire Local Plan and are therefore no longer relevant to this application. Policy RD2 of the North Lincolnshire Local Plan permits development that is essential to the efficient operation of agriculture.

The main policy associated with this case is Annex A in PPS7.

Annex A advises that the following criteria must be satisfied: (i) clear evidence of a firm intention and ability to develop the enterprise concerned; (ii) functional need; (iii) clear

evidence that the proposed enterprise has been planned on a sound financial basis; (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and (v) other normal planning requirements are satisfied.

In terms of criteria (i), a supporting statement has been submitted with the application that sets out how the business will evolve on site over the next three years. Livestock will be brought to the site as soon as possible and there is likely to be 750 birds on the site at any time. Ewes will be brought to the site and crops grown on the site. Birds will be either slaughtered for halal meat or will be retained as egg layers. New buildings will be required to accommodate the birds and sheep. The existing polytunnels on the site will be used to grow crops. The proposal therefore accords with criteria (i) of Annex A.

In terms of criteria (ii) of Annex A, in this particular case a statement has been submitted by the applicant to support their case for a dwelling on the site. The applicant claims he needs to be on site to safeguard the crops in the polytunnel. This need could be achieved by irrigation measures and local weather forecasting. The crops to be grown alone would not support the need for a dwelling on the site.

In terms of the numbers of livestock proposed in relation to the table birds and egg layers, there is a functional need to be on site to attend to these animals. Livestock will need to be checked regularly for disease, and will need to be fed and let in and out of the buildings to accommodate them at night and early morning. Automatic devices for opening and shutting doors cannot be completely relied on. Adverse weather conditions such as heavy rainfall, snow, and high winds will need to ensure someone is on site to move the livestock indoors as soon as possible to avoid injury or death. It is therefore considered, in view of the number of livestock and type of livestock proposed, that there is a functional need to live on site. The proposal therefore accords with Annex A (ii),

In relation to the financial basis of the proposed enterprise, the applicant has submitted detailed projected accounts for 2014 based on building up the business over the proceeding three years. These accounts and costings do suggest that the enterprise could support a full-time worker and the enterprise is capable of making a profit by 2014. Letters from other businesses are included in the report which indicate that they intend to trade with the applicant. The proposal therefore accords with Annex A (iii).

In terms of criteria (iv) of Annex A, there is no other dwelling on the site and no dwellings for sale in the immediate vicinity. The site is some distance away from Crowle where there are properties for sale, but there is a need to be on site or located very close to the site to attend to the livestock. Therefore criteria (iv) of Annex A is fulfilled.

In terms of siting and design, there are no objections to this aspect of the development and the proposal would have minimal impact on the landscape and the amenity of the locality. Highways have raised no objection to the proposal and no neighbours would be affected by it.

**RECOMMENDATION      Grant permission subject to the following conditions:**

1.

The building(s) and works shall be removed on or before 27 July 2014 (and the land shall be restored to its former condition in accordance with details to be agreed in writing by the local planning authority before restoration is commenced.

Reason

The site is located within the open countryside. Planning permission has only been granted for this development based on the agricultural need for a dwelling on this site in accordance with policies CS1, CS2 and CS3 of North Lincolnshire's Core Strategy and policy RD2 of the North Lincolnshire Local Plan.

2.

The temporary dwelling hereby permitted shall only be occupied by a person solely or mainly working in agriculture in connection with the agricultural enterprise to be carried out on the site at all times.

Reason

To comply with policy RD10 of the North Lincolnshire Local Plan because the site lies in an area where permission for development unrelated to the essential needs of agriculture is not normally granted.

3.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

4.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

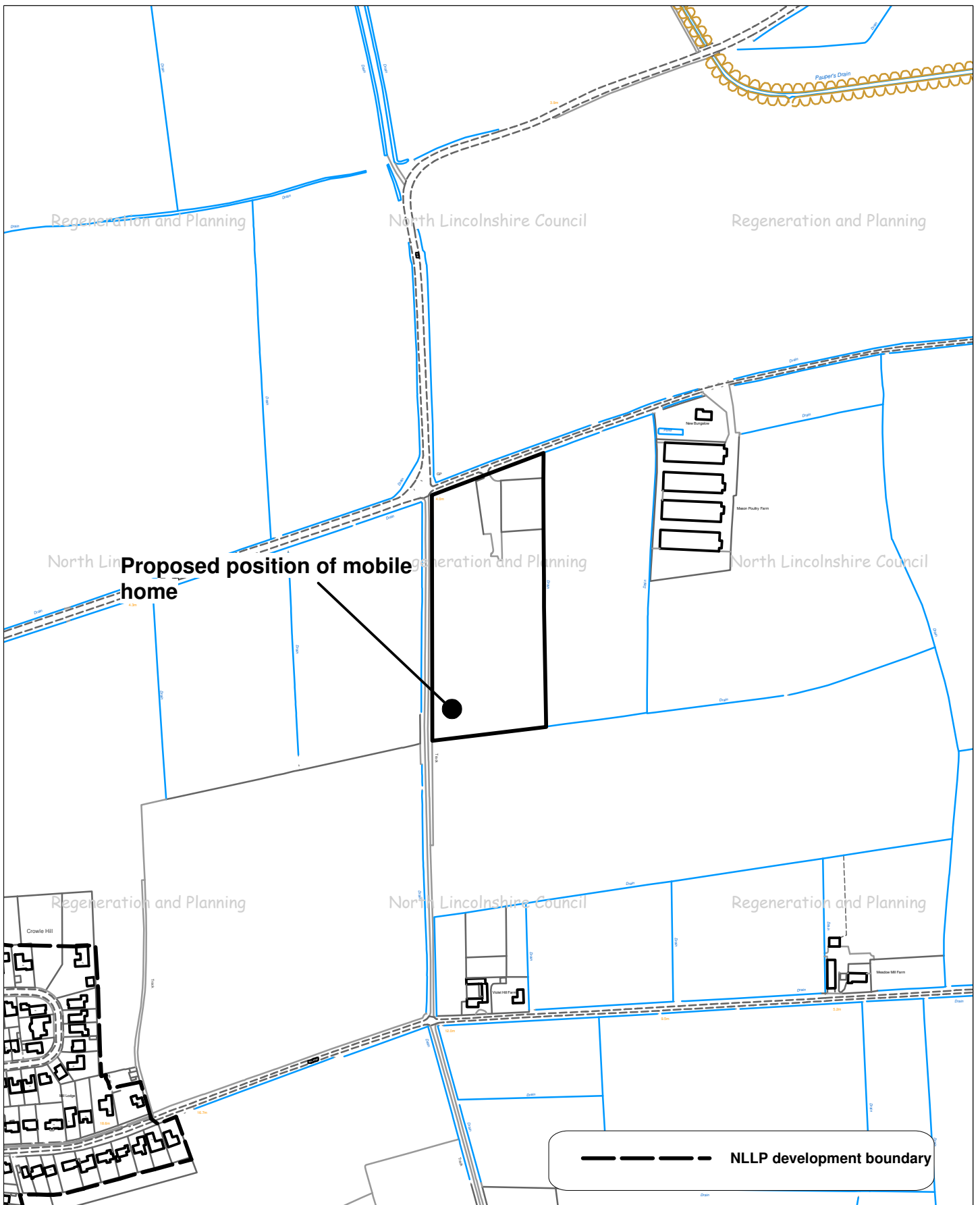
To enhance the appearance of the development in the interests of amenity.

5.

Before development commences on site, details of the vehicular access, access road and parking and turning area shall be submitted to and approved in writing by the local planning authority. Thereafter only the approved scheme shall be implemented on site and retained as such until 27 July 2014.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.



----- NLLP development boundary

Drawing Title: 2011/0539

OS Grid Ref: SE78311366

Drawn by: KC

Scale: 1:5000

Date: 08/07/2011



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**Regeneration and Planning**

Head,

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