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| <b>APPLICATION NO</b>                     | <b>PA/2019/1055</b>   |
| <b>APPLICANT</b>                          | Mrs Julie Reed, Amcotts Parish Council  |
| <b>DEVELOPMENT</b>                        | Planning permission for the siting and conversion of shipping containers to form a cafe, toilet, shop area and training/education room together with the installation of sewage treatment plant |
| <b>LOCATION</b>                           | Workshop, Peat Works, access track alongside Moor Middle Drain, Crowle, DN17 4BZ  |
| <b>PARISH</b>                             | Crowle  |
| <b>WARD</b>                               | Axholme North   |
| <b>CASE OFFICER</b>                       | Andrew Law  |
| <b>SUMMARY RECOMMENDATION</b>             | <b>Grant permission subject to conditions</b>   |
| <b>REASONS FOR REFERENCE TO COMMITTEE</b> | Good Practice Guide (application by a member of the council – Councillor Julie Reed)  |

## **POLICIES**

### **National Planning Policy Framework:**

2. Achieving sustainable development
4. Decision-making
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

### North Lincolnshire Local Plan:

Policy RD2 (Development in the Open Countryside)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy LC1 (Special Protection Areas, Special Areas of Conservation and Ramsar Sites)

Policy LC2 (Sites of Special Scientific Interest and National Nature Reserves)

Policy LC5 (Species Protection)

Policy DS1 (General Requirements)

Policy DS16 (Flood Risk)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS6 (Historic Environment)

Policy CS15 (Culture and Tourism)

Policy CS16 (North Lincolnshire's Landscape, Greenspace and Waterscape)

Policy CS17 (Biodiversity)

Policy CS18 (Sustainable Resource Use and Climate Change)

Policy CS19 (Flood Risk)

**Housing and Employment Land Allocations DPD:** Policy PS1 (Presumption in favour of sustainable development)

## CONSULTATIONS

**Highways:** No comments or objections to make on this application.

**Ecology:** There is no likely significant effect on the Thorne Moor SAC or Thorne and Hatfield Moors SPA. No objection is therefore raised, but conditions are recommended to secure biodiversity enhancement in accordance with the National Planning Policy Framework (NPPF).

**Natural England:** Considers that the proposed development would not have significant adverse impacts on designated sites Thorne Moor Special Area of Conservation, Thorne and Hatfield Moors Special Protection Area and Thorne, Crowle and Goole Moors Site of Special Scientific Interest and has no objection.

### Environment Agency:

2 October 2019: Objection due to insufficient Flood Risk Assessment (FRA) being provided.

15 November 2019: Following the submission of an amended Flood Risk Assessment the EA has withdrawn its initial objection subject to a condition to secure the implementation of the development in accordance with the amended FRA. The EA now raises no objection to the proposal subject to this condition being imposed on any approval.

## **TOWN COUNCIL**

Crowle & Ealand Town Council supports the application subject to all electrical infrastructure being installed at the regulation height of 1.5 metres from ground level.

## **PUBLICITY**

The application has been advertised by site notice. Four letters have been received in support of the application citing the following reasons:

- This is a major project which is proven to attract people with an interest in railways from Germany, the Netherlands and many areas of the UK and Ireland.
- This is putting Crowle on the map as a big player in the Heritage Railway sector.
- The proposal would be an excellent addition to the facilities already available on the site.
- The café will ensure that visitors to the Crowle Peatland Railway (CPR) can obtain refreshments in this isolated area.
- The development will also serve visitors to Crowle Moor, the car park for which is just a short distance away.
- The training room will benefit volunteers of CPR and will also enable schools and other organisations to come knowing that there are facilities available to them.
- The sewage disposal system seems well thought out and will not add to flood risk in the area.

## **ASSESSMENT**

### **Site and surrounds**

The application site is the former peat working, storage and processing yard located in the Crowle Moors area within the open countryside to the north west of Crowle. The site comprises an area of hardstanding and two green painted metal Nissen hut style buildings along with areas of scrub land.

The site is within SFRA flood zone 2/3a (high risk) and is adjacent to the Thorne Moor Special Area of Conservation (SAC) and Thorne and Hatfield Moors Special Protection Area (SPA). The site is not located within any local or national landscape designation.

The application site is located a significant distance outside of the nearest designated development boundary, for Crowle, and as such is located within the open countryside for the purpose of planning. There are a number of scattered residential properties in the area but the wider area surrounding the application site is predominantly agricultural in nature and includes Crowle Moors.

### **Planning history**

Planning permission was granted on 29 June 2017 under reference PA/2016/1699 for the erection of a pre-fabricated building for use as an engineering and maintenance workshop

in connection with the restoration and storage of rolling stock, and engineering works to lay 100 metres of long narrow gauge railway, in association with the Isle of Axholme and Hatfield Chase Landscape Partnership.

## **Proposal**

This application seeks planning permission for the siting and conversion of two shipping containers to form a small 20-seater café area, a shop to sell souvenirs and railway memorabilia, and public toilets. A further shipping container is to be sited and modified to form a training and education room with staff toilet and small kitchenette area. A Klargestor bio-treatment plant is proposed to treat any waste from the café and toilets prior to disposal.

### **The main issues in the determination of this application are:**

- **whether the proposed development is acceptable in principle;**
- **whether the proposed development would have an unacceptable impact on the character and appearance of the area;**
- **whether the proposed development would have an unacceptable impact on highway safety; and**
- **whether the proposed development would have an unacceptable impact on nearby sites that are designated for their ecological importance.**

### **Principle of development**

The application site is located a significant distance from any defined development boundary and as such is located within the open countryside for the purpose of planning. Policy RD2 of the North Lincolnshire Local Plan restricts development in the open countryside other than in specific circumstances. Policies CS1, CS2 and CS3 of the Core Strategy also seek to control development outside of development limits. Whilst being restrictive in nature, all of the aforementioned policies identify tourism and recreational uses as appropriate uses within the open countryside. Policy CS1 specifically states that, in the countryside, 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.

Further to the above, policy CS15 of the Core Strategy relates specifically to culture and tourism within North Lincolnshire and states that the council will support the development of sustainable tourism proposals at Thorne and Crowle Moors. The works and uses proposed would directly support the Crowle Peatland Railway, an established tourist attraction on the site. The facilities would also be open to the general public and be of benefit to walkers on the moors, and Natural England and NLC staff. The training facilities would be used by the railway and would also be hireable to anyone wishing to deliver information or organised walks on the moors.

The supporting statement provided with the application confirms that the purpose of the project is to showcase the social, economic and industrial heritage of the moors, telling the story of how these important lowland bogs were originally formed and later farmed both by hand cutting and more recently by mechanised industrial equipment which operated at the peat works. The Crowle Peatland Railway group have refurbished two locomotives to

working condition and have a further one at North Lindsey College under restoration by engineering students.

On this basis it is considered that the proposals are directly related to the development of sustainable tourism linked to Thorne and Crowle Moors and the Crowle Peatland Railway and as such generally accord with policies RD2 of the North Lincolnshire Local Plan and CS1, CS2, CS3 and CS15 of the Core Strategy. The proposed development is therefore acceptable in principle.

### **Character and appearance**

The proposed converted shipping containers and sewage treatment plant are to be sited on an existing area of hardstanding, directly between the two existing metal-clad buildings on site. Furthermore, the proposals would allow for the removal of the current unsightly portable toilets on the site. The container units would be painted Heritage Green and Anthracite Grey to complement the existing buildings.

Modified steel shipping containers would not normally be considered to be an appropriate type or design of building in such a rural location, where more traditional materials would be expected. However, this is an established site with links to the industrial heritage of the area, and the existing buildings on site are utilitarian structures manufactured out of steel and using the same colour palette as that proposed on the containers.

Given the relatively small scale of the structures proposed on site and their siting between existing metal buildings of larger size, along with the use of sympathetic colours, it is considered that the visual impact of the development would be appropriately mitigated and that there would be no unacceptable impact on the character and appearance of the area.

### **Highway safety**

The site is served by existing parking and access arrangements. The council's highways department has been consulted on the application and has raised no concerns with the proposed works or uses, nor have any conditions been recommended. Giving due consideration to the scale of the development and the lack of objection from the council's specialist highways officer, it is considered that the proposals would not be detrimental to highway safety.

### **Ecology**

The proposed development site is adjacent to the Thorne Moor Special Area of Conservation and Thorne and Hatfield Moors Special Protection Area. The council's ecologist has undertaken a Habitats Regulations Assessment (HRA) which concludes that the proposal would not result in a likely significant effect upon these designated areas. Natural England has also been consulted on the application and has confirmed agreement with the conclusions of the HRA. No objections have been received from either the council's ecologist or Natural England; however, a condition has been recommended by the ecologist to secure biodiversity enhancements in accordance with national and local planning policy. Subject to this condition, the proposal would have no unacceptable impact in terms of ecology.

## Other matters

The site lies within flood zone 2/3a of the Strategic Flood Risk Assessment for North Lincolnshire. The proposed development is considered to constitute a less vulnerable use and according to the National Planning Practice Guidance less vulnerable development is acceptable in this flood zone. The application has been supported by a Flood Risk Assessment which was amended and updated at the request of the Environment Agency (EA). Following review of the amended flood risk assessment the EA has raised no objection subject to the imposition of a condition to secure the flood mitigation measures set out in the agreed FRA. In addition to this, the EA makes informative comments recommending that, whilst not essential, it is advised that additional mitigation is undertaken by incorporating the proposed flood resilient design measures to 4.1 metres AOD. No objections are raised with regard to the sewage treatment plant proposed.

Subject to the imposition of the condition and informative comments recommended by the EA, it is considered that the proposed development will not be at unacceptable risk of flooding; nor will it increase flood risk elsewhere.

## Conclusion

In conclusion, the proposed development is considered to support the area's industrial heritage and would make a positive contribution to the development of sustainable tourism; as such, it complies with the relevant development plan policies. No environmental issues have been identified that would outweigh these identified benefits. The proposed development is therefore considered to be acceptable and 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: CRW-04-044, FS(0)01 rev B (Site and Block Plan), DS0468P Issue 3 (BD/BE BIODISC GENERAL DIMENSIONS CUTOMER DRG), Julie Reed 2 x 40ft Coffee shop - ELEVATIONS, Julie Reed 30ft Training room - ELEVATIONS.

Reason

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

3.

The development shall be carried out in accordance with the submitted flood risk assessment (FRA) (Howard J Wroot Ltd, 22 October 2019) and the following mitigation measures it details:

- finished floor levels to be set no lower than 2.0 metres above Ordnance Datum (AOD), 500 millimetres above general site level, as stipulated within section 6.0 of the flood risk assessment (FRA)

- flood resilient design measures stipulated within section 6.0 of the FRA to be incorporated into the final design.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the development and future users.

4.

Within three months of the commencement of development, the applicant, or their successor in title, shall install three bat boxes and three nest boxes in retained trees, in accordance with details to be agreed in writing with the local planning authority. The approved bat boxes and nest boxes shall be retained thereafter, unless otherwise approved in writing by the local planning authority. The applicant, or their successor in title, shall submit photographs of the installed bat roosting and bird nesting features, within two weeks of installation, as evidence of compliance with this condition.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

5.

Prior to being brought into use, the shipping container units shall be painted Heritage Green and Anthracite Grey as detailed in the Planning Statement produced by Julie Reed, dated August 2019 and shall not be painted any other colour thereafter without the prior written consent of the local planning authority.

Reason

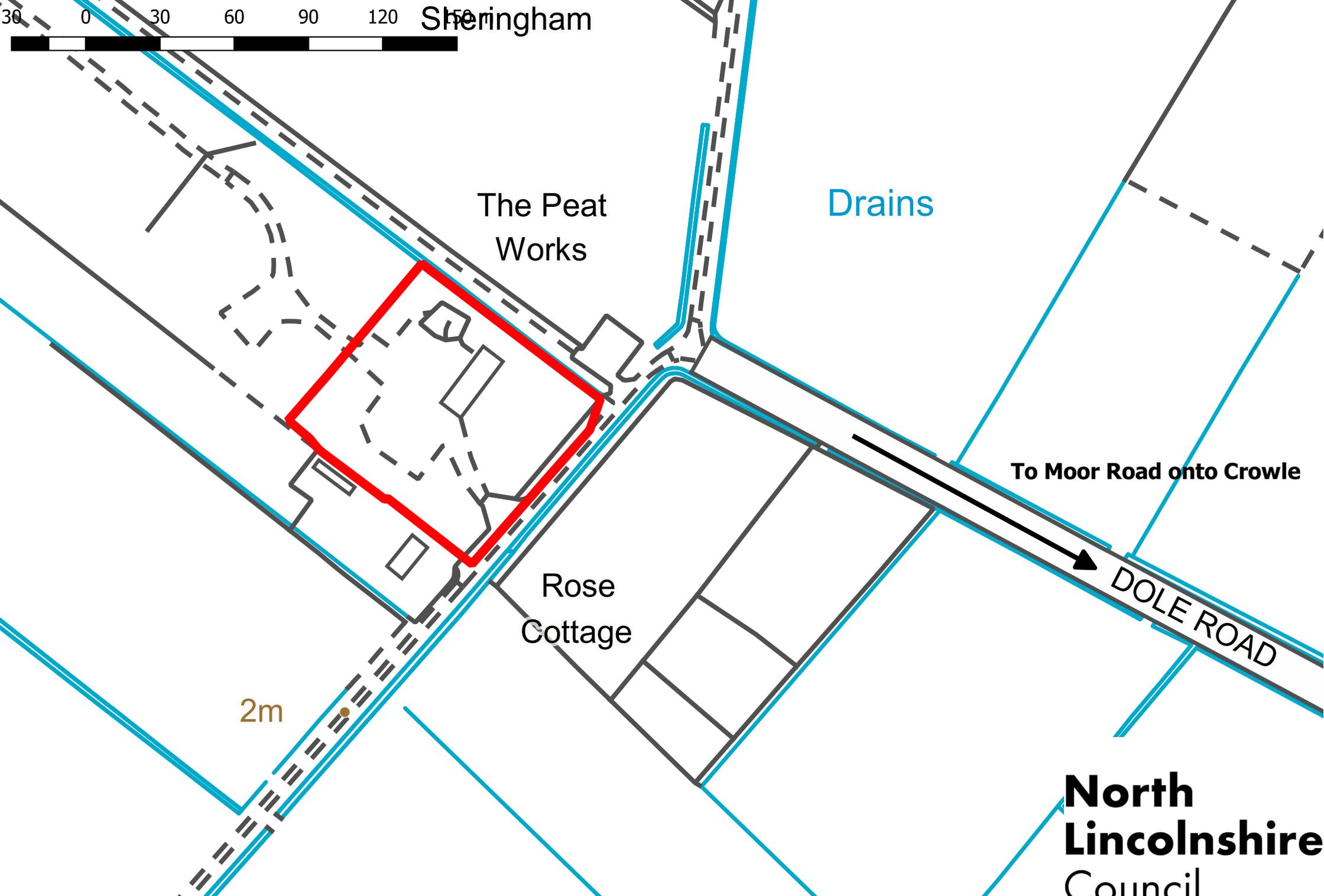
To protect the character and appearance of the area in accordance with policies DS1 and RD2 of the North Lincolnshire Local Plan.

### **Informative 1**

The developer's attention is directed to the advisory comments made by the Environment Agency in their consultation response dated 15 November 2019 in respect of additional flood resilience measures.

### **Informative 2**

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.



The Peat Works

Drains

To Moor Road onto Crowle

Rose Cottage

DOLE ROAD

2m

North  
Lincolnshire  
Council

