

APPLICATION NO	PA/2018/2063
APPLICANT	Mr K Philips
DEVELOPMENT	Planning permission to retain the use of a garage as temporary accommodation for a rare breeds manager for a further period of three years, including associated external alterations
LOCATION	Shepherds Place, Akeferry Road, Westwoodside, Haxey, DN9 2NF
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council Departure from policy

POLICIES

National Planning Policy Framework: Paragraph 79 states that planning policies and decisions should avoid new isolated homes in the countryside unless 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.

Paragraph 83 states that planning policies should enable the sustainable growth and expansion of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings.

Paragraphs 155–160 also apply.

North Lincolnshire Local Plan: Policies DS1 (General Requirements), DS16 (Flood Risk), RD2 (Development in the Open Countryside) and LC14 (Area of Special Historic Landscape Interest) apply.

North Lincolnshire Core Strategy: Policies CS1 (Spatial Strategy for North Lincolnshire), CS2 (Delivering More Sustainable Development), CS3 (Development Limits), CS5 (Delivering Quality Design in North Lincolnshire), CS15 (Culture and Tourism) and CS19 (Flood Risk) apply.

CONSULTATIONS

Highways: No objection.

Environment Agency: The North and North East Lincolnshire Strategic Flood Risk Assessment (November 2011) provides a critical flood level for the area of 4.1 metres above Ordnance Datum (AOD). The submitted Flood Risk Assessment recognises this but

explains that it is not possible to raise ground floors above the level. Instead, the majority of living accommodation (excepting the kitchen) is to be on the first floor. Therefore no objection to the application on the understanding that the use will be restored to a garage once an alternative residential dwelling has been constructed.

A flood warning and evacuation plan has been submitted with the application. The Environment Agency does not comment on the adequacy of such plans: their advice is to consider the adequacy of the submitted plan in consultation with the emergency planner before determining the application.

PARISH COUNCIL

Object on the following grounds:

- concern over the lack of investment in the site since planning permission was granted for a dwelling in 2008
- concern over the viability of the business and the delays in the completion of the dwelling on the site.

PUBLICITY

A site notice has been displayed; no comments have been received.

ASSESSMENT

The site is located in the open countryside and within an Area of Historic Landscape Interest. It is surrounded by farmland to the north, south and west. To the east is a railway embankment. Some residential properties are located to the north and east of the site. The site is a rare breeds centre and is a tourist attraction in the Isle of Axholme. Of note is a previous planning application (PA/2016/1243) granted for a temporary period of two years in 2016 for the manager to reside at the site (within the converted garage); this expired on 19 October 2018. This application seeks to extend the period for the use of the garage as temporary residential accommodation for a further three years.

The main issues associated with this proposal are whether it is acceptable in planning policy terms, or if not, whether there is a case of special circumstances that justifies departing from prevailing planning policy and granting the proposal for a further temporary period of time (three years).

The proposal is to continue to use the existing garage located on the site to provide temporary residential accommodation for a rare breeds farm manager. In terms of planning history, outline planning permission was granted for a dwelling on the site in July 2008 (PA/2008/0717). Subsequent reserved matters applications were approved on 7 January 2009 (PA/2008/1628) and 1 June 2011 (PA/2011/0390). PA/2011/0390 has been implemented on the site as pre-commencement conditions have been discharged and the garage the subject of this application has been constructed. The principle of the need for a dwelling to accommodate a farm manager has already been established by these earlier permissions. In 2013 planning application PA/2013/0571 was granted for a temporary period of three years to allow the manager to reside on site in the garage as they could not afford to build the approved dwelling on the site at that time, and a further two years under planning application PA/2016/1243 resulting in a total period of five years to date. This

application seeks to extend the period of time for which the manager can continue to reside at the site within the garage for a further period of three years.

A design and access statement has been submitted with the planning application; this document submits that, due to the financial investment in the farm, they cannot afford to build the approved dwelling on the site; therefore there is a need to reside in the garage for a further period of time. Of particular note is the reference made to planning application PA/2017/1990 which was approved for a play barn at the site; the design and access statement states that the applicant intends to invest their finances in constructing this play barn on the site in the near future.

The site is a rare breeds centre and contains various animals and buildings associated with this use. The site is currently open and is a tourist attraction. Planning applications have been submitted for a play barn and miniature railway on the site to provide additional visitor facilities and there is an intention therefore to create further investment into the enterprise which is noted by the approval for the play barn in 2017.

It is accepted that there is a need for a farm manager to live on site to attend to the functional need of the rare breeds centre. This has been established by the outline and reserved matters applications giving approval for a dwelling on the site and by the temporary permission granted in 2013. In addition, it is accepted that the applicant is investing in the rare breeds centre and cannot afford to build the approved dwelling on the site at the present time. Concerns from the parish council are noted. However, the garage is already located on the site and it is preferable, in terms of the visual appearance of the site and in respect of flood risk, for an existing building to be utilised for the residential accommodation (rather than construct a separate building). There is a need to account for the fact the manager has already resided within the garage for a period of five years since 2013. Taking into account the objection received from Haxey Parish Council and the period of time that the manager has already resided within the garage, it is considered acceptable to permit a further three years; a total of eight years (2013–2021) is considered a reasonable time frame in which to allow the applicant to complete the investments in the business (i.e. to construct the approved play barn) and to accumulate the necessary funds to construct the approved dwelling on the site. At that juncture in 2021 the local planning authority will be in a position to reassess the applicant's living arrangements and their intentions for the site.

A personal permission will also be given by virtue of a planning condition so that only the applicant and any dependants can live in the temporary dwelling. The concerns raised in relation to the functional need for the farm manager to live on the site were dealt with under the outline planning permission PA/2008/0717 and it was considered there was a functional need for a farm worker to live on the site.

Other issues

Previously a condition was imposed which required the submission of a flood evacuation plan. A flood evacuation plan was submitted in response to this condition and considered acceptable; therefore the condition was subsequently discharged. This flood evacuation plan has been resubmitted with this planning application, the details enclosed within which are considered acceptable to cover the continued habitation of the garage for residential use.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The use of the garage for temporary residential accommodation shall be discontinued on or before 17 January 2022 and the building reverted to a garage as approved under PA/2011/0390 to the satisfaction of the local planning authority.

Reason

Permission is granted only in the light of the short-term need for the development.

2.

The temporary dwelling hereby permitted shall only be occupied by Mr K Philips and any resident dependants at any time.

Reason

To regulate and control development on this site, which is located in the open countryside, in accordance with policies CS3 of the North Lincolnshire Core Strategy and RD2 of the North Lincolnshire Local Plan.

3.

The development hereby permitted shall be undertaken in strict accordance with the Flood Evacuation Plan produced by Keystone Architecture dated October 2018. The scheme shall be maintained in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the local planning authority.

Reason

To ensure the occupants' safety whilst occupying the approved temporary dwelling.

4.

The development hereby permitted shall be carried out in accordance with the following approved plans: 833.01 A.

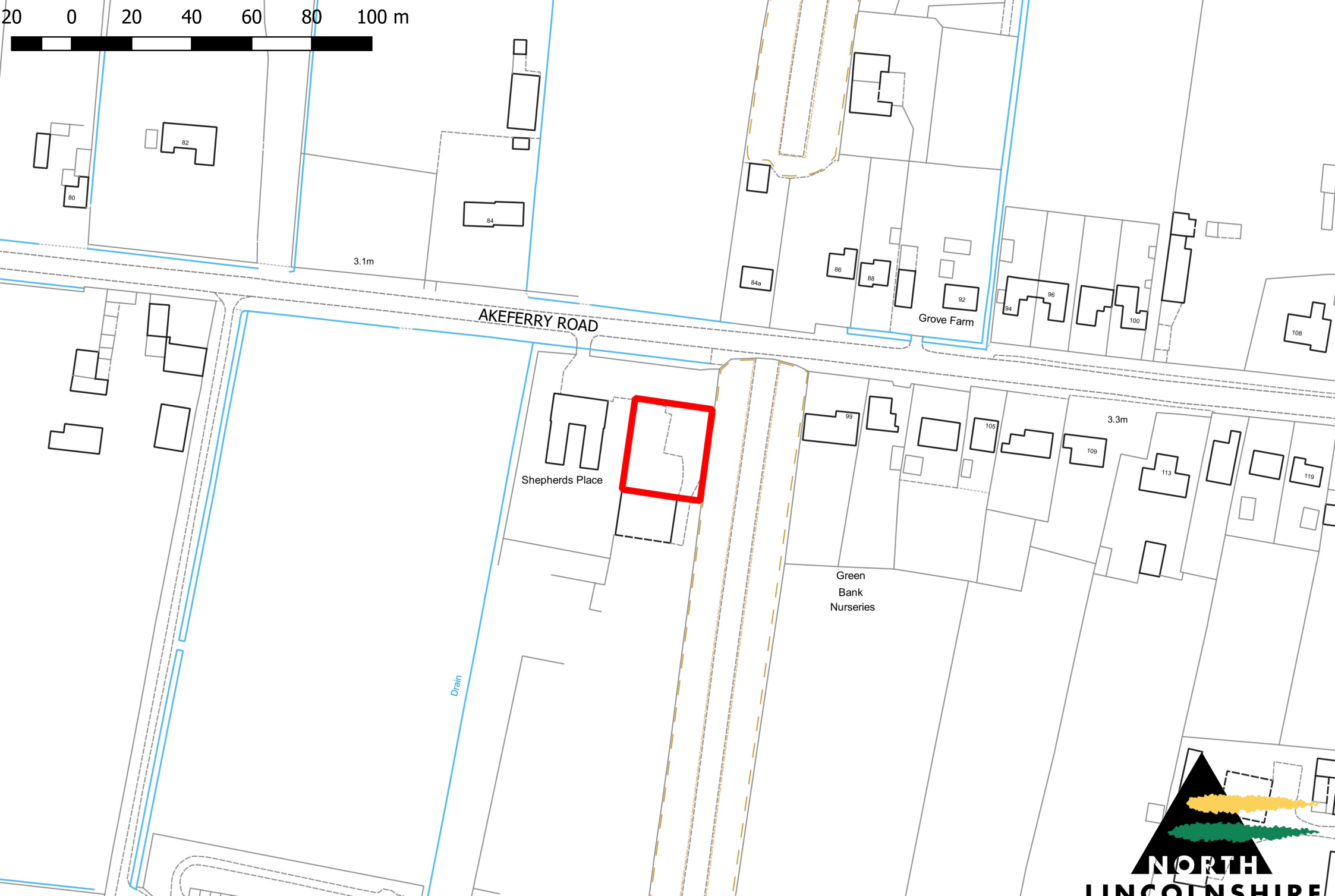
Reason

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

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.

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AKEFERRY ROAD

Shepherds Place

Grove Farm

Green Bank Nurseries

Drain



PA/2018/2063

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