

APPLICATION NO	PA/2019/1916
APPLICANT	Mr & Mrs M & V Gorbitt, Field Farm Feeds
DEVELOPMENT	Planning permission to erect a dwelling in connection with an existing business (agricultural worker's dwelling) (resubmission of PA/2019/907)
LOCATION	Field Farm Feeds, Thornton Road, Goxhill, DN19 7HN
PARISH	Goxhill
WARD	Ferry
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Richard Hannigan – 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;...

Paragraph 83 – Planning policies and decisions should enable:

- (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- (b) the development and diversification of agricultural and other land-based rural businesses;
- (c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- (d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Paragraph 84 – Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its

surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

North Lincolnshire Local Plan: T2, T19, RD2, DS1, DS11

North Lincolnshire Core Strategy: CS1, CS2, CS5, CS18, CS19

CONSULTATIONS

Highways: No objections subject to conditions.

Drainage (Lead Local Flood Authority): No objections subject to conditions.

Environmental Protection: No objections subject to conditions.

PARISH COUNCIL

The parish council objects, stating:

“Goxhill Parish Council would like to continue their support in objecting to this planning application as submitted on the first submission.

The objection is based on the following concerns:

- The development site is situated outside the current development limit for Goxhill.
- There is no essential need for a rural worker.
- The application does not demonstrate it is essential for the function for the countryside.
- North Lincolnshire Council are due to publish its five-year housing land supply statement any time now. This site is not expected to be included.”

PUBLICITY

The proposal has been advertised by site notice in accordance with Article 15 of the Development Management Procedure Order 2015.

A mix of comments has been received, both in support of and objecting to the proposal. Those in support allude to the fact that there are residential properties nearby and this dwelling would therefore not alter the character of the countryside. The objections put forward arguments that a 24-hour presence is not required. All comments received can be read against the suite of documents that make up this application.

ASSESSMENT

Relevant planning history

7/1991/0687: Retain the use of land as riding facilities, including the construction of a training area and the erection of an open barn and a block of four stables,

also the construction of a new access – granted subject to conditions 06/02/1992.

PA/2015/1116: Planning permission for a partial site change of use from horse-riding facility to animal feed and local produce retail with the erection of a replacement structure for purposes ancillary to the use and retention of a static caravan for office and amenity facilities for staff – granted subject to conditions 13/01/2016.

PA/2019/907: Planning permission to erect an agricultural worker's dwelling – refused.

Site characteristics

The site is outside the settlement boundary for Goxhill as identified by the Housing and Employment Land Allocations DPD 2016. The applicant seeks to erect a detached bungalow in association with an existing business (Field Farm Feeds).

The planning history set out above represents the extant planning permissions that exist across the two sites. This application proposes to erect a dwelling in the existing riding area; the proposal would therefore erode the ability of this function to continue.

The assessment will therefore focus on the following issues:

- **principle of development**
- **character impacts**
- **residential amenity**
- **environmental issues**
- **land contamination**
- **highways**
- **drainage.**

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 of the Core Strategy sets out a sequential approach to where development should be focused. 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. 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 North Lincolnshire Local Plan is concerned with development within the open countryside. The policy is in two parts: firstly, setting out in principle what development types are considered acceptable; and secondly, setting out a criteria-based approach to assessing those applications that are acceptable in principle.

The policy states that the following are acceptable forms of development in principle:

- (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.

A relevant excerpt from the second part of policy RD2 states, “[development is acceptable providing that]...the open countryside is the only appropriate location and development cannot reasonably be accommodated within defined development boundaries;...”

The applicant has submitted a functional needs assessment and has provided information as to why a person associated with the business should live on site. The justification relates to both security as well as animal welfare. During the application process the applicant has introduced sheep to the fields as planned and has submitted supporting documentation surrounding the care required for these animals entitled ‘Sheep Care’. The document goes on to list the care that is required for a large flock of sheep (the applicant has in excess of 20), though it has not been clearly justified why more than 20 sheep would require an on-site presence.

On top of the livestock justification, the applicant has again stated that security is also a justification. PA/2019/907 put forward a justification on security grounds and this was refused because technologies exist that should at least be considered before concluding that a physical presence is required to deter criminal activity. The applicant has provided crime reference numbers which support the claim that Field Farm Feeds has been subject to criminal activity and this is noted. This information was not provided with the initial application. Given that the site not only functions as a rural business selling animal feeds to support its rural location, but is now also home to livestock, the security justification, whilst not sufficient on its own, does add some weight to a presence being required on site.

The applicant has confirmed that a search has been carried out within a 1 mile radius of the site and no suitable dwellings were found. It must be noted that this excludes the nearby settlement and this geographical area of the search has not been justified. The settlement of Goxhill and the applicant’s existing dwelling is located only a short distance beyond the 1 mile search radius used.

It is therefore considered that the applicant has not demonstrated that the amount of livestock on site require the care levels that only a full-time presence can provide, and that this presence would also make more secure the existing rural business as well as the livestock. The document entitled ‘sheep care’ is insufficient in demonstrating why more than 20 sheep require ‘live in’ care, and there has been no explanation as to why technologies that specialise in security have not been explored. Furthermore, no business

plan has been provided to demonstrate that the modest livestock element is required to make the rural enterprise viable or that there are intentions to expand this part of the business. No evidence has been provided of the hours required for the care of the animals, nor the degree to which the livestock contribute to the turnover of the business as a whole.

The proposal is therefore considered to be contrary to policies CS1 and CS2 of the Core Strategy, and RD2 of the local plan, as well as paragraph 79 of the National Planning Policy Framework.

Character impacts

As previously mentioned, policy RD2 of the North Lincolnshire Local Plan is in two parts. The second part of the policy is concerned with mitigating development that is considered an acceptable form of development within the open countryside. It states, “[proposals would be allowed providing that]...the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials.” Policy CS5 of the Core Strategy is also relevant.

The site is located outside the development boundary but in an area where residential built form is present. There are existing dwellings in and around the location and many of these are well established. The proposal is for a modest bungalow and the wider impacts upon the countryside would be mitigated to some degree by this existing residential development and the presence of Field Farm Feeds. That said, the presence of a new dwelling within the open countryside would ultimately change or in this case intensify residential use which would dilute the existing rural sense of place and introduce an urbanising effect. Therefore the development would have a harmful impact on the character of the countryside.

The proposal is therefore considered to be contrary to policies RD2 and CS5 and is considered unacceptable.

Residential amenity

Policy DS1 is partly concerned with impacts upon residential amenity. It states, “...No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.”

The proposal is a sufficient distance from all other dwellings so as not to give rise to unacceptable impingement upon neighbouring amenity. All openings are positioned such that they would not give rise to an unacceptable level of visual intrusion. It is therefore considered that the proposal would be in accordance with policy DS1 of the North Lincolnshire Local Plan.

Land quality

Policy DS7 of the North Lincolnshire Local Plan is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination.

The council’s Environmental Protection team has been consulted and has no issues subject to the imposition of a compliance land contamination condition. The submission is

not accompanied by sufficient information on land contamination and therefore the condition is considered necessary given the mixed planning history of the site. Given the aforementioned mitigation, the proposed development is considered to accord with policy DS7 of the North Lincolnshire Local Plan.

Environmental issues

Policy DS11 is concerned with polluting activities. It states that planning permission for development, including extensions to existing premises and changes of use, will only be permitted where it can be demonstrated that levels of potentially polluting emissions, including effluent, leachates, smoke, fumes, gases, dust, steam, smell or noise, do not pose a danger by way of toxic release. Policy DS1 is also concerned with the protection of amenity.

The council's Environmental Protection team has assessed the planning application and has stated that a condition is required linking the proposal to someone working in agriculture. This will be attached as it defines the terms of the permission.

Therefore, subject to the aforementioned mitigation, the proposal would accord with policy DS11 of the North Lincolnshire Local Plan.

Highways

Policy T2 of the North Lincolnshire Local Plan is concerned with access to development and states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety; both policies are considered relevant.

The council's highways team has made an assessment of this application and has no concerns subject to the imposition of conditions relating to the access and laying out of hard landscaping. The proposal is therefore considered to align with both policies T2 and T19 of the North Lincolnshire Local Plan.

Drainage

Policy DS14 of the North Lincolnshire Local Plan is concerned with foul sewage and surface water drainage. It states that the council will require satisfactory provision to be made for the disposal of foul and surface water from new development, either by agreeing details before planning permission is granted, or by imposing conditions on a planning permission or completing planning agreements to achieve the same outcome.

The application form states that surface water would be disposed of through soakaways; however, no information has been supplied in relation to infiltration and whether or not this is achievable. Furthermore, the access would require works over a watercourse and for this permission is required from the council's drainage team as Lead Local Flood Authority. The council's drainage team has been consulted and has stated that drainage conditions are required to mitigate the creation of surface water and these will be attached to any permission to also protect the safety of existing highway users. Therefore, given the aforementioned mitigation, it is considered that the proposal would accord with policy DS14 of the North Lincolnshire Local Plan.

Pre-commencement conditions

All pre-commencement conditions have been agreed in accordance with the Pre-commencement Conditions Regulations 2018.

Conclusion

The proposal is not considered to be essential to the running of a rural business or the successful operation of the countryside. The proposal therefore conflicts with the adopted development plan and no material considerations have been identified which would outweigh this policy conflict. On this basis the application is recommended for refusal.

RECOMMENDATION Refuse permission for the following reasons:

1.

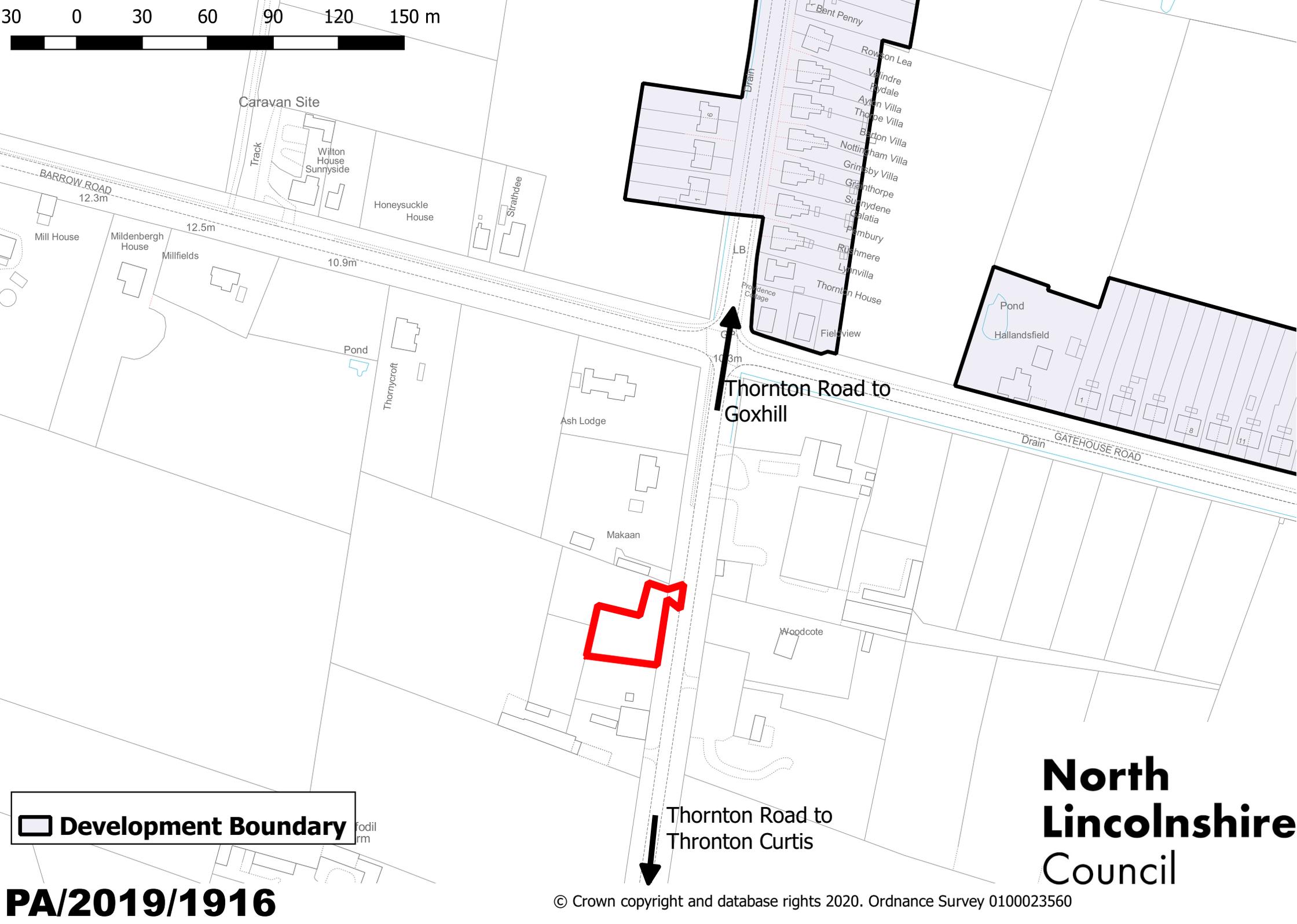
The applicant has failed to demonstrate that a farm worker's dwelling in this location is essential to the functioning of the open countryside. The proposal is contrary to policies RD2 of the North Lincolnshire Local Plan and CS3 of the North Lincolnshire Core Strategy.

2.

The introduction of a residential dwelling that is not essential to the functioning of the open countryside would result in the dilution of the existing rural sense of place, having an urbanising effect upon the landscape. The proposal is contrary to policies RD2 of the North Lincolnshire Local Plan and CS5 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.



Caravan Site

Track

Wilton House
Sunnyside

Honeysuckle House

Stralthee

BARROW ROAD
12.3m

Mill House

Mildenbergh House

Millfields

12.5m

10.9m

Pond

Thornycroft

Ash Lodge

Makaan

Woodcote

Thornton Road to Goxhill

Thornton Road to Thronton Curtis

LB

CD

10.3m

Bent Penny
Rowson Lea
Valindre
Bydale
Aysen Villa
Thorppe Villa
Becton Villa
Nottingham Villa
Grimsby Villa
Greenhorpe
Sunnyside
Galatia
Pembury
Rushmere
Lynnville
Thornton House
Fieldview

Pond

Hallandsfield

Drain
GATEHOUSE ROAD

Development Boundary

PA/2019/1916

North
Lincolnshire
Council

PA/2019/1916 Proposed layout (not to scale)



existing site plan
scale 1:200



proposed site plan
scale 1:200



notes
 All drawings are for information only and do not constitute a contract. The client is responsible for the accuracy of the information provided. The drawings are prepared in accordance with the current standards of the profession. The drawings are prepared in accordance with the current standards of the profession. The drawings are prepared in accordance with the current standards of the profession. The drawings are prepared in accordance with the current standards of the profession.

C	location plan removed	10 June 2019	PLB
B	issued for PLANNING	17 May 2019	PLB
A	issued for CLIENT COMMENT	04 April 2019	PLB
rev		date	by

client:
 Mr. & Mrs. M. Gorbutt
 Field Farm Feeds, Thornton Road, Goxhill

scheme:
 Proposed New Dwelling

title:
 Existing and Proposed Site Plans
 Location Plan

drawn by: P. Bingham	date: 29 November 2018
checked by: M. Gorbutt	scale: as noted
drawing number: 1760 / 003	revision: C
	date: PLANNING

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