APPLICATION NO	**PA/2012/1126**
APPLICANT	Mr R Paddison, Paddison Ltd
DEVELOPMENT	Planning permission to change the use of a redundant agricultural barn for the storage of non-hazardous, mainly speciality, minerals and abrasives
LOCATION	Broad Lane Farm, Newlands Lane, Epworth
PARISH	**EPWORTH**
WARD	Axholme Central
CASE OFFICER	Graeme Moore
SUMMARY RECOMMENDATION	**Grant permission subject to conditions**
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Councillor Redfern – significant public interest) Objection by Epworth Town Council

POLICIES

National Planning Policy Framework: No specific policies apply.

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

North Lincolnshire Local Plan: Policy DS1 (General Requirements), policy RD2 (Development in the Open Countryside), policy RD7 (Agriculture, Forestry and Farm Diversification) and policy T2 (Access to Development).

North Lincolnshire Core Strategy: No specific policies apply.

CONSULTATIONS

Highways: Advise conditions that the permission be made personal to Mr Paddison and that the use only be for the materials being stored.

Environment Agency: No objections.

Environmental Health: Advise conditions that a noise assessment be carried out assessing the impact of additional vehicles and equipment on the nearest receptor and a scheme to be submitted detailing the techniques to suppress the levels of dust emissions on site.

TOWN COUNCIL

Object to the proposal on the grounds that:

- the site is accessed by a narrow access lane;

- the proposal is contrary to policies LC14 and RD7 of the North Lincolnshire Local Plan; and

- the effect of additional heavy traffic on holiday homes and Epworth High Street, Mowbray Street, Blow Road and Rectory Street.

PUBLICITY

Neighbouring properties have been notified and a site notice posted. Five letters have been received, objecting on the following grounds:

- The site is located in the open countryside and is not allocated for industrial uses.

- Access along Newlands Lane for HGVs is unsuitable due to the fact that it is regularly used for equestrian activities and by walkers/joggers.

- The HGVs will have to use High Street/Mowbray Street/Blow Road or Rectory Street to access the local highway network which are residential areas and therefore unsuitable for HGVs.

- In the event of a flood the 'non-hazardous' minerals could cause pollution.

ASSESSMENT

This application was deferred from the meeting of 12 December 2012 for a committee site visit.

Planning permission is sought for the change of use of an existing redundant agricultural barn for the storage of non-hazardous, speciality minerals and abrasives at Broad Lane Farm, Newlands Lane, Epworth.

Planning permission was granted in 1996 (PA/1996/1451) for a three-bedroom dwelling and agricultural building. The permission was granted subject to an agricultural occupancy condition. The condition was removed in 2011 (PA/2011/0687) due to retirement of the existing farmer. The applicant intends to purchase the house and building to use as part of his existing storage and distribution business.

The main issues to consider in the determination of this application are whether or not the site is a suitable location for such a use, whether or not the access to site is suitable and whether or not the proposal will have an unacceptable impact upon the local highway network, principally in Epworth itself.

The site in question is located on Newlands Lane, just outside Epworth, which is accessed at the end of Rectory Road. The lane itself is largely single track and serves a number of agricultural buildings and a small static caravan park. Whilst Newlands Lane is single track, it has been used by HGVs, farm traffic and other vehicles for a number of years.

Information from the applicant states there will be a net reduction in the number of vehicles coming to and from the site to a maximum of four per day. This is less than the 10 or more movements a day the previous owners stated used to come and go from the farm. On that basis, and subject to conditions, the Highways department has not objected to the proposal. It should be noted that the conditions Highways request have not been recommended as it is considered they do not meet the tests required, for instance the principle of allowing B8

use in this location is acceptable under policy RD7, therefore it is considered unreasonable to restrict the type of goods that can be stored on the site or make the permission personal to the applicant.

Environmental Health request conditions relating to a noise assessment and techniques to reduce levels of dust on site. It is considered that the conditions requested by Environmental Health do not meet the tests required for planning conditions and have not been taken forward as part of the recommendation. The dwelling on site is intended to be occupied by Mr Paddison, therefore there should be no detrimental impact in terms of noise as he will be carrying out the work himself. Also, the site has been used as an agricultural barn for a number of years and its proposed use is unlikely to lead to a rise in the levels of dust being generated with materials stored in the building.

Policy RD7 allows for the diversification of existing farmsteads. However, it should be noted that the dwelling and site in question is no longer a functioning farm since the retirement of the previous owner, and whilst an unfettered B8 use could give rise to some concerns over its location, due to the small-scale nature of the development and the fact that some of the materials to be stored can be used in the agricultural trade, it is considered to be an appropriate location in this instance. The proposal will also create one new job.

In relation to objections about pollution in the event of a flood, the applicant has stated that materials to be stored are non-hazardous, nor do they require hazardous substance consent for them to be stored. It is therefore considered unlikely to give rise to pollution in the event of flooding.

As the application states, the proposal is for the storage of non-hazardous minerals and abrasives to be used in the construction and infrastructure trade, including materials such as iron silicate which is a synthetic mineral or glass grit.

Finally, the town council states that the application is contrary to policy LC14 of the North Lincolnshire Local Plan. However, the proposal involves the change of use of an existing farm building and it is therefore considered that there is no material harm to the character of the open countryside in this location.

Therefore, on balance, it is considered that the proposal does not materially conflict with policies DS1, RD2, RD7 and T2 of the North Lincolnshire Local Plan and, subject to conditions, is recommended for approval.

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.

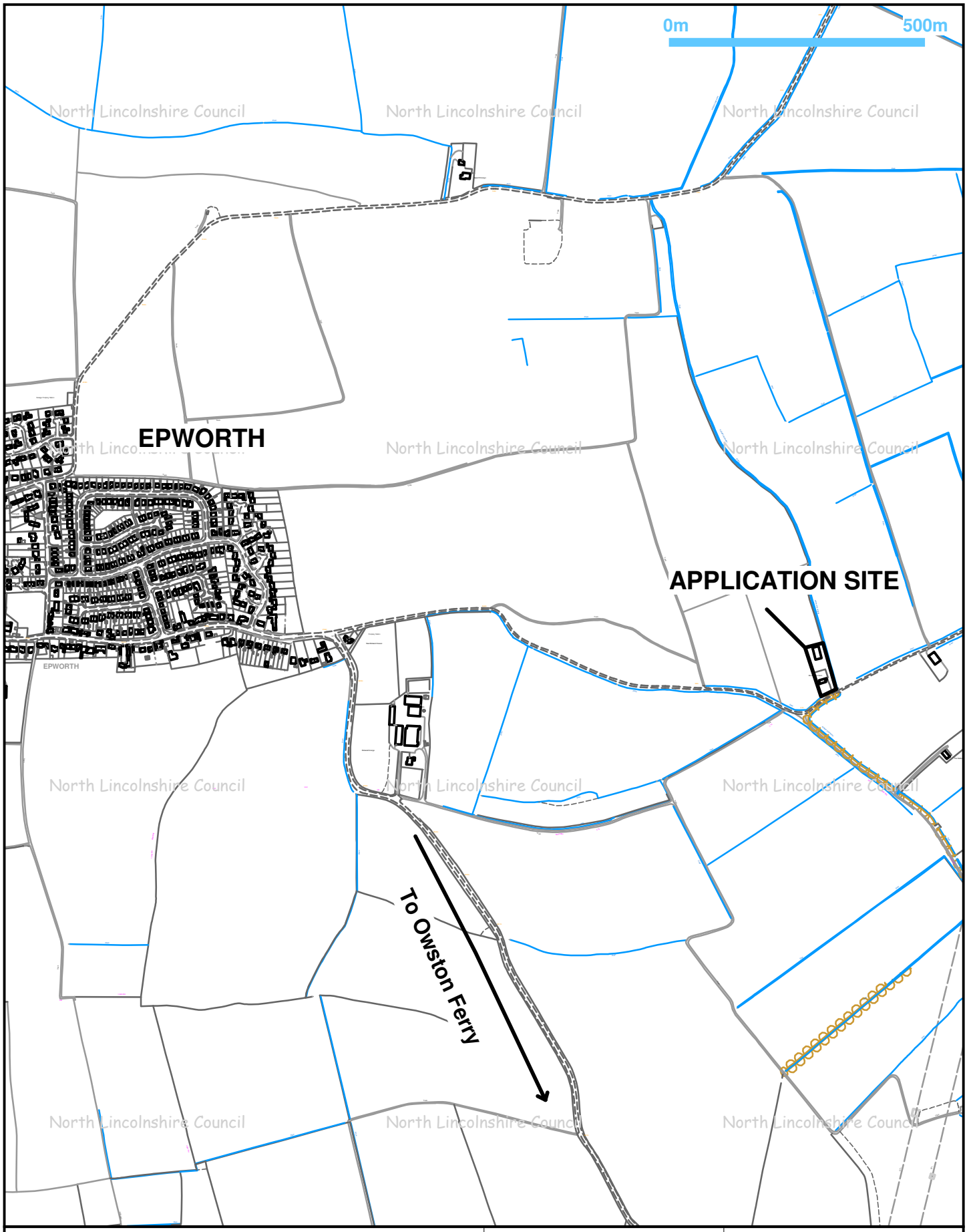
Reason
To comply with section 91 of the Town and Country Planning Act 1990.

2.
The development hereby permitted shall be carried out in accordance with the following approved plans: 2012/1126/01and 2012/1126/02.

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

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 DS1, RD2 and RD7 of the North Lincolnshire Local Plan.

Informative
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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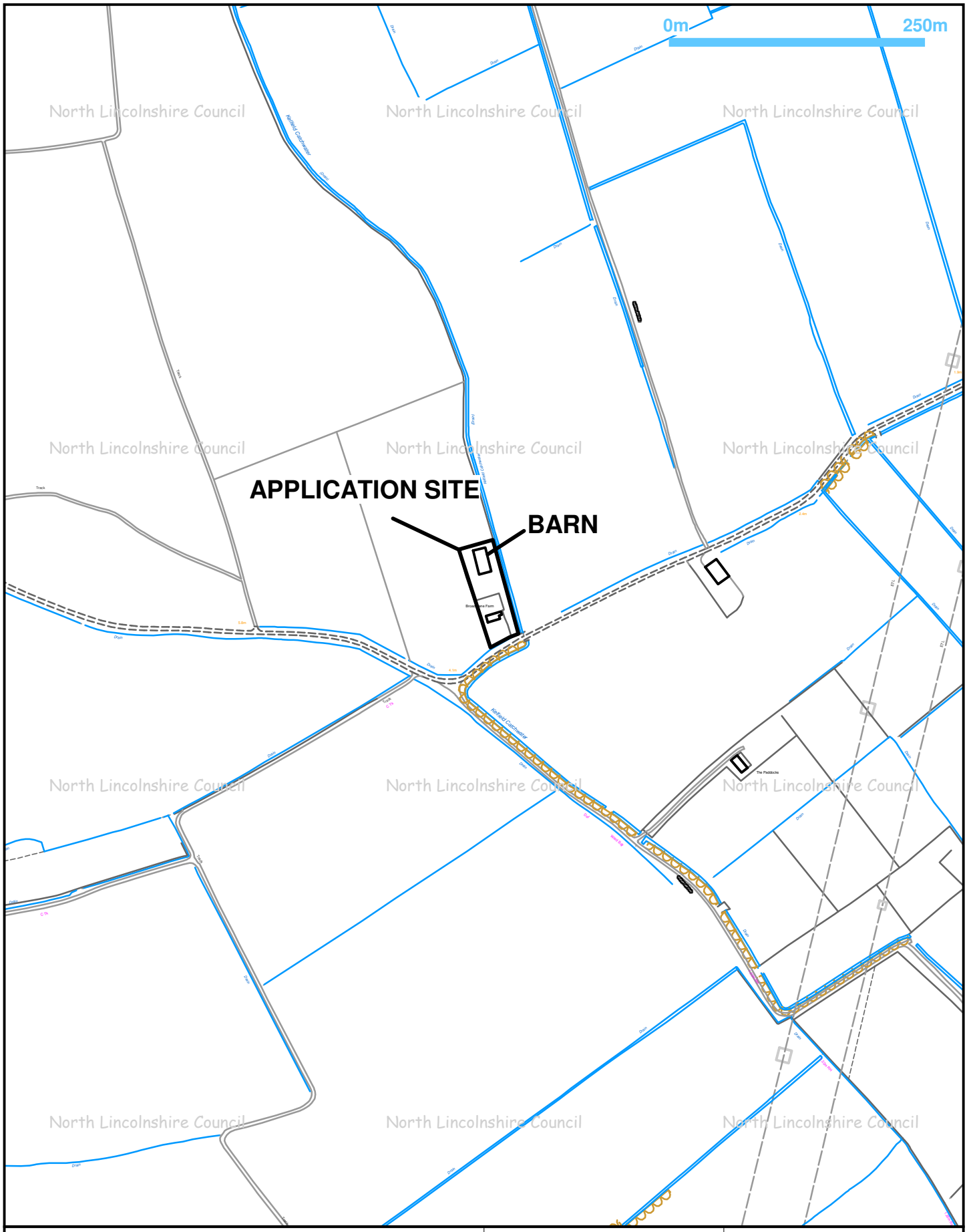

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