

APPLICATION NO PA/2019/2115
APPLICANT Mr B Chapman
DEVELOPMENT Planning permission to erect a single-storey farm dwelling
LOCATION The Grange, Station Road, Thornton Curtis, DN39 6XF
PARISH Thornton Curtis
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;
- (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.

North Lincolnshire Local Plan: T2, T19, RD2, DS1, DS11, DS14, DS16

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS19

CONSULTATIONS

Highways: No objections subject to the inclusion of an informative.

Environmental Protection: No objections subject to the imposition of conditions relating to land contamination and an agricultural occupancy tie.

Drainage (Lead Local Flood Authority): No objection subject to the imposition of conditions relating to surface water.

PARISH COUNCIL

Objects to the proposal stating the following:

The above-mentioned planning application should be considered in conjunction with planning applications PA/2019/1316 and PA/2017/1907 which were refused, and the following relevant planning applications, all of which were approved with conditions:

PA/2013/1194: Conversion of the granary into a two-storey dwelling.

PA/2013/1195: Demolition of an existing extension and construction of a new extension to the main house, and conversion of stables outbuildings into an annexe of the main house.

PA/2016/909: Demolition of the granary and erection of a new dwelling.

PA/2016/1460: Demolition of the main house and erection of a new dwelling.

PA/2017/1909: Demolition of the stables and rebuild as stables.

PA/2013/1195: Included the conversion of the stables outbuildings into an annexe to the main house, for the purpose of providing accommodation for the applicant's daughter and grandson. Although this annexe was not actually proposed to be a part of the main house, it was close by and within the curtilage of the building complex which formed The Grange.

PA/2017/1907: Erection of a new detached dwelling for the purpose of providing accommodation for the applicant's daughter and grandson. This would have created a third dwelling on the site, and permission was refused. Coincident with this application, PA/2017/1909 was for demolition of the stables (the conversion of which had previously been approved as accommodation for the applicant's daughter and grandson ref: PA/2013/1195) and their rebuild as stables. This was approved.

PA/2019/1316: Erection of a new detached dwelling; identical to PA/2017/1907. Permission was refused for the same reasons.

PA/2019/2115: Erection of a new detached dwelling; identical to PA/2017/1907 and PA/2019/1316. This would amount to construction of a third separate dwelling on a site which originally contained only a single dwelling with an attached annexe.

My council recommends that this application is refused.

My council further believes that a new build in this location, which is not within the building boundaries of Thornton Curtis as shown in the local plan, constitutes building in the open countryside, is subject to strict controls and contravenes current planning policy regarding rural development within the local plan. If approved, it would set a precedent for other property owners along Station Road, who may then also apply for new builds on their land.

It is, perhaps, pertinent to mention that The Grange has not operated as a farm for more than 25 years, as mentioned in the Design & Access Statement for PA/2013/1194. The two original farm workers' cottages, known as 1 & 2 Grange Farm Cottages on Station Road, adjacent to The Grange have recently been sold.

PUBLICITY

The application has been publicised by means of site notice in accordance with Article 15 of the Development Management Procedure Order 2015.

Two objections have been received from the same person. The issues put forward relate to the character impacts upon the open countryside, whether or not the proposal is 'essential', highway safety and flooding issues. The objections can be read in full on the council's website against the suite of documents that make up this application.

ASSESSMENT

Planning history

- 7/1987/0385: Two-storey extension and associated alterations to change the use of a single dwelling into two independent dwellings – approved 25/06/1987.
- PA/1998/0684: Planning permission to change the use of a former milking parlour into a detached four-bedroomed dwelling and garage – approved 11/09/1998.
- PA/2013/1194: Planning permission to convert a granary to create a dwelling – approved 11/11/2013.
- PA/2013/1195: Planning permission to carry out extensions to The Grange and convert an existing outbuilding into dependent relative accommodation, including associated alterations – approved 11/11/2013.
- PA/2016/1460: Planning permission to demolish an existing dwelling, erect a detached dwelling with detached garage to the rear and erect a demarcation wall/retaining wall (with access steps) at the northern edge – approved 23/11/2016.
- PA/2019/1316: Outline planning permission to erect an agricultural worker's dwelling – refused.

Site characteristics

The application site is part of a wider, former farm complex known as The Grange. The former farm house and farm complex has permission for a replacement farm house and conversion of a former granary into a dwelling, which is partially completed. The site is approximately 1 kilometre east of the main body of Thornton Curtis in an extended ribbon development along Station Road, comprising dwellings and farmsteads. The site is outside

the settlement boundary of Thornton Curtis as identified in the Housing and Employment Land Allocations DPD 2016 and as such is located in the open countryside.

Principle of development

Policy CS1 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 North Lincolnshire Local Plan sets out a sequential approach to where development should be focused. It states that development 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 has two parts: firstly, it sets out, in principle, what development types are considered acceptable; and secondly, it sets 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 put forward their justification within the Design and Access Statement and this is supported by a business plan for the petting zoo. The justification is as follows:

'The proposal is to form a new build residential property for Mr and Mrs Chapman's daughter and grandson, who has learning conditions that require a bespoke living space to meet his current and future needs. The proposal is therefore for a self-contained single-storey dwelling but closely associated with The Grange to allow family members nearby to assist and support. The intention for the new proposal is that it can be constructed for a lifetime of changing health and mobility needs as well as providing sufficient space for medical equipment, guests and for carers to stay.'

The proposal site is currently occupied by a small holding created for Mr Chapman's grandson that the new dwelling will be incorporated into. The small holding allows the applicants' grandson full-time employment which, due to his situation, he might not be able to find elsewhere. This will assist with his life skills and then enable respite at the property during the day when required.'

Whilst the idea of creating a dwelling and a business to assist in the development of their grandson is an admirable cause, the application fails to explain, explore or provide justification as to why the dwelling cannot be 'grouped' within the existing cluster of built form that makes up the landowner's estate. Furthermore, as clearly demonstrated by the planning history, no consideration has been given to the existing opportunities already approved to accommodate the applicants' grandson. A business plan accompanies the application but this does not sufficiently demonstrate why this dwelling is essential, especially given that the business is still at the inception stage and that other properties/space exist within the cluster of development around The Grange.

It is not possible to tell whether the proposed new business will be successful, and it is common practice for businesses to be established for a number of years prior to the granting of permanent permission for a dwelling, to ensure that the business will materialise and that it is financially able to support a dwelling. Even if the business were to be established, a dwelling would only be acceptable if it is proven that there is an essential need for such accommodation. In this instance, it is considered that any need to be on site to facilitate the running of the proposed business could likely be met by existing and/or previously approved residential development on the adjacent site owned by the applicant.

It is on this basis that the applicant has failed to demonstrate that this dwelling is essential to the functioning of the open countryside. The proposal is contrary to policies CS1 and CS2 of the Core Strategy, as well as policy RD2 of the North Lincolnshire Local Plan.

Character impacts

Policy RD2 of the North Lincolnshire Local Plan is of interest here in that it seeks to ensure that the visual amenity of the countryside is not compromised by poor development. Paragraph 'c' of the policy states:

'...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 North Lincolnshire Core Strategy is also relevant. It states '...All new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place' and 'Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.'

The applicant proposes to introduce built form into what is existing arable land. The land offers a space between the cluster of development around The Grange and the row of residential properties to the south-west. This space is essential to the character of the hamlet allowing it to be read as such. A linear dwelling 'bridging' the gap to The Grange would mean that the residential form in the area would not only include the proposed dwelling but also result in The Grange being read as part of the hamlet. This would have detrimental consequences for the character and sense of place that currently exists. The

space between the hamlet and The Grange is therefore essential in preventing unjustified urban sprawl within the open countryside. Furthermore, the design and layout of the dwelling, whilst influenced by the needs of the proposed occupant, is at odds with the local vernacular along Station Road.

The proposal, by virtue of its siting and design, would be detrimental to the character and appearance of the open countryside, as well as that of the nearby hamlet, and contrary to policy RD2 of the local plan and CS5 of the Core Strategy.

Highways

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 of the local plan is concerned with parking provision as well as general safety, and is also considered relevant.

Highways have no objection to the proposal which would utilise the existing access arrangement whilst also providing ample off-site parking. The proposal would therefore accord with policies T2 and T19 of the North Lincolnshire Local Plan.

Drainage

Policy CS19 of the Core Strategy is concerned with flood risk, whilst policies DS14 and DS16 of the local plan are concerned with drainage and flood risk.

The applicant proposes to dispose of surface water through soakaways, and given the site is within the open countryside, with an abundance of green space, this is considered achievable. The council's drainage team have stated that conditions would be required; however, given the mitigation that exists under building regulations, these are considered unreasonable. Furthermore, disposal of foul water would require either a connection to the existing network, which is covered under the Water Industries Act, or something site-specific like a septic tank; again, this would be mitigated by building regulations.

The proposal is therefore considered to accord with policies CS19 of the Core Strategy, and DS14 and DS16 of the 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 have reviewed the submission and have stated that a condition is required to mitigate any potential impacts associated with land contamination. It is considered that a condition requesting a desk top study, remediation and verification reports should be attached to any forthcoming permission.

Subject to the aforementioned mitigation, therefore, the proposal is considered to align with policy DS7 of the North Lincolnshire Local Plan.

Conclusion

The proposal is for a farm worker's dwelling; however, it is considered that the applicant has failed to demonstrate that there is an essential need for this dwelling. The applicant has failed to explore alternative options closer to the cluster of buildings around The Grange, whilst the business plan is still in its inception and the correlation between the proposed petting zoo and the need for this dwelling is vague. Furthermore, the development would have negative impacts upon the open countryside resulting in the expansion of the existing small hamlet. The proposal is recommended for refusal on these grounds.

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 CS1 and CS2 of the Core Strategy, and RD2 of the North Lincolnshire Local Plan, as well as paragraph 79 of the National Planning Policy Framework.

2.

The proposed development would be detrimental to the character and appearance of the open countryside, as well as the nearby settlement, in terms of siting, scale, massing, design and use of materials. The proposal is contrary to policies RD2 of the North Lincolnshire Local Plan and CS5 of the 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.



Station Road onto
College Road to
East Halton

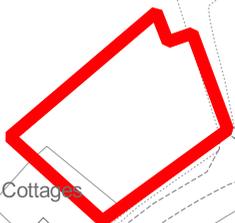
STATION ROAD
20.2m

The Grange

Villa Farm Cottage
21.1m

19.7m

19.4m



20.4m

Grange Farm Cottages

White Lodge

22.2m

Pond

Holmdene
Thorn Cottage

Casa Mia

Butterfly
Cottage

21.1m

The
Conifers

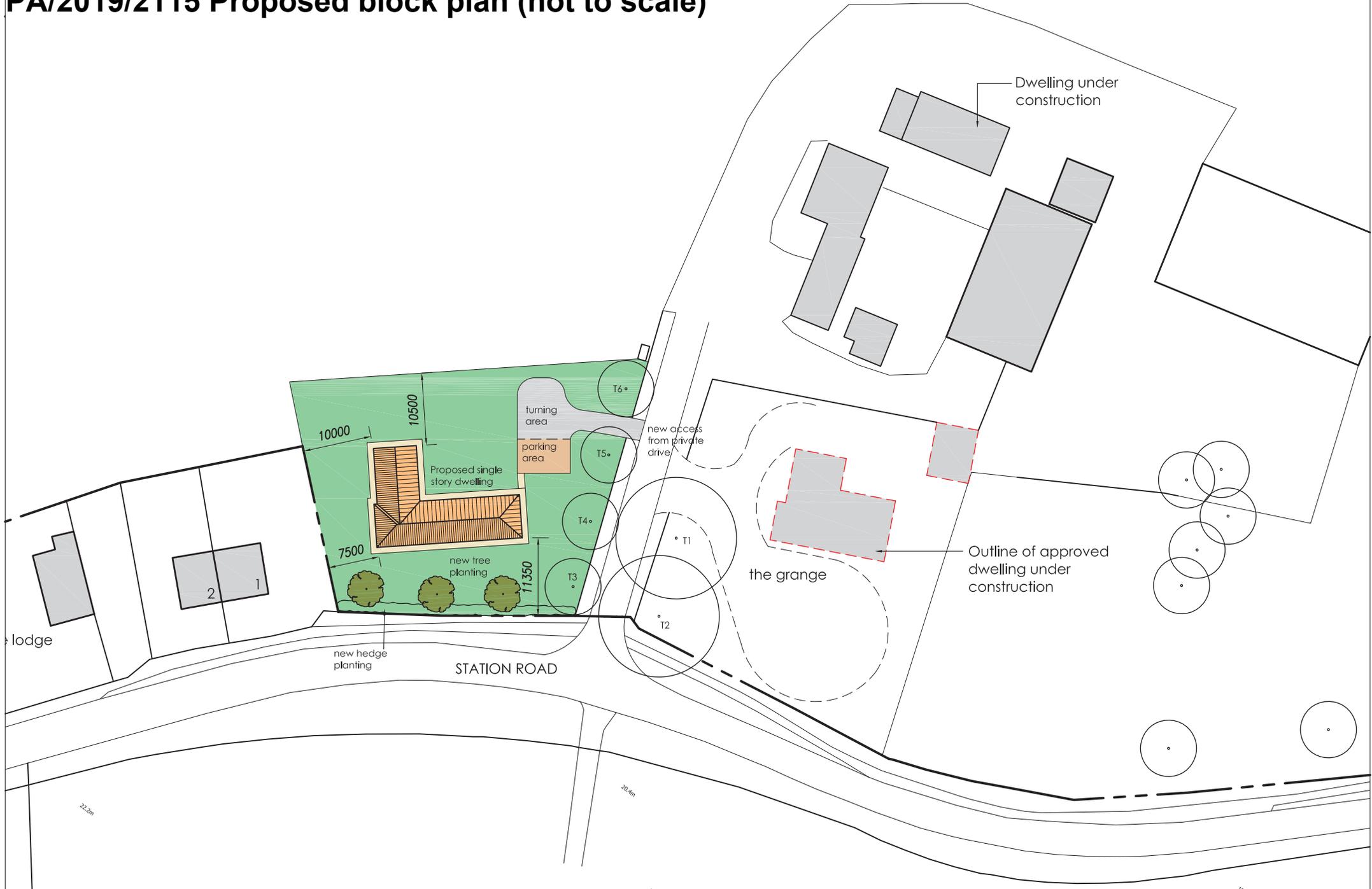
Station Road to
Thornton Curtis

ETL

**North
Lincolnshire
Council**

PA/2019/2115

PA/2019/2115 Proposed block plan (not to scale)



Project:	Proposed Dwelling at The Grange, Station Road, Thornton Curtis		
Title:	Proposed Site Plan	Date:	July 2017
Scale:	1:500 @ A3	Rev:	A
Drawing No:	03		

PA/2019/2115 Proposed dwelling image (not to scale)



Project:	Proposed Dwelling at The Grange, Station Road, Thornton Curtis
Title:	Image
Scale:	nts @ A3
Drawing No:	09
Date:	November 2017
Rev:	-