

APPLICATION NO	PA/2020/695
APPLICANT	Max Lambert
DEVELOPMENT	Planning permission to change area of residential land use, erect detached chalet bungalow thereon and re-site Dutch barn, including associated works
LOCATION	Caravan, The Meadows, Carr Lane, East Lound, DN9 2LT
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	Emma Sheppard
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 states, '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 8 states, 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- (a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- (b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and
- (c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

Paragraph 11 sets out the presumption in favour of sustainable development and confirms that, for decision-taking, this means:

- '(c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. '

Paragraph 12 states, 'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan...permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. '

Paragraph 38 states, 'Local planning authorities should approach decisions on proposed development in a positive and creative way...Decision-makers at every level should seek to approve applications for sustainable development where possible. '

Paragraph 54 states, 'Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. '

Paragraph 59 states, 'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. '

Paragraph 70 states, 'Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens. '

Paragraph 73 states, 'Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where

the strategic policies are more than five years old. The supply of specific deliverable sites should, in addition, include a buffer (moved forward from later in the plan period) of:

- (a) 5% to ensure choice and competition in the market for land; or
- (b) 10% where the local planning authority wishes to demonstrate a five-year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
- (c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply. '

Paragraph 74 states, 'A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:

- (a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and
- (b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.'

Paragraph 75 states, 'To maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years. '

Paragraph 79 states that 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 163 states, 'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.'

Paragraphs 189 and 190 require an applicant and local planning authorities to 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). This assessment should be taken into account when considering the impact of a proposal on a heritage asset, and used to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal (paragraphs 193–197).

Paragraph 192 states that the desirability of new development making a positive contribution to local character and distinctiveness should be taken into account by local planning authorities when determining planning applications.

Paragraph 200 states that local planning authorities should also look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance.

North Lincolnshire Local Plan:

Policy DS1 (General Requirements)

Policy RD2 (Development in the Open Countryside)

Policy RD10 (Replacement, Alterations and Extensions to Dwellings in the Open Countryside)

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

Policy LC7 (Landscape Protection)

Policy LC14 (Area of Special Historic Landscape Character)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering more Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Design)

Policy CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Housing and Employment Land Allocations DPD:

Policy PS1 (Presumption in Favour of Sustainable Development)

CONSULTATIONS

Yorkshire Water: No comments to make.

Highways: No objections or comments.

LLFA Drainage Team: No objections subject to conditions.

Environment Agency: No objections.

Historic Environment Officer: In summary, objects as the development would adversely affect the character, appearance and setting of the historic landscape.

Environmental Protection: No objections subject to a condition relating to contaminated land.

PARISH COUNCIL

'It was noted that the original application has been submitted to the Secretary of State on appeal. This application is larger in size than the previous planning application. Haxey Parish Council objects with the following comments.

To quote the Design Access Statement (DAS) 1. 1 this application is a 'free go' resubmission of a previous planning application reference PA/2019/1994 which was refused on 21 January 2020.

There are some changes to the planning application – the building roof line is higher and has a larger footprint and these changes may make the dwelling more imposing in the open countryside and the approach to the hamlet.

A large plot formerly used for agriculture; it is outside the building envelope in the open countryside (LC14). It gained permission for siting of a caravan under certificate of lawfulness PA/2015/0608. Permission was granted for a residential bungalow and change area of residential use PA/2018/2361.

This application seeks to once again change the area of residential use. A substantial argument is made in the Heritage Statement regarding its impact on the LC14 and we consider HER should be consulted in this regard. What is clear by moving [the] dwelling to the south, residential use will impact on the open countryside, the design access statement gives three reasons why it [is] felt reasonable to move its location.

1. unworkable due to the location of the actual existing access
2. inappropriate due to it being insensitive to the proximity of the grave site of Nicholas Barth

3. dangerous in terms of a commercial/agricultural yard being sited immediately adjacent to the rear elevation of the dwelling providing no amenity space for children playing and thus forming a magnet for them to enter the commercial yard to play.

It seems that in PA/2018/2361 these matters were not considered or did not raise any concerns for the applicant. No reasons are offered as to why the current access is unworkable. Whilst the siting in relation to the grave is a sensitive and personal matter, does it constitute a material consideration in planning terms? We are unaware of what business is carried out at this site and whether it constitutes a business for the purpose of Rural Development within the NLC Local Plan and given the size of the plot, that the business cannot [be] accommodated safely away from the current residential grant of permission and thus negate the need for re-siting. It would seem that the amenity space approved is in line with NLC plan policies and one must question why children can so freely enter a work area if it presents a danger.

Consideration of the inclusion of an agricultural tie as a condition due to its location, should planning be granted.

The proposal is significantly outside of the development line and the exit onto the country lane is unsafe.'

PUBLICITY

A site notice has been posted – no comments have been received to date.

ASSESSMENT

Planning history

PA/2020/219: Planning application to vary condition 2 of PA/2018/2361 to allow change of footprint and elevational detail – awaiting decision

Comment: The plans and elevation drawings accompanying PA/2020/219 (not yet determined) to vary the 2018 permitted design are the same as those submitted with the current application, incorporating the enlarged footprint, greater mass, increased height of the permitted design and the revised hipped roof design.

PA/2019/1994: Planning permission to change area of residential land use, erect detached chalet bungalow thereon and re-site Dutch barn, including associated works – refused. Subsequent appeal still pending.

Comment: There were two reasons for refusal: one relating to an isolated dwelling within the open countryside with no real justification; the second representing unnecessary and inappropriate encroachment into the historic landscape area.

This application attempted to change the area of residential use, siting the dwelling approximately 25 metres beyond the extent of the previous permitted location and outside the residential curtilage. The new design was for an even larger four-bedroom two-storey dwelling with a further increase in the footprint to 164 square metres, and a ridge height of approximately 8 metres. The design of the house increased the bulk,

mass and height of the 2018 permitted 'bungalow' with full height, twin gabled bays to the front and rear elevations. An informal opinion was sought on an amended roof design incorporating a hipped roof and gables with a minimally reduced roof height.

The planning case officer advised that even this amended proposal remained a clearly larger two-storey dwelling with a much bulkier roof design, higher roof line and taller chimneys than the 2018 permitted design. The application was considered to create further encroachment into the open countryside and to have a harmful visual impact on the open countryside. This application was also refused for reasons including the adverse effect on the historic landscape character of the area contrary to local plan policy LC14.

Further to the refusal, pre-application discussions took place with the officer with regard to an amended design. Concerns were still raised with regard to this and it was made clear that any resubmission should include a detailed justification.

2018/2361: Planning permission to change area of residential land use, erect detached bungalow thereon and re-site a Dutch barn – approved with conditions

This application was for a larger three-bedroomed dormer bungalow sited within the permitted residential curtilage. This chalet-style bungalow has a floor area of 142 square metres and roof ridge height of approximately 6.9 metres. This application was granted permission on balance, notwithstanding the planning officer's acknowledgement that it did not comply with the LC14 policy.

2017/1493: Outline planning permission to erect a single detached dwelling and garage with all matters reserved for subsequent consideration –refused

2017/266: Application for a Lawful Development Certificate for the continuation of an existing use: the siting of a single caravan for permanent residential occupation (C3 Use Class) – lawful

In 2017 a certificate of lawfulness for the siting of a single caravan for permanent residential occupation was issued and an area of residential curtilage was established. Application PA/2017/1493 for a single dwelling within the residential curtilage was refused planning permission for reasons including the adverse effect on the historic landscape character of the area contrary to local plan policy LC14. The Design and Access Statement submitted with the 2017 application noted that it was lawful to site a caravan with a total floor area of 136 square metres and a maximum ceiling height of 3.05 metres, the scale being compared to a photograph of a timber-clad static caravan with the appearance of a small detached bungalow.

2015/0608: Application for a Lawful Development Certificate for the continuation of an existing use: the residential occupation of a mobile home –withdrawn

2004/0710: Application for a Lawful Development Certificate for the retention of a mobile home – not lawful

The site

The application site relates to an open parcel of land, approximately 1000 square metres outside the settlement boundary for East Lound and therefore located in open countryside. There are no discernible land level discrepancies within the site itself. There are no listed buildings within the vicinity, nor does the site fall within a conservation area; however, it is within the Area of Special Historic Landscape of the Isle of Axholme. It is also located within flood zone 2/3a in accordance with the North and North East Lincolnshire SFRA 2011.

The site currently comprises a caravan with a residential curtilage that has been considered lawful along with two agricultural barns.

The proposal

Planning permission is sought to change the area of residential land use, erect a detached chalet bungalow thereon and re-site an existing Dutch barn, including associated works.

The proposed dwelling is similar in design to that refused under PA/2019/1994 but the roof design incorporates a Dutch hip with a drop in ridge height of 0.3 metres. The two front projections will also incorporate a slight hip, removing the gabled appearance. It is described as a chalet bungalow but resembles a two-storey dwelling. The siting of the proposed dwelling is the same as that previously refused (PA/2019/1994) and is outside the red line area of the originally approved dwelling under application PA/2018/2361.

The Dutch barn is already on the site with this application proposing to re-site it in part of the red line area for the approved replacement dwelling under PA/2018/2361.

The main issue is whether the principle of developing this site for residential purposes is acceptable in policy terms, noting the history of the site.

Principle of development

The application site lies on the eastern side of Carr Lane outside the settlement boundary of East Lound and is therefore classed as open countryside for the purposes of planning.

In policy context, national guidance contained within the National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development. The NPPF states that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Furthermore, paragraph 79 of the NPPF advises that planning decisions should avoid the development of isolated homes in the countryside unless one or more of a certain set of circumstances apply.

The site is outside the settlement boundary of East Lound and is therefore classed as open countryside. East Lound does not contain any community facilities or other services. The nearest settlement where there are community facilities and other services is further away in Haxey. An inspector's decision relating to isolated homes (APP/D3315/W/19/3222247) acknowledges the isolated nature of a site and therefore the reliance on the motor car to access community facilities; however, this can be outweighed by paragraph 79 of the

NPPF, which allows the development of isolated homes in the countryside where certain exceptions are allowed. In this instance, however, the proposed development fails to comply with the requirements within paragraph 79 and does not fall within any of the exceptions; it therefore cannot outweigh the fact that the dwelling is in an isolated location.

One of the previous reasons for refusal of application PA/2019/1994 related to the erection of a dwelling outside of a settlement boundary. The agent has failed to address this with no justification put forward to overcome the fundamental planning policy objections to the proposal.

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.

Policies CS2 and CS3 of the Core Strategy states 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.’

In terms of policies RD2 and RD10 of the local plan, these policies permit replacement dwellings subject to various criteria being fulfilled. Broadly, the replacement dwellings must be located on the footprint or very close to the existing dwelling on the site (in this case the caravan).

This proposal, along with the previously refused scheme, proposes a dwelling on another part of the land in the applicant’s ownership but outside the lawful residential curtilage approved under application PA/2017/266 and the previously approved dwelling, PA/2018/2361.

Policy RD10 permits replacement dwellings subject to restrictions on size and design. Planning application PA/2018/2361 permitted a replacement dwelling on the site where the existing caravan is currently located. This application seeks to erect a new dwelling outside the red line area for PA/2018/2361, further to the south, and re-site an existing Dutch barn on part of the site approved for the replacement dwelling under PA/2018/2361. Under policy RD10 of the local plan, this is not strictly a replacement dwelling as the Design and Access Statement makes no reference to revoking the existing planning permission on another part of the site for a replacement dwelling. In this regard, the applicant’s submission can be viewed as an additional dwelling on the site.

Based on the above, the proposal fails to comply with the aforementioned policies, although the applicant has a fallback position in that a previous application for a dwelling (PA/2018/2361), that was recently approved, has established the principle of a replacement dwelling on this site (in the red line area). In addition, it must be remembered that the applicant is not proposing/requesting that this permission is revoked. In effect, a new residential dwelling is being proposed within the site, which is within the open countryside, contrary to the NPPF, policies CS2, CS3 and CS8 of the Core Strategy, and policy RD2 of the North Lincolnshire Local Plan.

Visual amenity and impact upon landscape character

Paragraphs 124 and 130 of the NPPF express the importance of good design, high quality buildings and improving the character and quality of an area.

Core Strategy policy CS5 (Delivering Quality Design in North Lincolnshire) 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. The council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context. 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.’

Policy LC7 of the local plan states, ‘where development is permitted within rural settlements or within the open countryside, special attention will be given to the protection of the scenic quality and distinctive local character of the landscape. Development which does not respect the character of the local landscape will not be permitted.’

Policy H5 of the local plan relates to new housing development and states that all new housing developments should meet certain criteria, inter alia, ‘...that the development is in keeping with the scale and character of the settlement; and that the scale, layout, height and materials of the development are in keeping and compatible with the character and amenity of the immediate environment and with the settlement as a whole;’

The application site lies within the Area of Special Historic Landscape Interest of the Isle of Axholme. This area is locally designated for its unique historic landscape, retaining the pattern of ancient open strip fields and enclosed fields surrounding the villages on the Isle. This historic landscape is considered to be of national importance and local plan policy LC14 applies which states:

‘The Isle of Axholme is designated as an area of Special Historic Landscape Interest. Within this area, development will not be permitted which would destroy, damage or adversely affect the character, appearance or setting of the historic landscape, or any of its features.’

Development required to meet the social and economic needs of rural communities and small-scale tourist and outdoor sport and recreational development will be permitted provided such development is related to the historic landscape and its features. A high standard of design and siting in new development will be required reflecting the traditional character of buildings in the area and the character of the historic landscape and using materials sympathetic to the locality.

Schemes to improve, restore or manage the historic landscape will be sought in connection with, and commensurate with the scale of, any new development affecting the area of Special Historic Landscape Interest.’

Core Strategy CS6 specifically refers to the importance of the Isle’s historic landscape and that the council will conserve its significance through ‘Safeguarding the nationally significant medieval landscapes of the Isle of Axholme (notably the open strip fields and turbaries).’

The design objectives of Core Strategy CS5 and local plan policy DS1 are also relevant. Core Strategy CS5 (Delivering Quality Design) requires new development in North

Lincolnshire to 'ensure it takes account of the existing built heritage from the earliest stages in the design process, in particular terms of scale, density, layout and access.'

With regard to design, criteria within local plan policy DS1 (General Requirements, Quality of Design) set out that 'the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area.'

Local plan policies LC7 and RD2 also apply as the development is within the open countryside; policy LC7 (Landscape Protection) states, 'Development which does not respect the character of the local landscape will not be permitted.' Policy RD2 (Development in the Open Countryside) requires that such development is strictly controlled, stating that only certain essential development that meets very specific criteria will be permitted; residential use per se is not one of these criteria.

Historic landscape significance

The historic landscape of the Isle is a heritage asset of historic interest as defined in the NPPF and is clearly identified as such in the local plan (Landscape and Conservation section), as well as on the relevant area inset and proposals maps.

The LC14 policy area incorporates various historic landscape character types that were researched, described and mapped in the 1997 Countryside Commission report into the historic landscape of the Isle of Axholme. This detailed survey forms the evidence base of the LC14 policy in the 2003 local plan. The historic landscape character type areas established by Miller (fig 5, 1997) are mapped on the North Lincolnshire HER GIS maps and this data is made available to applicants on request.

Within the LC14 policy area the Ancient Open Strip Fields (Miller, AOSF) form the historic character core of the Isle of Axholme historic landscape and are buffered by Early Enclosed Land (Miller, EEL), areas of piecemeal enclosure of blocks of former strips into small irregular fields, and the Recent Enclosed Land (Miller, REL), generally the surrounding low-lying lands drained and enclosed for farmland from the seventeenth century. These three historic landscape character types encompass the majority of the LC14 policy area, together with discrete character type areas of the Turbaries and Moorland Allotments (Miller, RM&T), and designed parkland etc.

The historic landscape character of the Isle of Axholme is the sum of these historic landscape character types. The LC14 policy area includes all the character types within the designated area and seeks to protect the character, appearance and setting of the historic landscape as a whole.

The essential character and appearance of the AOSF historic landscape type is of open unenclosed agricultural land and the lack of any physical boundary features, including hedgerows and fences; other characteristics of this landscape include the roads, common ways and access tracks known locally as meres; a general absence of farms in the open fields, these being located in the built-up settlement areas; and the presence of visual reference points such as the church, mill and water towers that afford legibility to the core historic landscape and form part of its setting.

Also characteristic of the ancient open field landscape are areas of piecemeal enclosure, frequently found around the fringes of the open strip fields and the settlements where they form the immediate setting of the AOSF. This 'Early Enclosed Land' (EEL), comprising amalgamated blocks of strips within the former open fields, served as 'home closes' for

stock-keeping and mixed farming, and date from the late-medieval period onwards. Early, in this context, does not necessarily refer to the period at which the enclosure happened, but to the character of an individual strip, or group of strips, enclosed directly from the open field. These early enclosed fields are typified by their narrow long or irregular shape, with sinuous boundaries that retain the S-shaped ploughing curve of the former cultivated strips; often hedged, the character of the EEL is in marked contrast to the unenclosed, AOSF that they frequently buffer.

Elsewhere, enclosures with regular straight boundaries, frequently formed by ditches, were laid out when the marshlands surrounding the Isle were drained to create farmland from the 17th century onwards. The enclosures of this 'Recent Enclosed Land' (REL) are largely devoid of upstanding boundary features, and maintain the characteristic open aspect of this historic landscape, even where such enclosures are combined into blocks of large modern fields.

The enclosed landscape character types are important in their own right and in terms of their spatial associations with each other, and with the remaining areas of the open strip fields at the core of the historic landscape, surrounding the villages of the Isle, and with the Turbaries. The individual historic landscape character areas share their settings with the other character type areas, and together they form the overall setting of the historic landscape character. The evolution over time of these distinctive historic character types, with their differing and contrasting physical features and appearance that add to their legibility, are what make the Isle of Axholme a 'Special Landscape'.

The persistence of these elements of the former landscape, and the resultant openness of the core area, remain the dominant characteristic of the contemporary landscape of historical importance. This remnant landscape is acknowledged as the best example of very few surviving landscapes of this type in the country, with the Isle of Axholme being by far the largest of the three best-known survivors.

For these reasons, the Isle of Axholme historic landscape is of national importance; however, it is not capable of formal designation as a heritage asset under current legislation, which relates specifically to listed buildings, conservation areas and scheduled monuments.

Historic landscape assessment

The applicant has submitted a heritage assessment with the application. The Heritage Statement does not adequately justify how the re-siting, scale and design of the proposal would accord with the requirements of local plan policy LC14. The HER Officer was consulted and disagrees with the author's conclusion that these proposals will not harm the characteristics of the historic landscape protected by this policy.

The application site lies within the early enclosed land (EEL) north and south of East Lound that comprises arable and grass fields. The EEL zone here is sandwiched between surviving areas of the AOSF land to the north, west and east. The area around East Lound and west to Haxey preserves many of the classic landscape features of the AOSF and EEL fields described above. The earthworks of former AOSF cultivation strips are preserved within the EEL enclosure to the west of the application site, visible on the Google Earth Image reproduced in the Heritage Statement. The EEL buffers the AOSF land and forms its setting. The differences between these two character zones are clearly legible in the landscape around the application site.

The application site is located on the south-east side of the village, on the east side of Carr Lane, which is narrow and tree-lined. The site of the proposed dwelling lies within one of the early enclosed fields, where the existing caravan and two timber agricultural buildings, including the specified Dutch barn, are located, along with the burial site of a former resident (d. 2005). The field is bounded to the north by a separate grassed field that contains a sewage pumping station in the north-west corner adjacent to the road. This field separates the land, including the application areas, from the residential properties that line Carr Lane to the north and then merge into the main east-west village street. To the east, to the rear of the application site, the enclosed fields extend to a north-south track that lets onto the AOSF zone beyond.

The application site lies outside the development boundary for East Lound village. The existing Dutch barn and proposed site of the new dwelling are located approximately 25 metres to the south of the residential curtilage established under the 2017 lawful certificate of use. As such, the proposed house site is further into the historic landscape than the previously permitted house site, and further away from the village properties on Carr Lane and the village to the north.

The house site is over 120 metres from its nearest neighbour to the north. In addition, the re-siting of the Dutch barn to within the permitted residential curtilage would further separate the proposed new dwelling from the properties along the village main street. The new house, set back from the road, would be seen within the context of open countryside rather than roadside ribbon development. The openness of the existing site, with views through the open-sided Dutch barn, its relationship to the surrounding countryside, and the distance from the houses on the main village street, are clearly demonstrated in the various photographs included in the Design and Access Statement and on the front cover of the Heritage Statement.

The dwelling permitted under planning permission PA/2018/2361 is a double-fronted three-bedroomed dormer bungalow. The current application describes that as a 'chalet bungalow'. The plans submitted with the current application are not for anything that may be described as a bungalow. The plans are for a four-bedroomed two-storey house, with deep two-storey projecting gabled bays to the front replacing the lower hipped dormers, and with similar two-storey bays to the rear. The height of the proposed house, including the eaves level and height of the roof, is raised accordingly.

This submission has been amended, in terms of design, from that previously refused, namely a reduction in overall ridge height of 0.3 metres, the incorporation of a Dutch hip to the main roof form and the two front projections. It is considered that the proposed alterations make little difference to the overall scale and mass of the building and are not an improvement, as a planning officer previously confirmed in response to the applicant's informal inquiry. Overall, the mass and design of the proposed house is of a more dominant form in the landscape compared to the permitted design, notwithstanding that that bungalow was also substantial and intrusive.

The Design and Access Statement contains mock-ups of the permitted and proposed buildings within the site. It is noted that the 'Superimposed Approved' mock-up shows the PA/2019/1994 elevation (refused), not the approved PA/2018/2361 bungalow elevation. The building also appears too close to the roadside in this mock-up, and in the 'Superimposed Proposed' mock-up it is set too far back compared with the respective site plans.

The existing Dutch barn is of the typical open-wall type with little substance or mass to the structure and can be clearly seen through. The proposed rebuild/replacement of the barn in the new position is for a building with mostly enclosed sides that, though lower in eaves height than the original, has a blockier, more substantial mass than the existing, given also that it has a relatively large footprint measuring 26 metres by 9 metres: 240 square metres overall – considerably larger than the footprint of the proposed dwelling (164 square metres).

The application does not provide any justification for the requirement of two equally large barns on the site, nor what use they would be put to on a residential site. The combined effect of the proposed two-storey house and barn block can be understood from the photographs in the Design and Access and Heritage Statements referred to above.

The site is in the open countryside outside the development boundary. The application is separate from the existing built-up area of the village with good quality historic landscape in between. The proposed re-siting of the house and Dutch barn would extend the built envelope of the village and introduce an inappropriate scale of development and domestic buildings into the Early Enclosure historic landscape. It would also introduce the potential for further inappropriate development and enclosure within this block of land which would be incompatible with the essential character of the early-enclosed fields as set out above. The lack of a garage for the domestic property is noted and suggests that further domestic buildings may be required at the site in the future.

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 of the landscape's historic character and alters its setting and legibility. Furthermore, the re-siting of the agricultural Dutch barn and changes to its appearance, from within the open countryside into the area of residential curtilage, also constitutes an unnecessary and harmful change of use because it results in extending the residential use into the historic landscape.

Because of this, the proposed development would adversely affect both the existing character of the early enclosed land and its setting as part of the nationally important remnant historic landscape. The creeping extension of the built envelope of the village would further damage and diminish the remaining area of early-enclosed land in this part of Haxey parish, obscuring the legibility of the landscape.

As such, the proposed dwelling in this location would be an unacceptable encroachment in the Area of Special Historic Landscape Interest.

The re-siting of the residential area and the Dutch barn would result in the extension of the residential curtilage in the open countryside beyond the development boundary. The proposed dwelling is not a 'chalet bungalow' and the height, mass and bulk of the proposed designs of the dwelling and rebuilt barn 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 the Haxey Ancient

Open Strip Fields (AOSF). The proposal also adversely affects the historic settlement form that further contributes to the character, setting and legibility of the historic landscape.

The generous nature of the plot means that it is quite capable of accommodating the proposed dwelling without appearing unduly cramped or over developed; however, the proposed dwelling is located further south into the open countryside than that approved under application PA/2018/2361 and is larger in terms of bulk, mass and height, creating further encroachment into the open countryside. This will have a harmful visual impact on the open countryside compared with that previously approved, as outlined above.

Whilst it cannot be contested that the design has been altered since that previously refused, it is considered, on balance, that the amendments carried out to the design do not outweigh the principal reasons for refusal and cannot be supported in this regard.

Based on the above, the proposal is contrary to local plan policies LC14, LC7, RD2 and DS1, and Core Strategy policies CS5 and CS6. The proposal would not accord with paragraphs 192 or 200 of the National Planning Policy Framework as the proposed development would not make a positive contribution to local character and distinctiveness, and would detract from the significance of the historic landscape at this location. The application fails the key objective of the NPPF to conserve the historic environment and would adversely affect the historic landscape of the Isle of Axholme, a heritage asset of national significance.

Residential amenity

Policy DS5 of the local plan seeks to ensure that the living conditions of existing neighbours are taken into consideration with respect to light, noise, disturbance, loss of privacy, outlook and whether or not a scheme causes an overbearing or overshadowing impact.

Policy H5 of the local plan relates to new housing development and states that all new housing developments should meet certain criteria, inter alia, ‘...development does not result in overlooking or a loss of privacy to existing developments, or any other loss of amenity to existing dwellings...’

The plans and block plan provided demonstrate that the proposed dwelling and re-siting of the Dutch barn could be comfortably accommodated on the site without causing demonstrable harm to the residential amenity of adjoining occupiers. As such, the proposals are acceptable in this regard and comply with policies DS1, DS5 and H5 of the local plan.

Highway safety

In terms of highway issues, no objections have been received from the council’s highways officer subject to the imposition of several conditions. The proposal therefore accords with policies T2 and T19 of the North Lincolnshire Local Plan.

Contaminated land

The application for residential development is a sensitive end use. The report identifies the site as a rectangular-shaped piece of land approximately 0.42 hectares in size. The site walkover identified two Dutch barns which are assumed to be used for storage purposes; hardstanding was also identified on the site.

Historical mapping shows the only significant change to the site was the introduction of the two Dutch barns between 1994 and 1999; it has remained undeveloped since. A drain was noted during the site walk over to the eastern boundary of the site. Although no obvious evidence of any significant contamination was found during the site walkover, the report does identify the potential for contamination from the barns and hardstanding on site.

The preliminary conceptual site model and risk assessment identifies the risk to human health from contamination as 'medium'. The only source of potential ground contamination of concern from the development on site is identified as asbestos from the made ground deposits.

Due to the presence of possible contamination, the report recommends that further intrusive investigation is undertaken and puts forward outline proposals to assess the site for contamination. These plans include two exploratory holes to a depth of 0.1 metres adjacent to each barn; these will be tested for asbestos.

Environmental Health have been consulted on the application and state that, given the site's previous agricultural use, they do not find the proposals sufficient. The site investigation has given no consideration to other contaminants associated with the site's agricultural use, such as PAHs, metals or petroleum hydrocarbons.

It is the developer's responsibility to assess and address any potential contamination risks; however, insufficient information has been provided that demonstrates potential risks can be reduced to an acceptable level. Fully justified and robust proposals for investigation should be submitted and approved prior to any intrusive investigation taking place that takes into account all potential contaminants from the site's agricultural use, and a condition is recommended should the application be approved.

Flood risk

The site lies within Flood Zone 1 of the Environment Agency flood map for planning, although within zone 2/3a of the North and North East Lincolnshire Strategic Flood Risk Assessment (2011).

Based on the submitted flood risk assessment, the site level is above the critical flood level of 4.1 above Ordnance Datum (AOD) established in the SFRA for the area. The Environment Agency have been consulted on the application and raise no objections to the proposal.

Other issues

The burial site existed before approval was granted for the dwelling under PA/2018/2361. The new siting for the new dwelling creates additional harm to the LC14 and further encroachment into the open countryside. Whilst the siting in relation to the grave is a sensitive and personal matter, this does not constitute a material consideration in planning terms.

The access approved under PA/2018/2361 was shown to serve the farmyard and the proposed new dwelling. It is not considered that the use of the access by the dwelling and farm would create such significant congestion that justifies the re-siting of the dwelling.

The dwelling approved under PA/2018/2361 has an acceptable level of amenity space to serve it.

An email from the agent states that the applicant is willing to accept an agricultural occupancy condition should the application be approved. It should be noted that an agricultural worker's dwelling has not been applied for and therefore no evidence or justification has been submitted in support of this type of dwelling. Therefore such a condition would not be lawful.

Given the small changes proposed to the design and the failure to justify the need for a dwelling outside the settlement boundary, in the open countryside, the proposal is recommended for refusal following on from that previously refused.

RECOMMENDATION Refuse permission for the following reasons:

1.

By reason of the siting of the dwelling outside of a defined settlement boundary, within the open countryside and remote from any local services, and insufficient justification to demonstrate the special need for a dwelling in this rural location, the proposed development is contrary to policies CS2, CS3 and CS8 of the North Lincolnshire Core Strategy and policy RD2 of the North Lincolnshire Local Plan.

2.

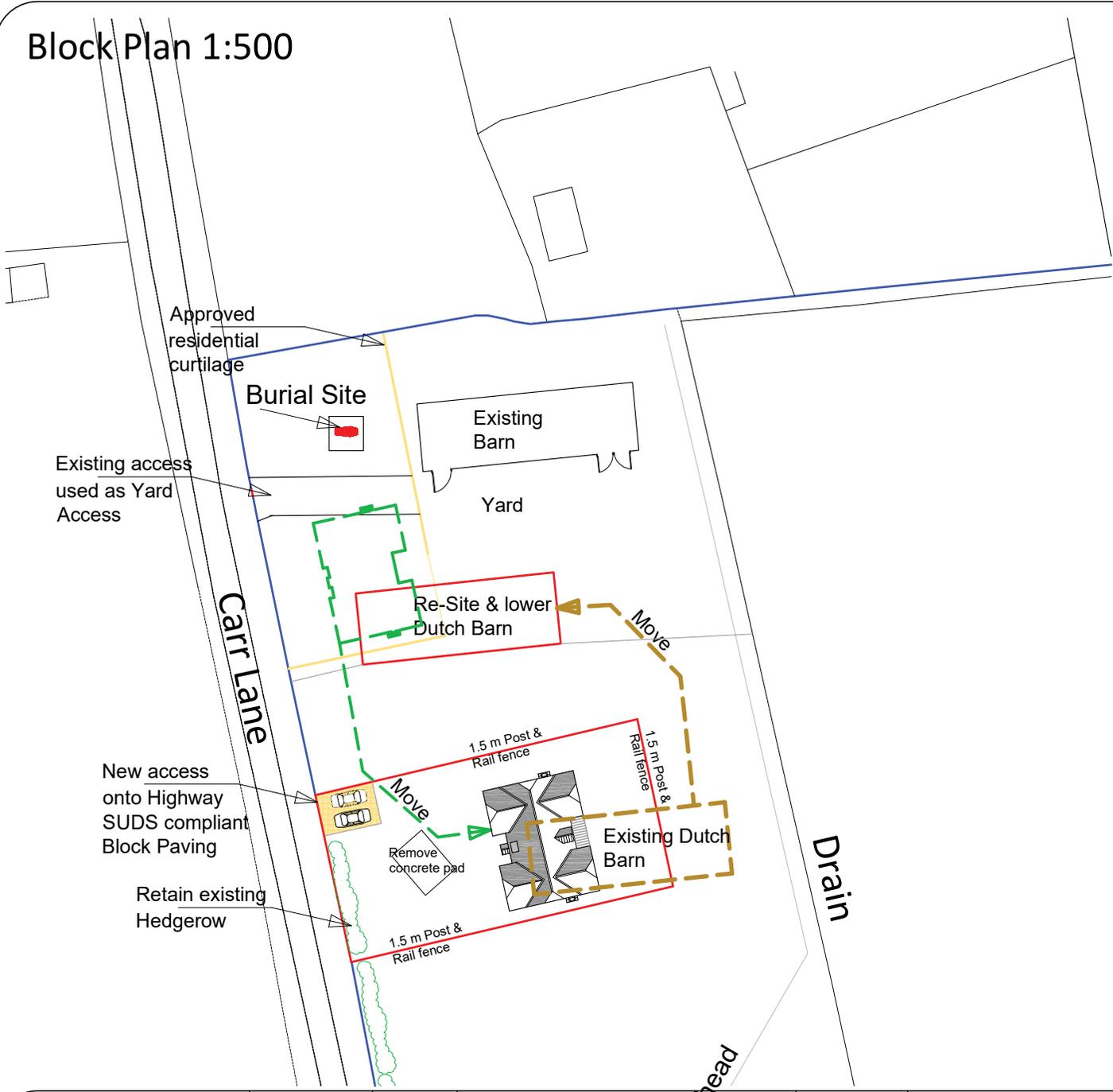
The proposed dwelling is located on land which is designated as the Isle of Axholme Area of Special Historic Landscape. The proposed development represents unnecessary and inappropriate encroachment and an unacceptable extension and intrusion into this historic landscape area. The proposal would therefore adversely affect the historic character, significance, appearance and setting of the historic landscape which is contrary to paragraphs 192 and 200 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policies LC7, LC14 and RD2 of the North Lincolnshire Local Plan.

Informative

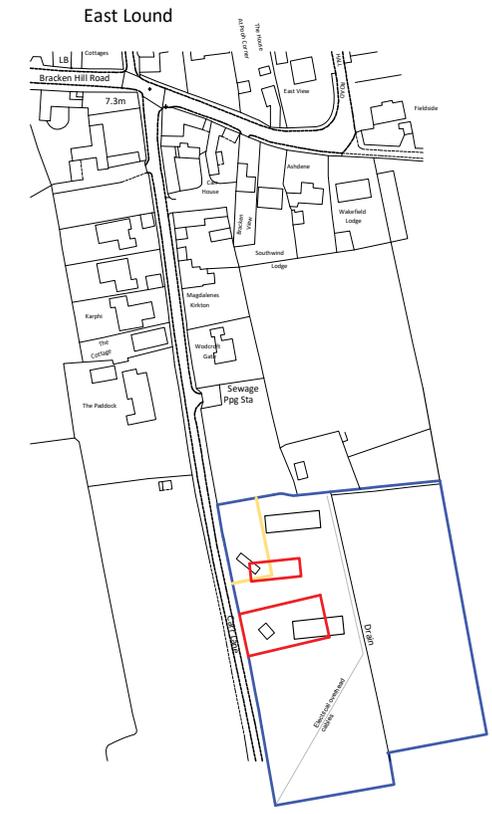
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

PA/2020/695 Block plan (not to scale)

Block Plan 1:500



Location Plan 1:2500



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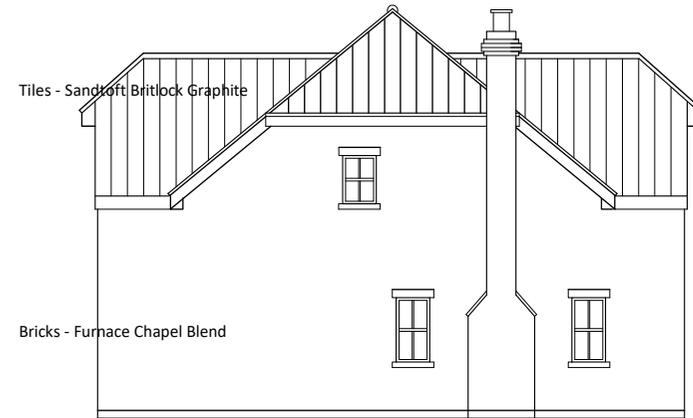
Howard J Wroot BSc MRICS Chartered Surveyor 240 Wharf Road, Ealand Scunthorpe DN17 4JN	Tel 01724 711068 Fax 01724 710174 Mob 07947 226577	Client	Max Lambert			Proposal	Proposed Dormer Bungalow at The Meadows Carr Lane, East Lound, Doncaster, DN9 2LT.
		Date	5/5/2020	Dwg No	4 of 4		
		Scale	As noted	Ref No	1011	Drawing	Proposed Block Plan and Location Plan



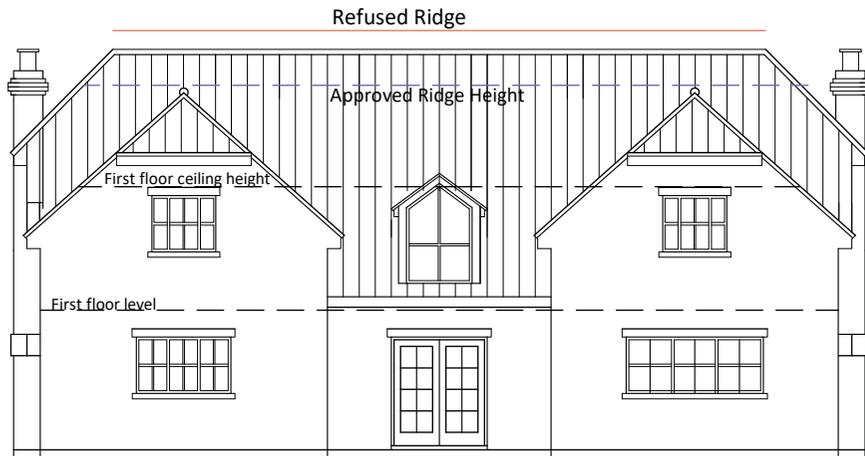
PA/2020/695 Proposed elevations (not to scale)



Front Elevation (West)



Right side Elevation



Rear Elevation



Left side Elevation

Howard J Wroot BSc MRICS
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Client	Max Lambert		
Date	5/5/2020	Dwg No	1 of 4
Scale	1:100	Ref No	1011

Proposal	Proposed Dormer Bungalow at The Meadows Carr Lane, East Lound, Doncaster, DN9 2LT
Drawing	

