

APPLICATION NO	PA/2016/288
APPLICANT	Mr N Grantham
DEVELOPMENT	Planning permission to remove condition 10 of PA/2005/1992 to retain the dwelling and to change the use of the dwelling to office/storage
LOCATION	Lindholme Lakes, West Carr, Epworth, DN9 1LF
PARISH	Epworth
WARD	Axholme Central
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Epworth Town Council

POLICIES

National Planning Policy Framework: Paragraphs 6, 7, 14, 15, 28.

North Lincolnshire Local Plan: Policy DS1 (General Requirements) applies to all developments.

Policy RD2 (Development in the Open Countryside) sets out clear guidance on the control of development in the open countryside.

Policy RD10 (Replacement, Alteration and Extensions to Dwellings in the Open Countryside) sets out the guidance for replacement dwellings which includes normally conditioning the removal of the original building as part of the planning permission for a replacement dwelling.

Policy R12 (New Camping and Caravan Sites) is permitted subject to strict criteria being fulfilled.

Policy T2 (Access to Development) requires all development to be provided with satisfactory access.

Policy LC4 (Development Affecting Sites of Local Nature Conservation Importance) – any development or land use which is likely to have an adverse impact on a site of Local Nature Conservation Importance will not be approved.

North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire) sets out the spatial strategy for North Lincolnshire. In the open countryside support will be given for development that promotes rural economic diversification and small-scale employment opportunities, particularly on previously used land or in existing rural buildings. Tourism development will be supported.

Policy CS2 (Delivering more Sustainable Development) – a sequential approach to development will be adopted.

Policy CS3 (Development Limits) applies.

Policy CS15 (Culture and Tourism) – existing tourist facilities and infrastructure will be protected and enhanced and the development and promotion of sustainable tourism focusing on the area's natural and built assets will be supported.

Policy CS17 (Biodiversity) – the council will promote effective stewardship of North Lincolnshire's wildlife.

CONSULTATIONS

Highways: No objection.

Environment Agency: No objection but recommend that the flood resilience of the building be improved if it is to be retained.

Environmental Protection: No objection.

Ecology: No objection. Encourage provision that can be made for bats or nesting birds.

TOWN COUNCIL

Object as the applicant has not complied with condition 10 of PA/2005/1992 which states that the existing dwelling shall be demolished and all debris shall be removed from the site no later than three months from the date the new dwelling is first occupied. The building should have been taken down as permission was originally granted in this case on a replacement basis under policy RD9 of the NLLP and the applicant has not complied with this condition.

PUBLICITY

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

ASSESSMENT

The proposal is twofold as permission is sought to remove condition 10 of PA/2005/1992 to allow the dwelling to be retained on the site and then to change the use of the dwelling for office/storage associated with the existing fishing lake business and caravan (static and touring) business being carried out from the site. PA/2005/1992 granted permission for a replacement dwelling on another area of the site which has been constructed and is occupied by the applicant. Condition 10 of PA/2005/1992 required the existing dwelling (known as The White House) to be demolished and all debris to be removed from site no later than three months from the date when the new dwelling was first occupied. The original dwelling was not demolished when the replacement dwelling was occupied and has remained on the site. It is not being occupied for residential purposes. At the time of the site visit, the building appears to be used to store various items associated with the applicant's business.

The main issues associated with this proposal are whether the proposal is acceptable in planning policy terms, and if so, whether the impact on the area in terms of ecology, flood risk and highways is also acceptable.

The site is located outside the development boundary of Epworth within the open countryside. Part of the site is of Local Nature Conservation Importance. The site is located within flood zone 2/3a and therefore is of high risk of flooding. Access to the site is along a tarmac road leading from West Carr. Lindholme Lakes is a very successful commercial fishery with static and touring caravans located on the site. The site contributes to the tourist industry and rural economy due to the high number of visitors that it attracts to the site.

It is accepted that the applicant is in breach of condition 10 of PA/2005/1992 as the building has been retained on the site. The building will be used in connection with the applicant's expanding business for office/storage purposes. This is supported within the National Planning Policy Framework in relation to supporting economic growth in rural areas to create jobs and prosperity by taking a positive approach to sustainable new development. Core Strategy policies CS1, CS3 and CS15 also support economic and tourism development in rural areas. Policy RD2 of the North Lincolnshire Plan seeks to support employment-related development in the open countryside and the proposed use of the building will provide office/storage accommodation related to the existing fish and caravanning business being operated from the site which also accords with policy R12 of the North Lincolnshire Plan.

The retention of the building already located on the site represents a sustainable form of development as the change of use will not require a new building to be erected on the site. This is also supported within the NPPF and within policies CS2 and CS3 of the Core Strategy and policy RD2 of the North Lincolnshire Local Plan. The existing building is located within a cluster of other buildings already located on the site and does not have a harmful visual impact on the open countryside. The proposal therefore accords with policies RD2 and DS1 of the North Lincolnshire Local Plan.

In terms of flood risk, the site is located within a high flood risk area. The proposed use will be a lesser flood risk to the building than if the building was used for residential purposes. The comments made by the Environment Agency are noted and an informative will be placed on the planning permission recommending that the flood resilience of the building should be improved.

In terms of ecology, no objections have been raised as no works are proposed to the roofline and chimneys. The applicant has already provided a biodiversity management plan for a previous application (PA/2015/1120) on the site in order to safeguard and benefit wildlife on the site. The proposal therefore accords with policy CS17 of the Core Strategy and policy LC4 of the North Lincolnshire Local Plan.

In terms of highways, no objections have been raised to the access arrangements to the site. This aspect of the proposal accords with policy T2 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: LINDHOLME.

Reason

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

3.

The use of the building hereby permitted shall be for office (B1) and storage accommodation (B8) used in connection with the existing fishing enterprise and caravan business carried out on the site known as 'Lindholme Lakes' and for no other purpose(s) (including any other purpose in Class B1 or B8 of the Schedule to the Town and Country Planning (Use Classes Order 2005 or any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification) without the prior approval in writing of the local planning authority.

Reason

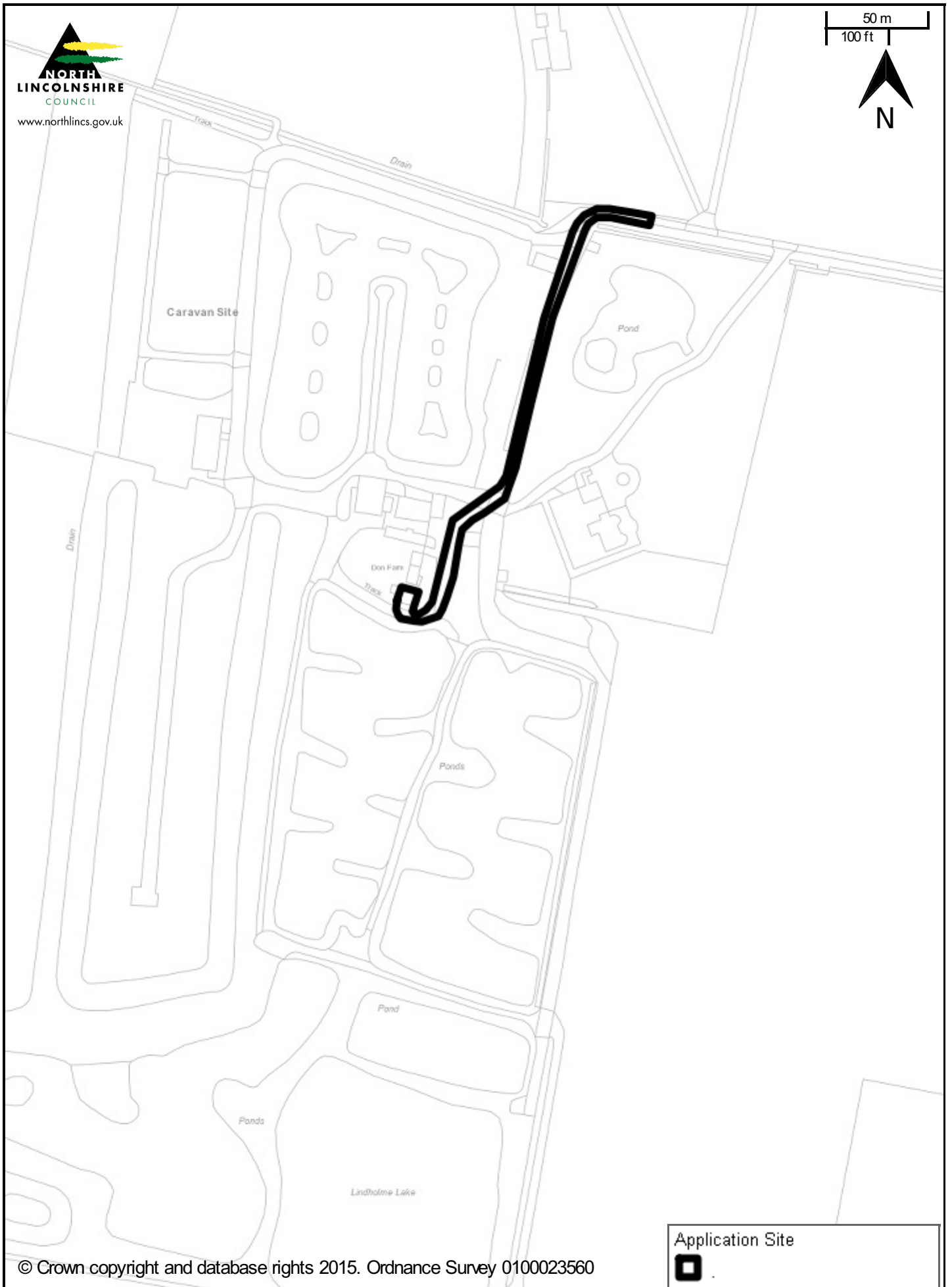
In order to regulated and control development on this site which is located within the open countryside in accordance with CS3 of the Core Strategy and RD2 of the North Lincolnshire Local Plan. Planning permission has only been granted for the proposal due to the specific justification submitted by the applicant.

Informative 1

The applicant's attention is drawn to the attached comments made by the Environment Agency dated 31 March 2016.

Informative 2

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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