

<b>APPLICATION NO</b>	<b>PA/2012/0916</b>
<b>APPLICANT</b>	Barnetby Wold Farm
<b>DEVELOPMENT</b>	Planning permission to vary condition 6 of PA/2012/0589 to change opening hours (8am to 8pm daily)
<b>LOCATION</b>	Wold Farm, The Wold, Barnetby le Wold
<b>PARISH</b>	<b>BARNETBY</b>
<b>WARD</b>	Brigg and Wolds
<b>CASE OFFICER</b>	Tanya Eggett
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Third party request to address the committee

## **POLICIES**

**National Planning Policy Framework:** Paragraph 28 (Supporting a prosperous rural economy) – planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

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

**North Lincolnshire Local Plan:** Policy DS1 (General Requirements) – all new developments should be of a high standard of design.

Policy RD2 (Development in the Open Countryside) lists the type of development considered to be acceptable in the open countryside.

Policy RD6 ( Re-use and/or Adaptation of Rural Buildings for Industrial and Commercial Uses in the Open Countryside) lists the criteria that must be fulfilled to allow a rural building to be used for industrial or commercial uses in the open countryside.

Policy RD7 (Agriculture, Forestry and Farm Diversification) permits farm diversification subject to strict criteria being fulfilled.

Policy T2 (Access to Development) requires all new development to have a satisfactory access.

**North Lincolnshire Core Strategy:** Policy CS1 (Spatial Strategy for North Lincolnshire) sets out the spatial strategy for North Lincolnshire.

Policy CS2 (Delivering More Sustainable Development) – a sequential approach to development will be adopted. 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 contribute to the sustainable development of the tourist industry.

Policy CS3 (Development Limits) – development outside 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 contribute to the sustainable development of the tourist industry.

## **CONSULTATIONS**

**Highways:** No objections.

**Environmental Protection:** No objections.

**Environment Team (PROW):** No objections.

## **PARISH COUNCIL**

No objections

## **PUBLICITY**

Advertised by site notice and adjoining neighbours notified. One letter of objection has been received raising the following material planning issues:

- movement of caravans into and out of the building will be adjacent a dining room, living rooms and main bedrooms
- adverse impact on current living conditions.

Following deferment from committee the objector has submitted an additional letter making the following points:

- caravans through the front entrance should be as originally approved agreed hours (PA/2012/0589) and any movements outside these hours should be through the rear entrance
- a special holding area at Mealand Hill caravan site where caravans could be collected and returned too and brought down to the storage area during agreed hours
- caravans could be brought down to the farmyard and held at the back until agreed front access hours.

## **ASSESSMENT**

The site is located outside the development boundary of Barnetby, within the open countryside. Planning permission was granted on 11 July 2012 to change the use of a redundant livestock building to accommodate 20 touring caravans for storage purposes (PA/2012/0589). This permission was subject to a number of conditions. Condition 6 only allowed the caravans to enter and leave the building between the hours of 9am to 5pm Monday to Saturday and 9am to 4pm on Sundays, Public and Bank Holidays. The applicant has now applied to vary this condition in order to allow caravans to enter and leave the building between the hours of 8am to 8pm every day.

Members may recall that this application was deferred at the Planning Committee held on 19 September 2012 in order to ascertain if the caravans could be loaded into the barn from the rear to avoid the roller shutter door being used on the front elevation which the neighbour considers would result in noise and disturbance to him. Following discussions with the applicant, the caravans cannot access the site via the rear doors on the barn due to the steepness into the building.

**The main issues associated with this case are whether an extension to the approved hours for the caravans to enter and leave the building would result in demonstrable harm being caused to the amenity of the adjoining neighbour and the amenity of the open countryside.**

The applicant has requested that the hours that the caravans can enter and leave the building be extended in order to allow owners of touring caravans who may be in regular employment to be able to collect and return a caravan during reasonable hours, but also to make the facility available to customers outside their normal working hours. The owner is intending to personally move the caravans into the building after they have been delivered to the farm by their owners.

The objector resides opposite the barn that has been granted planning permission for the storage of caravans. The objector's property is approximately 12 metres from the entrance where caravans will enter and leave the building. The site is accessed by a long narrow track that passes the objector's property. PA/2012/0589 limits the number of caravans that can be stored inside the building at any time to no more than 20. It is accepted that there is a genuine need to extend the hours that the building can be accessed in order for some customers to collect and return caravans outside working hours. The number of caravans to be stored in the building is limited to 20. It is highly unlikely that all 20 caravans will enter and leave the building at the same time. Movements are likely to be sporadic resulting in a low number of movements on a daily basis, although it is accepted that more movements will take place over the summer holiday periods and bank holidays. The previous use of the building was for livestock purposes. This use will also have generated a number of agricultural vehicle movements such as tractors, trailers etc and this use was unrestricted so vehicles could enter and leave the building at any time. Environmental Protection have raised no objection to the proposal. The applicant has confirmed that due to the steepness of the access from the rear of the building it would be difficult in practical terms for caravans to be loaded into the building from the rear as opposed to the front.

The other issues raised by the objector are noted, but it would be difficult to enforce planning conditions devised around the suggestions made by the objector. It is further considered, on balance, that due to the low number of caravans that can be stored in the building, the proposal will not result in any demonstrable harm being caused to the amenity of the neighbour by virtue of increased noise and disturbance. The proposal therefore accords with policies DS1 and RD2 of the North Lincolnshire Local Plan.

The extension to the opening hours will have minimal impact on the visual amenity of the open countryside. The caravans will be visible on the landscape when travelling along the track but will be stored inside the existing building. The proposal therefore accords with policies DS1 and RD2 of the North Lincolnshire Local Plan.

**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.  
The development hereby permitted shall be carried out in accordance with the following approved plans: PA/2012/0916/01A.

**Reason**

For the avoidance of doubt and in the interests of proper planning.

3.  
The use hereby permitted shall be for the storage of caravans only (B8 use) and for no other purpose(s) within the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 (as amended) without the prior permission in writing of the local planning authority.

**Reason**

In order to regulate and control development on the site which is located within the open countryside and adjacent to a residential dwelling in accordance with policies DS1 and RD2 of the North Lincolnshire Local Plan.

4.  
No more than 20 caravans shall be stored in the building at any time without the prior approval in writing of the local planning authority.

**Reason**

In order to regulate and control development on the site which is located within the open countryside and adjacent to a residential dwelling in accordance with policies DS1 and RD2 of the North Lincolnshire Local Plan.

5.  
The caravans shall only be permitted to enter and leave the building between the hours of 8am and 8pm on any day.

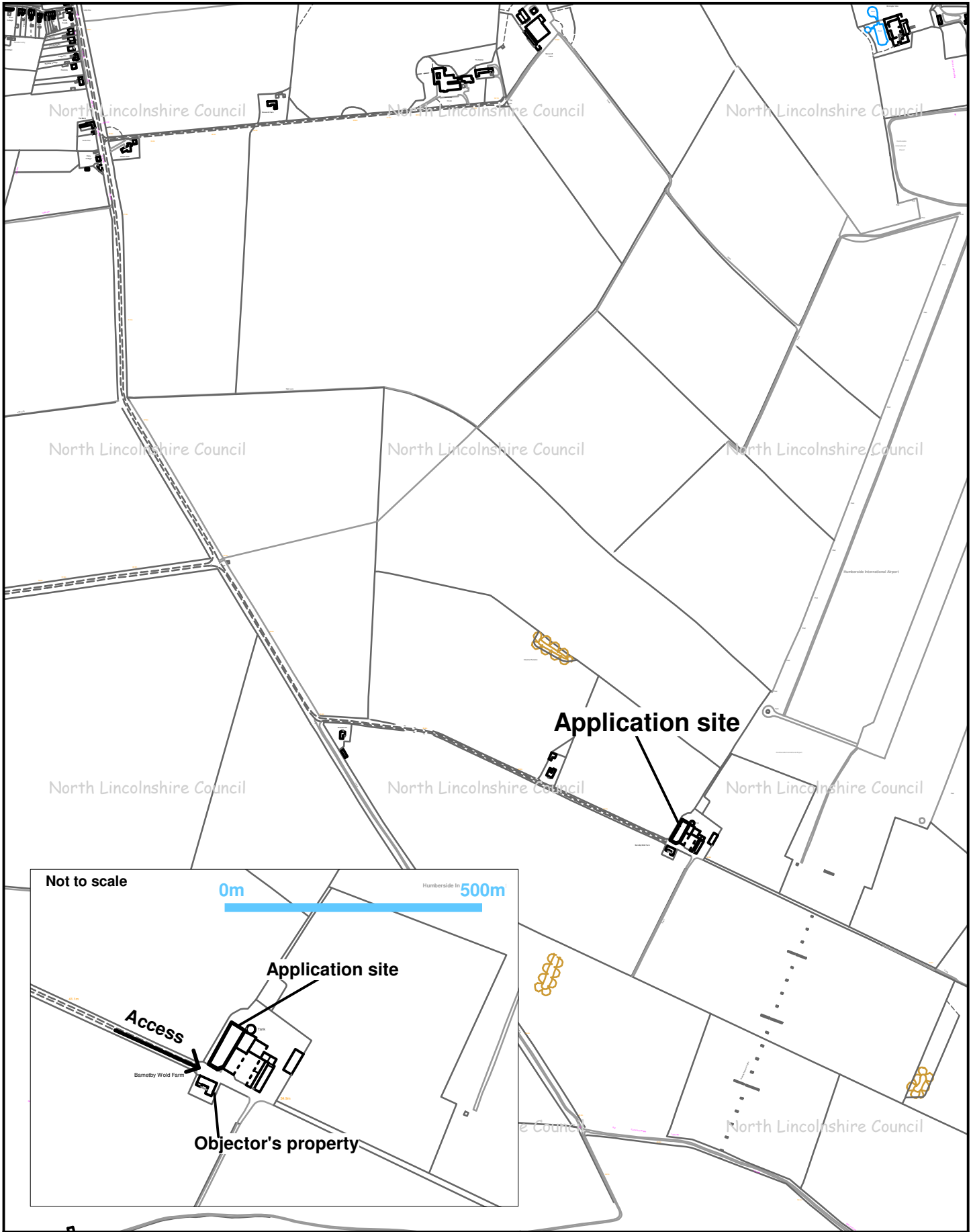
**Reason**

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**Reasons for approval**

The council, as local planning authority, has had regard to the relevant policies of the development plan as set out below and considers that, subject to compliance with the conditions attached to the permission, the proposed development would be in accordance with the development plan, would not materially harm the character of the area nor the living conditions of neighbouring occupiers, and would be acceptable in all other planning

considerations. The council has taken into account all other matters, none of which outweigh the considerations that have led to its decision. The policies taken into consideration in the determination of this application are paragraph 28 of the National Planning Policy Framework; policies CS1, CS2 and CS3 of the North Lincolnshire Core Strategy; and policies DS1, RD6, RD7 and T2 of the North Lincolnshire Local Plan.



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