

<b>APPLICATION NO</b>	<b>PA/2018/1697</b>
<b>APPLICANT</b>	Mr Neil Grantham, Lindholme Lakes
<b>DEVELOPMENT</b>	Outline planning permission to erect a gatehouse dwelling
<b>LOCATION</b>	Lindholme Lakes, West Carr, Epworth, DN9 1LF
<b>PARISH</b>	Epworth
<b>WARD</b>	Axholme Central
<b>CASE OFFICER</b>	Mark Niland
<b>SUMMARY RECOMMENDATION</b>	<b>Refuse permission</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Cllr Baroness Liz Redfern – significant public interest)

## **POLICIES**

**National Planning Policy Framework:** Paragraph 79 – Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- (a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- (b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- (c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- (d) the development would involve the subdivision of an existing residential dwelling; or
- (e) the design is of exceptional quality, in that it:
  - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
  - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Paragraph 157 – All plans should apply a sequential, risk-based approach to the location of development, taking into account the current and future impacts of climate change so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:

- (a) applying the sequential test and then, if necessary, the exception test as set out below;
- (b) safeguarding land from development that is required, or likely to be required, for current or future flood management;
- (c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and
- (d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.

Paragraph 158 – The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.

Paragraph 159 – If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.

**North Lincolnshire Local Plan:** DS1, DS11, RD2

**North Lincolnshire Core Strategy:** CD1, CS2, CS3, CS5, CS19

## **CONSULTATIONS**

**Highways:** No objections subject to a condition.

**Environment Agency:** No objections subject to the ground floor being used for storage, garage and utility space.

**Drainage:** No objections subject to the imposition of a condition relating to the submission of a flood risk assessment and a drainage strategy.

## **TOWN COUNCIL**

No objections. Supports the Environment Agency's comments.

## **PUBLICITY**

The application has been advertised by site and press notices.

## **ASSESSMENT**

### **Relevant planning history**

- 2/1994/0326: Conversion of derelict farm buildings to two residential units and installation of septic tanks. Approved 18/07/1994.
- PA/2005/1992: Planning permission to erect a dwelling and garage, including demolition of existing dwelling and garage. Approved 08/02/2006.
- PA/2008/0526: Planning permission to erect a fishery amenity building, with associated car parking and change the use of a café to a store in connection with commercial fishing. Approved 09/05/2008.
- PA/2011/0069: Planning permission to change the use of a field to site caravans and static caravans in connection with Lindholme Lakes Fisheries. Approved 23/03/2011.
- PA/2015/1123: Planning permission to retain the use of a site as holiday accommodation and recreational facilities associated with Lindholme Lakes with occupation of the holiday lodges and caravans on the site for 12 months of the year. Approved 01/12/2015.
- PA/2016/288: Planning permission to remove condition 10 of PA/2005/1992 to retain a dwelling and change the use of the dwelling to office/storage. Approved 01/06/2016.
- PA/2016/522: Planning permission to retain a storage building. Approved 17/08/2016.
- PA/2018/848: Planning permission to change the use of a bungalow to holiday lets for anglers. Approved 31/07/2016.

### **Site characteristics**

The site is located within the open countryside in accordance with the HELA DPD 2016 and within flood zone 2/3a in accordance with the North and North East Lincolnshire SFRA 2011.

The site is located within the Lindholme Lakes site to the north of a new dwelling that was granted permission under PA/2005/1992 and just south of the access road that emanates west from Ide Bank.

The applicant seeks outline planning permission for the erection of a gatehouse dwelling with all matters reserved and this is justified by the proposed loss of another dwelling on the site to two holiday lets submitted under approved planning application PA/2018/848.

### **The assessment will consider the following issues:**

- **principle of development**
- **flooding issues**
- **highway safety.**

## Principle of development

Policy CS1 of the Core Strategy is concerned with the overarching spatial strategy for North Lincolnshire. It states that ‘...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 is concerned with delivering more sustainable development. It states that ‘...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.’

Policy RD2 is concerned with development in the countryside. It states that ‘...Development in the open countryside will be strictly controlled. Planning permission will only be granted for development which is:

- (i) essential to the efficient operation of agriculture or forestry;
- (ii) employment-related development appropriate to the open countryside;
- (iii) affordable housing to meet a proven local need;
- (iv) essential for the provision of outdoor sport, countryside recreation, or local community facilities;
- (v) for the re-use and adaptation of existing rural buildings.’

The applicant has submitted justification in that the dwelling is required firstly to mitigate the proposed loss of another dwelling on the site to a use for holiday lets and secondly for security purposes. Planning application PA/2018/848, which seeks to change the use of an existing dwelling on the site to function as holiday accommodation, is a material consideration in relation to this proposal and therefore forms part of the assessment for this application.

It is considered that there is no proven essential need to erect a dwelling in this prominent location within the open countryside. The applicant alludes to the fact that there is a functional need of the business by the proposed loss of an existing on-site dwelling to a use for holiday lets. It is not clear whether this permission has been implemented but it should be noted that if there is a clear need for a dwelling then the loss of a dwelling on site to holiday lets (when there are clearly other options for providing holiday accommodation) would be counter-intuitive. The functional need is self-inflicted upon the operation whilst there is no supporting information accompanying this planning application exploring other buildings across the site and why these have been discounted for dwellings; it is considered that there are ways less intrusive upon the open countryside than erecting a new dwelling. The planning history demonstrates that there are other buildings which could potentially be explored; there is no information to accompany this application as to why these have been discounted.

The applicant considers this to be a ‘replacement dwelling’, drawing on policy RD10 of the local plan. Whilst the policy body makes no real reference to siting, a pragmatic approach would suggest that the replacement in some way would have proximity to the building it is

to replace. The proposed dwelling is located some distance from the approved holiday lets (PA/2018/848) and whilst the notion of proximity is subjective, the re-siting of a dwelling in this location away from an existing cluster of buildings (that are historically related to Don Farm) and into a prominent and detached setting would appear not to have regard to the existing layout, character and amenity of the site and surroundings. It is considered then that the proposal is not accepted as a replacement for the above reasons and policy RD2 is relevant.

The applicant also states that the dwelling is needed in the proposed location to function as a 'security gatehouse'. It is considered that, with current technology, there are other mitigating techniques to improve the security of the site, and there is also a large detached dwelling nearby that has good visibility of the approach road that leads into the centre of the site that could provide the same level of surveillance. Further techniques relating to defensible space such as boundary control (of the access road) would have the potential to allow the existing dwelling to function as a gatehouse itself. The justification of security to promote a dwelling in the open countryside when clearly there already is one that can perform the same function does not outweigh the harm introduced to the countryside vernacular by the erection of a new dwelling.

On the basis of the information presented with the application it is considered that insufficient justification has been given to demonstrate how the creation of a new dwelling is essential to the functioning of the open countryside especially in such a visually prominent location, easily viewable from Idle Bank. The proposal is contrary to the aims of policies CS1, CS2 and CS3 of the North Lincolnshire Core Strategy and RD2 of the North Lincolnshire Local Plan.

## **Flooding**

Policy CS19 of the North Lincolnshire Core Strategy is concerned with flood risk and is supported by paragraphs 100–102 (inclusive) of the National Planning Policy Framework (NPPF); both are considered relevant to the proposal. The site is located within flood zone 2/3a in accordance with the North and North East Lincolnshire SFRA 2011. The applicant has submitted a flood risk assessment, and sequential and exceptions tests.

### *Sequential test*

The aim of the sequential test is to steer development towards less vulnerable flood zones. However, the applicant has stated that there is a functional need for the dwelling on site and therefore the geographical area of search is site-specific. It is considered that this is sufficient justification and the sequential test is passed.

### *Exceptions test and flood risk assessment*

The exceptions test is twofold: the test requires the proposed development to show that it will provide wider sustainability benefits to the community that outweigh flood risk; and that it will be safe for its lifetime, without increasing flood risk elsewhere and, where possible, reducing flood risk overall.

The applicant has provided information as to the social, environmental and economic benefits of the proposal. The supporting information states that the new landscaping would capture a net gain for biodiversity, creation of jobs and support for the commercial

business, as well as increasing surveillance across the site. The test also puts forward mitigation measures.

In terms of the flood risk element, both the Environment Agency (EA) and the council's Drainage team, as Lead Local Flood Authority, have been consulted. The EA has no objection subject to conditions ensuring that the ground floor is made up of garaging and utility rooms, and that finished floor levels are at a minimum of 4.4 metres above Ordnance Datum. This has satisfied the EA, given that it is 300 millimetres above the critical level.

The council's Drainage team has no objections subject to a condition requiring the applicant to submit and agree a drainage strategy for the mitigation of surface water. This will duly be attached to any permission.

It is therefore considered that the exceptions test is sufficient. The proposal is therefore in accordance with policy CS19 of the Core Strategy and paragraphs 157–159 (inclusive) of the NPPF.

### **Highways**

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision, as well as general safety, and points developers to Appendix 2 of the local plan for required parking provision. The council's highways department has been consulted and has no objection subject to a condition requiring further details of the access arrangement and the hard standing located around the proposal; this would be attached to any permission.

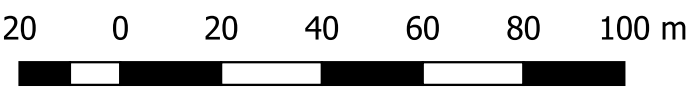
The proposal is therefore in accordance with policies T2 and T19 of the North Lincolnshire Local Plan.

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

The proposed development would be harmful to the open countryside by introducing a residential dwelling in a prominent location. Furthermore, the applicant has not demonstrated that the proposal is essential to the functioning of the open countryside and it would therefore result in inappropriate development in this location. The proposal is therefore contrary to policy RD2 of the North Lincolnshire Local Plan and policies CS1, CS2 and CS3 of the North Lincolnshire Core Strategy.

### **Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 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.



**PA/2018/1697**

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