

APPLICATION NO	PA/2019/1854
APPLICANT	Mr Richard Pantry
DEVELOPMENT	Planning permission to erect a replacement farmhouse
LOCATION	Tassle Croft Farm, Turbary Road, Haxey, DN9 2JN
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr David Rose – significant public interest)

POLICIES

National Planning Policy Framework: Paragraph 7 – The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 11 – Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.

Paragraph 47 – Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.

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 127 – Planning policies and decisions should ensure that developments:...

- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change...

Paragraph 190 – Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 192 – In determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 197 – The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 200 – Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

North Lincolnshire Local Plan: Policies DS1, DS14, RD2, RD10, T2, T19, H5, LC7 and LC14 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS6, CS7, CS8 and CS17 apply.

CONSULTATIONS

Highways: No objection subject to conditions.

Trees: No comments.

Drainage (Lead Local Flood Authority): No comments.

Severn Trent Water: Comments regarding surface water and sewage disposal.

Environmental Protection: No objection subject to a contamination condition and an agricultural occupancy condition.

Historic Environment Record: The application site lies within the Area of Special Historic Landscape Interest of the Isle of Axholme (local plan policy LC14). This area is designated for its unique historic landscape retaining the pattern of ancient open strip fields and enclosures surrounding the villages on the Isle. The application site is located within the well-preserved area of the historic Early Enclosed Land character zone on the edge of the Ancient Open Strip Fields. The replacement dwelling is located 375 metres from the existing farm. The proposed development lies outside the development boundary and this additional dwelling would be an unacceptable visual intrusion and extension of the built environment into the historic landscape, contributing to adverse character change and affecting the setting. The Historic Environment Record recommends refusal of planning permission as the development would adversely affect the character, appearance and setting of the historic landscape contrary to the National Planning Policy Framework (NPPF), local planning policies LC14, LC7 and RD2, and Core Strategy policy CS6.

Ecology: No objections subject to the submission of a protected species survey and biodiversity enhancements.

PROW: No objection.

PARISH COUNCIL

No objection but request the following comments be taken into account:

The planning history for proposed site:

PA/2011/0837 – grant of prior approval for an agricultural building; and

PA/2014/0091 – prior approval for an agricultural building, undetermined.

There is currently a farm building at the site; what is not quite clear is under which application this was approved.

Location of current and proposed property within the Isle of Axholme Historic Environment (LC14) designated Early Enclosed Land (EEL) and adjacent to Ancient Open Strip Fields (AOSF). It is a particularly sensitive area as identified in the report by the Head of Infrastructure to the planning committee dated 02/08/2011. The older property falls in an area designated EEL; significantly, the proposed dwelling is much closer to the identified AOSF in the report and should be considered in that context.

The current property is a much older building and is not listed but it could be considered important in its environment. It is without doubt in a poor state of repair and could be considered not fit for human habitation. We must consider whether, if planning is granted, some form of condition should be placed either for its demolition or restriction on further human habitation to stop any future development taking place that would proliferate further development in this sensitive area.

On this point we would consider HERS should be consulted as to its heritage value.

We note in the Design Access Statement (DAS) that it is considered necessary to relocate the site of the dwelling due to its low-lying position in relation to the road. This could easily be mitigated if development were to take place on the current site by placing a few more courses of brickwork and infilling. However, we do consider its location close to the road is inherently poor due to heavy use of modern road traffic.

The proposed site is close to a modern barn over which we had no planning control and as to why this site was chosen, we cannot determine. The site itself is large and we recognise the screening of trees in the locality and its position set back from the road mitigates its impact on the area.

We also note the authority has already secured a reduction in size to the original proposal. There is some argument in the size of some other properties in the area; however, we feel that this does not mitigate, as an argument, the further damage a large property may have on the area. We have also considered some of the other photos which do represent more accurately a rural farm house for the area and a design along similar lines would be more acceptable.

The DAS refers to NLC plan RD10 (i) which states – ‘The replacement dwelling would not exceed the volume of the original dwelling, which is to be replaced, by more than 20%, exclusive of the normal permitted development rights, and would not be substantially higher in elevation. The proposed dwelling plan has no indication of specified height and, given it accommodates three storeys, we draw a conclusion it is significantly higher than the original dwelling, therefore would not be in keeping with NLC local plan policy and is a material consideration; again, HERS should be consulted on the overall impact of the proposal.

We welcome the applicant’s desire to produce well designed and of a high standard plan that is in keeping with its location and takes into consideration the reduction in size of the proposal. It is still considered overall it will be a dominating feature in its environment. While a heritage statement is included, we feel it is important HERS should be asked to comment on this application as they are a qualified body within NLC as at the time of decision-making no report was available and we ask this should be rectified before any decision is made.

Any grant of permission should include agricultural tie, in relationship to it being an agricultural business in the open countryside.

Considerations

1. Location within the Isle Axholme Historic Environment
2. Relationship between current and proposed site

3. Plot size
4. Impact of proposed dwelling on its environment

PUBLICITY

The site has been advertised by site and press notices. No responses have been received.

ASSESSMENT

It is proposed to cease occupation of the existing dwelling on the site (known as Summercroft Farm) and build a 'replacement dwelling' (known as Tassle Croft Farm) approximately 375 metres from the existing dwelling on land within the applicant's ownership. The existing dwelling is falling into serious disrepair. The 'replacement dwelling' will comprise a six-bedroom property with rooms in the roofspace. The existing dwelling is approximately 480 cubic metres and the proposed dwelling is 1700 cubic metres. The proposed dwelling lies adjacent to a farm building permitted under the prior approval procedure for agricultural buildings. The applicant has submitted a justification for the proposal and a heritage statement as the site is located within an Area of Special Historic Landscape (LC14). The justification sets out the applicant's case for the size and siting of the replacement dwelling.

The main issues associated with this case are whether the proposal is acceptable in principle. The application also needs to be assessed in terms of its impact on the landscape, on neighbours, on the highway and on drainage and ecology. If the proposal is found not to accord with planning policy, consideration needs to be given to whether the justification put forward by the applicant is sufficient to allow a departure from planning policy and to approve the proposed development.

The principle of the development

Paragraph 79 of the NPPF seeks to avoid isolated dwellings in the open countryside unless certain circumstances apply to the proposal. In this case none of the circumstances set out in paragraph 79 apply to the proposed development. The proposal is therefore contrary to paragraph 79 of the NPPF.

Policy CS1 of the Core Strategy sets out the overarching strategy of the plan. 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.

Policies CS2 and CS3 of the Core Strategy state, of development outside the defined development limits '...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. This might include uses such as those related to agriculture, forestry or other uses which require a countryside location or which will contribute to the sustainable development of the tourist industry.'

Policy RD2 of the local plan, which is concerned with development within the open countryside, seeks to only support development types that are necessary for the

functioning of the countryside. The proposal is considered unacceptable against the aforementioned planning policies as it is tantamount to a new dwelling in the open countryside and is not required for the functioning of the open countryside.

Policy RD10 permits replacement dwellings subject to restrictions on size and design. In this case the application seeks to erect a new dwelling 375 metres from the site of the existing dwelling with the applicant suggesting that it can be conditioned or a section 106 agreement could be entered into to cease the use of the existing dwelling on the site. Under policy RD10 of the NLLP this is not considered to be a replacement dwelling. In effect the applicant's submission can be viewed as an additional dwelling in the open countryside as the existing dwelling lies well outside the application site and is also shown to be retained. Even if the proposal were to be considered as a replacement dwelling, the size and height of the proposed dwelling are clearly contrary to the limits set out in this policy, which states that a replacement dwelling should not exceed the volume of the original dwelling it is to replace by more than 20%, exclusive of the normal permitted development rights, and should not be substantially higher in elevation. The proposed dwelling is over three times larger than the existing dwelling lying outside the application site and much higher in elevation. The proposal will therefore have a harmful visual impact on the open countryside and result in further encroachment into the open countryside. The proposal therefore does not accord with policy RD10 of the North Lincolnshire Local Plan.

As a result the principle of a dwelling in this location and of this size is not acceptable and is contrary to policies CS1, CS2, CS3, CS7, CS8 of the Core Strategy and policies RD2 and RD10 of the North Lincolnshire Local Plan.

Area of Special Historic Landscape (LC14)

The site is located within an LC14 area, within the open countryside. This area is designated for its unique historic landscape retaining the pattern of ancient open strip fields and enclosures surrounding the villages on the Isle of Axholme. The application site is located within the well-preserved area of the historic Early Enclosed Land character zone on the edge of the Ancient Open Strip Fields. The Isle of Axholme historic landscape is of national importance.

The application site is located adjacent to an agricultural building recently constructed as permitted development, on land that forms part of an early-enclosed field. Woodland to the south of the agricultural building affords some screening of the site from this direction, and the applicant has illustrated this in their Heritage Statement. The proposed dwelling would, however, be highly visible from within the historic landscape to the north, east and west, but the heritage statement does not illustrate this effect; the positioning of the proposed dwelling and extensive glazing in the rear elevation is presumably to take advantage of the expansive views over these fields. The new dwelling would also be clearly visible travelling south along Turbary Road.

The proposed dwelling is to 'replace' an existing farmhouse known as Summer Croft Farm. This farm, with an adjoining group of farm buildings, is located 375 metres from the proposed replacement site, on the opposite side of Turbary Road. The existing house is a small farmhouse that appears on the 1887 Ordnance Survey map, and possibly originates as a small turbary cottage similar to the listed examples further down Turbary Road.

The proposed six-bedroom dwelling at 'Tassle Croft Farm' is a large, two-and-a-half-storey building far in excess of the footprint and mass of the existing modest farmhouse at

Summer Croft Farm. The height of the house is estimated to be approximately 10 metres, and would appear to be higher than the existing modern two-storey dwellings along Turbary Road. Establishing an entirely new farmhouse as 'Tassle Croft Farm', in addition to the long-standing existing dwellings along Turbary Road, including Summer Croft Farm that the dwelling is intended to replace as the applicant's home, would extend the built environment into the historic landscape. The proposed residential use would introduce inappropriate elements associated with domestic and recreational activities further into the EEL zone. As well as the main dwelling, these might include garages and outbuildings, garden structures and features, inappropriate boundary fencing and other permitted development. Such items would not be related to the traditional historic landscape character. The change of use from agricultural land to domestic use can be seen to erode the historic landscape that contributes to changes in the landscape's historic character, and alters its setting and legibility. Furthermore, the overall scale of the new proposed dwelling would be visually intrusive in the historic landscape. Any dwelling in this location would be highly visible and intrusive in the open landscape of the core historic landscape type.

The proposed development would introduce inappropriate development into this historic landscape in a highly sensitive visible location, and would erode and damage the existing character and legibility of the early enclosed fields and the setting of the open strip field landscape at Haxey Turbary. As such, it would be an unacceptable encroachment into the Area of Special Historic Landscape. The proposed dwelling would adversely affect the historic landscape of the Isle of Axholme, a heritage asset of national significance. The siting and scale of the proposed dwelling on a new site away from the existing small farm, in open countryside outside the development boundary, would adversely affect the character, appearance and setting of the historic landscape of the Isle of Axholme, specifically the core historic landscape character of the Early Enclosed Land (EEL) that buffers both the Haxey AOSF and Haxey Turbary. This is contrary to local plan policies LC14, LC7 and RD2, and Core Strategy policy CS6. The proposal would not accord with paragraphs 192 or 200 of the National Planning Policy Framework.

Design

In terms of design, a very large dwelling is being created that will be highly visible on the landscape. Due to its scale, bulk and overall height, the proposal is considered to be out of character with the area and is therefore contrary to paragraph 127 in the NPPF, policy CS5 of the Core Strategy and policies RD2, H5 and DS1 of the North Lincolnshire Local Plan.

Highway

Highways have raised no objections to the proposed access and car parking arrangements for the proposed dwelling. As a result, this aspect of the proposal accords with policy T2 and T19 of the North Lincolnshire Local Plan.

Drainage

No objections have been received. In terms of drainage, the proposal is considered to be acceptable and would therefore align with policies CS18 and CS19 of the Core Strategy.

Ecology

The council's ecologist has raised no objections to the proposal subject to conditions. In terms of ecology, therefore, the proposal is considered to be acceptable, subject to those conditions, and would therefore align with policies CS5 and CS17 of the Core Strategy.

Neighbours

There are no neighbours close to the application site. As a result, the proposal will not result in any harm being caused to the residential amenity of neighbours.

Applicant's justification

The applicant has submitted a justification for the proposal. The applicant considers that the 'replacement dwelling' cannot be built on the site of the existing family home as that site is not practical and is too restrained by other farm buildings. The existing dwelling is in a poor state of repair and its structure is of concern. The dwelling cannot be extended or renovated. The family has a child with special needs and the existing dwelling is not functional for the family's needs. The applicant considers that the replacement dwelling has been specifically designed and arranged as a betterment over the existing residential unit as it can be designed in a more specific manner to sympathetically complement the countryside landscape and to fully take into account the needs of the family and their children. The barn adjacent to the site of the new dwelling has been subject to crime.

The local planning authority considers that the proposed development has not been adequately justified. There is no specific evidence to demonstrate that the replacement dwelling could not be built on or close to the site of the existing dwelling. There is no evidence of a structural report for the existing dwelling nor any specific evidence of why the existing dwelling could not be extended or renovated. There is also insufficient evidence to support the reasons for the siting, scale and design of the new dwelling. The existing dwelling is shown to be retained so this cannot be considered as a replacement dwelling. Although the family appears to have special needs, this does not outweigh the harm that would be caused to an area of national significance by the proposed development.

Conclusion

The proposal is contrary to the NPPF, policies CS1, CS2, CS3, CS5, CS6, CS7 and CS8 of the Core strategy, and policies LC7, LC14, RD2, RD10, H5 and DS1 of the North Lincolnshire Local Plan. The case put forward by the applicant for a dwelling in this location and of this design does not provide sufficient justification to override planning policy objections to the proposal.

RECOMMENDATION Refuse permission for the following reasons:

1.

The proposed development is contrary to paragraph 79 of the National Planning Policy Framework, policies CS2, CS3 and CS8 of the North Lincolnshire Core Strategy, and policies RD2 and RD10 of the North Lincolnshire Local Plan, because the site lies outside of a defined settlement boundary, in the open countryside, remote from local services. The local planning authority considers that there is insufficient justification to demonstrate a special need for a dwelling in this rural location.

2.

The proposed dwelling is located on land which is designated as the Isle of Axholme Area of Special Historic Landscape and is of national significance. The proposed development, by virtue of its location, siting and scale, would adversely affect the historic character, significance, appearance and setting of the historic landscape of the Isle of Axholme, specifically the core historic landscape character of the Early Enclosed Land (EEL) that buffers both the Haxey Ancient Open Strip Fields (AOSF) and Haxey Turbary. The proposal is therefore contrary to paragraphs 192 and 200 of the National Planning Policy Framework, policy CS6 of the Core Strategy, and policies LC14, LC7 and RD2 of the North Lincolnshire Local Plan.

3.

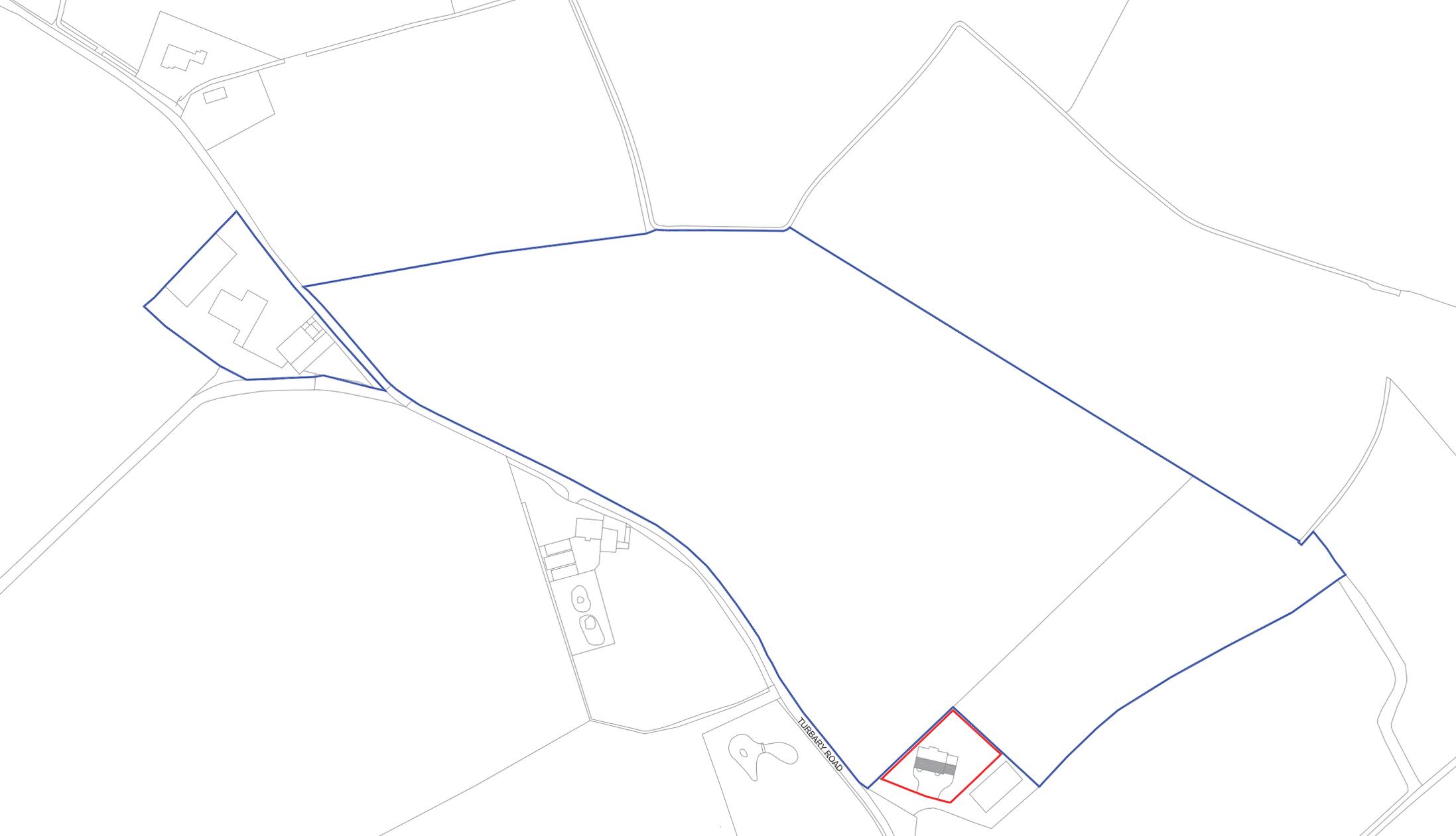
The proposal is not considered to be a replacement dwelling. The proposal, due to its overall size, bulk and scale, is considered to be out of character with the open countryside, and would have an adverse impact on the visual amenity of the open countryside. The proposal is therefore contrary to policy CS5 of the Core Strategy, and policies H5, RD2, RD10 and DS1 of the North Lincolnshire Local Plan.

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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PA/2019/1854 Site plan (not to scale)



TURBARY ROAD

Drawing Title			enquiries@marksimmondsplanning.com Mark Simmonds Director Mark Simmonds Planning Services Ltd Mercury House Willoughton Drive Fosby Lane Gainsborough DN21 1DY
PROPOSED SITE PLAN HAXEY CARR			
Ref:	Scale @ A2	Date	
LIHC 001	1:1250	NOV/19	

PA/2019/1854 Proposed elevations and ground floor plan (not to scale)



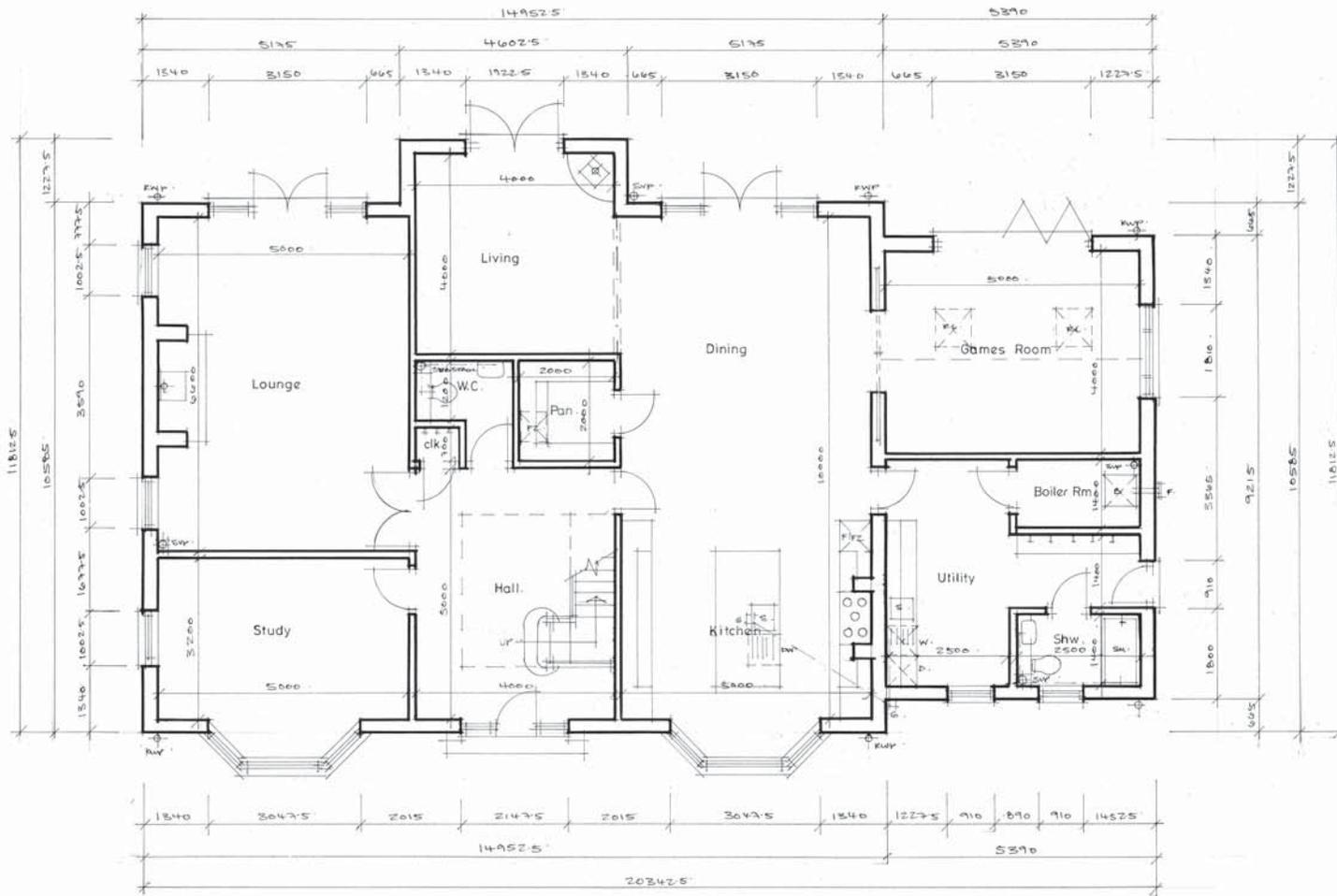
Front Elevation.



Side Elevation.



Rear Elevation.



Ground Floor Plan.



Side Elevation.

- Elevational Materials:**
- Roof:** NATURAL RED CLAY TILES TO BE APPROVED BY PLANNING OFFICE.
 - Walls:**
 - SCAFFOLD FACED BRICKS TO BE APPROVED BY THE PLANNING OFFICE.
 - BRICK DENTIL DETAIL AT EAVES.
 - BRICK DETAIL AT VEEGES.
 - STONE WINDOW CAS AND FRONT DOOR SURROUND.
 - Windows and Doors:**
 - WHITE OR CREAM TIMBER OR PVC SLUING SPAN WINDOW AND DOOR.
 - Rainwater Goods:**
 - BLACK 1/2 ROUND GUTTERS ON ROOF AND FRN BRACKETS.
 - BLACK ROUND DOWNPIPES AND SOUPLES.

Notes:

Project: PROPOSED NEW DWELLING. HASLAMS FARM HAYLEY CARR.	
Title: PROPOSED GROUND FLOOR PLAN AND ELEVATIONS.	
Client: MR & MRS R. FANTLEY.	
Scale: 1:50, 1:100	Date: OCT 2019.
Drwg No.: FANTLEY/2019/01.	