

<b>APPLICATION NO</b>	<b>PA/2015/1116</b>
<b>APPLICANT</b>	Field Farm Feeds
<b>DEVELOPMENT</b>	Planning permission for partial site change of use from horse-riding facility to animal feed and local produce retail with erection of replacement structure for purposes ancillary to use and retention of static caravan for office and amenity facilities for staff
<b>LOCATION</b>	Field Farms Feeds, Thornton Road, Goxhill
<b>PARISH</b>	<b>GOXHILL</b>
<b>WARD</b>	Ferry
<b>CASE OFFICER</b>	Leanne Pogson-Wray
<b>SUMMARY RECOMMENDATION</b>	<b>Refuse permission</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Councillor David Wells – significant public interest)

## **POLICIES**

**National Planning Policy Framework:** Paragraph 14 states that at the heart of the NPPF there is a presumption in favour of sustainable development, which should be seen as a golden thread running through plan-making and decision-taking.

Paragraph 28 states that 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; they should support sustainable growth and the expansion of business and enterprise in rural areas and promote the development and diversification of agricultural and other land-based rural businesses.

**North Lincolnshire Local Plan:** Policies RD2 (Development in the Open Countryside), DS1 (General Requirements) and S8 (Out of Centre Retail and Leisure Development).

**North Lincolnshire Core Strategy:** Policies CS1 (Spatial Strategy for North Lincolnshire), CS2 (Delivering more Sustainable Development) and CS3 (Development Limits).

## **CONSULTATIONS**

**Highways:** Advise a condition and an informative.

**Environmental Health:** Advise a condition relating to hours of opening.

## **PARISH COUNCIL**

No objection. An observation was made regarding storage of gas on the site.

## **PUBLICITY**

Neighbouring properties have been notified by letter and a site notice posted. Three letters of support and one letter of objection have been received raising the following issues:

Objection:

- Previous development has been carried out on site without planning permission.
- The caravan would probably be lived in at a later date.
- The village already has a feed store and a fruit and veg store.
- No home grown produce will be sold on the site.

Support:

- There is a good choice of animal feeds.
- Local businesses should be encouraged.
- The business has been operating for some time and causes no disruption.

## **ASSESSMENT**

The application site is an equestrian site located just outside of the development boundary for Goxhill on Thornton Road. Thornton Road comprises residential properties, agricultural land and some commercial premises. The site had planning permission in 1992 for the use of land as a riding facility with a training area, open barn and stables. There are some unauthorised storage containers located on the site frontage with the mobile home behind the storage containers further west into the site.

The proposal is to replace storage containers with a large shed for the sale of animal feed and animal products, and fruit and vegetables (this part of the business already operates unlawfully from the storage containers), and to retain a mobile home on the site for office, WC and staff relaxing purposes. It is not intended to use this mobile home for residential purposes.

### **Site history**

Planning permission for a similar development, but with the use of the mobile home for residential purposes linked to proposed calf-rearing, was refused under application number PA/2014/0849 for the following reasons:

1.

The site does not appear to be an agricultural holding and no evidence has been submitted to the council to suggest that the products sold are home-grown or from another holding in the locality. As a result the retail element of the proposal cannot be considered to be a farm shop under policy RD8 of the North Lincolnshire Local Plan and is therefore considered to be an unsustainable and unacceptable form of development in the open countryside, contrary to policy CS3 of the Core Strategy and policies RD2 and RD8 of the North Lincolnshire Local Plan.

2.

Given that the retail element of the proposed development does not come within the definition (policy RD8 of the North Lincolnshire Local Plan) of a farm shop it must also be assessed against general retail policies. The application does not demonstrate that alternative land/premises have been considered within sequentially preferable locations, the application is therefore contrary to policy S8 of the North Lincolnshire Local Plan and paragraph 24 of the National Planning Policy Framework.

3.

The applicant has not acceptably demonstrated that a functional need exists for the siting of the mobile home in connection with a calf-rearing business and the security of retail premises. In addition, the financial information submitted with the application does not suitably demonstrate that the business would be financially viable; this therefore raises concerns regarding the long-term sustainability of the proposed development. The proposal is therefore contrary to policy CS3 of the Core Strategy, policy RD2 of the North Lincolnshire Local Plan and paragraph 55 of the National Planning Policy Framework.

**The main issues in determining this application are whether the proposal would overcome the previous reasons for refusal and whether it would constitute an unacceptable form of development in the open countryside.**

With regard to the storage containers, these are being used to sell animal feed, fruit and vegetables and animal accessories. The fruit and vegetables being sold are not home-grown and the site is not an agricultural, forestry, horticultural or nursery holding. Evidence submitted with the application states that suppliers are both local and national, with suppliers from Scunthorpe, Ulceby and East Halton, as well as Derby, Middlesborough, Liverpool and Milton Keynes. Nothing sold on the site is produced on site, or within Goxhill. As a result, the proposal cannot be considered a farm shop under policy RD8 of the North Lincolnshire Local Plan.

The applicant is intending to replace the containers with a 12.5 metre by 12.5 metre shed located adjacent to Thornton Road. Whilst this may be aesthetically more acceptable than the structures on the site, there is no justification for a building of this size and design as it is not required for an existing authorised use on the site. If approved, this building would have an adverse visual impact when viewed from Thornton Road, without an appropriate associated use.

The proposal is considered to be an unsustainable form of development as the site is located within the open countryside and has limited public transport links. The site is not within walking distance to the local centre of Goxhill. This part of the proposal would therefore be contrary to policy CS3 of the Core Strategy and policies RD2 and RD8 of the North Lincolnshire Local Plan.

The applicant refers to the cost of developing/using other sites such as industrial estates and relocating the business. It should be noted that the use is currently operated unlawfully but must be considered as if the development was proposed and not currently operated. If such a use was proposed at a neighbouring agriculture/equestrian unit the same policies would apply and the applicant would be asked to sequentially test the proposal and look to relocate to a more appropriate location, such as within defined development limits. Alternative sites for this type of use within the development boundary of Goxhill or on industrial estates in nearby settlements have not been fully appraised as part of the

submission. The use is not classed as farm/agricultural diversification because the use is not agricultural nor a diversification of an existing business. The use does not have to be in this location – it is merely on this site because the applicant owns the land. This use could be within settlement limits or on an industrial estate. The applicant contends that the business is not in fact retail, however, as there are direct sales to the public from the premises, the use is a retail use and must be assessed against retail policies. As such the proposal is not considered to comply with policies RD2, RD8 and S8 of the North Lincolnshire Local Plan.

Whilst the calf-rearing and residential caravan proposals have been removed from the application since the previous application was refused, it is not considered that the other reasons for refusal have been overcome and the proposal is considered to be an unacceptable form of development in this open countryside location.

**RECOMMENDATION      Refuse permission for the following reasons:**

1.

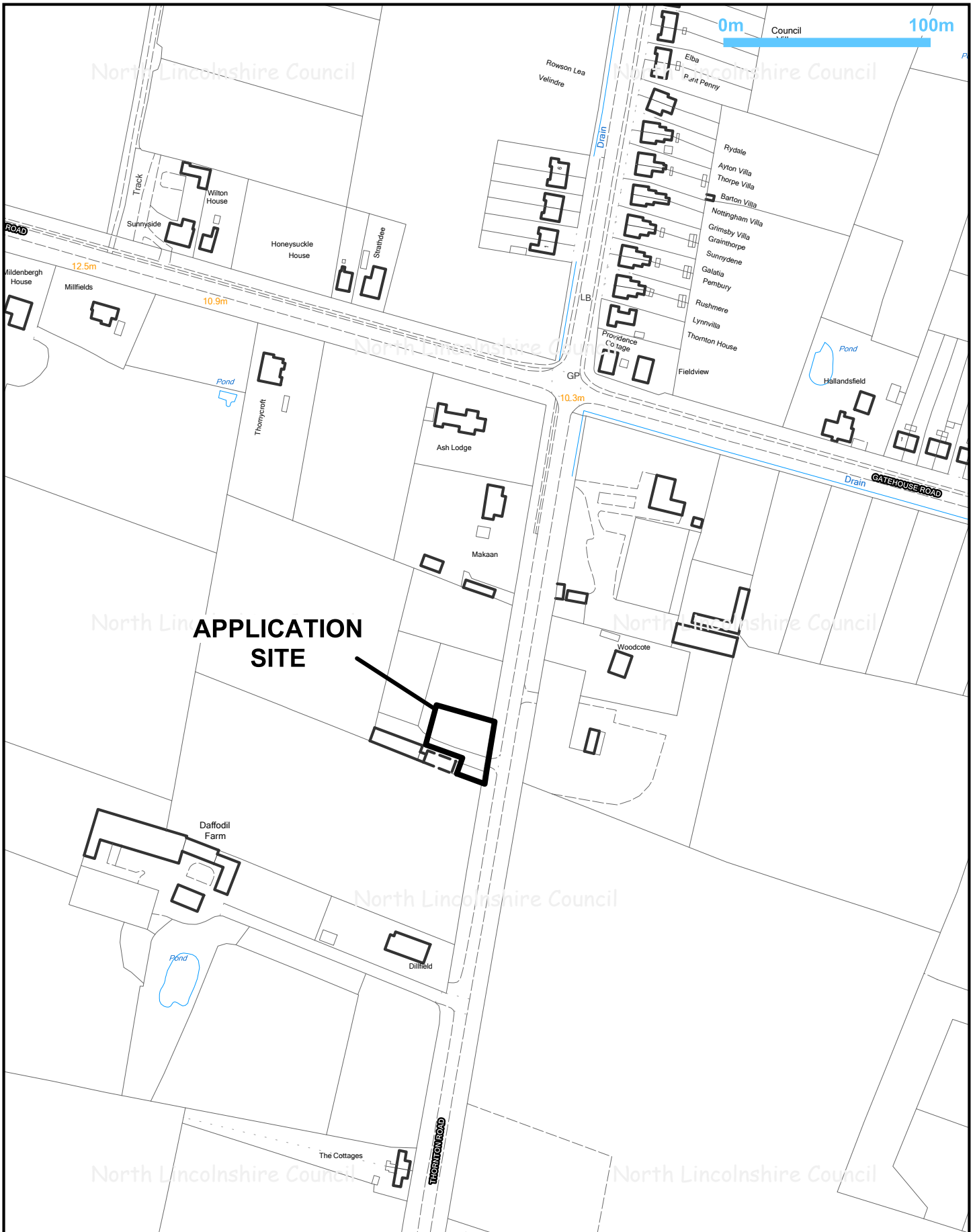
The site does not appear to be an agricultural holding and no evidence has been submitted to the council to suggest that the products sold are home-grown or from another holding in the locality. As a result the retail element of the proposal cannot be considered to be a farm shop under policy RD8 of the North Lincolnshire Local Plan and is therefore considered to be an unsustainable and unacceptable form of development in the open countryside, contrary to policy CS3 of the Core Strategy and policies RD2 and RD8 of the North Lincolnshire Local Plan.

2.

Given that the retail element of the proposed development does not come within the definition of a farm shop (policy RD8 of the North Lincolnshire Local Plan), it must also be assessed against general retail policies. The application does not demonstrate that alternative land/premises have been considered within sequentially preferable locations. The application is therefore contrary to policy S8 of the North Lincolnshire Local Plan and paragraph 24 of the National Planning Policy Framework.

**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.



**APPLICATION SITE**

Title: PA/2015/1116		
Drawn by: Sue Barden	Date: 21/12/2015	Scale @A4 1:2500



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Ordnance Survey 0100023560



**Director of Places**  
**Peter Williams**  
BSc,DMS,CEng,MEI,MCMI,AMIMechE

# PA/2015/1116 Proposed Layout and elevations - Not to scale



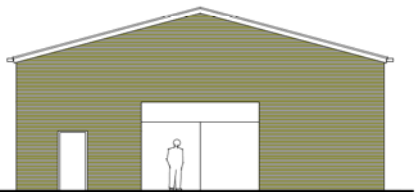
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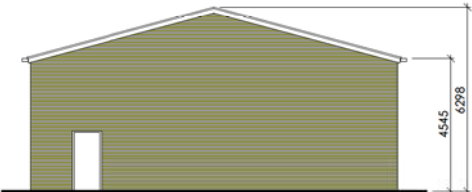
proposed sales/storage shed plan  
scale 1:100



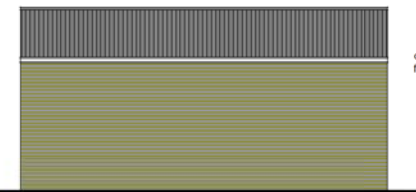
proposed site plan  
scale 1:200



southern elevation



northern elevation



eastern & western elevations