

<b>APPLICATION NO</b>	<b>PA/2020/1017</b>
<b>APPLICANT</b>	Mr Gary Baker, Oak Tree Fishery
<b>DEVELOPMENT</b>	Planning permission for the permanent siting of a mobile home in connection with a fishing business
<b>LOCATION</b>	Oak Tree Fishery, Station Road, Graizelound, DN9 2NQ
<b>PARISH</b>	Haxey
<b>WARD</b>	Axholme South
<b>CASE OFFICER</b>	Andrew Cotton
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Haxey Parish Council

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

#### **North Lincolnshire Local Plan:**

Policy DS1 (General Requirements)

Policy H8 (Housing Design and Housing Mix)

Policy T2 (Access to Development)

LC5 (Species Protection)

DS16 (Flood Risk)

RD2 (Development in the open countryside)

#### **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 CS17 (Biodiversity)

Policy CS19 (Flood Risk)

## **CONSULTATIONS**

**Highways:** No objection or conditions.

**Archaeology:** Object to a permanent structure; it would be preferable to extend the temporary permission from a historic environment perspective. If it is considered a permanent structure is acceptable at this time, it should be of a scale and design so as to not adversely affect the character and setting of the historic landscape of the area.

**Environment Agency:** No objection subject to a condition.

**Environmental Protection:** No objection subject to a condition.

## **PARISH COUNCIL**

Object.

The site is located in the LC14 Isle of Axholme historic environment. The parish council has been conscious of the location of this site; we have been concerned by some of the development and impact, and in particular the number of caravans that can use this site. While the planning statement addresses development in the open countryside, it does not address the impact on the Isle of Axholme historic environment and in particular the design requirements (CS6).

The owners purchased the site in full knowledge of the location and conditions. We consider permanent siting of a caravan would establish, in principle, permanent human habitation at the site and lead to further development in principle which would be both damaging to the character of the area and further impact on the LC14.

## **PUBLICITY**

A site notice has been displayed. One comment has been received raising the following concerns:

- object to any fixed mobile home other than the proprietor's home
- any multiplication of homes would cause traffic issues on the lane
- multiplication of homes would cause noise nuisance and increase flood risk.

## **ASSESSMENT**

### **Site**

The proposed development is located in the open countryside and within the Area of Special Historic Landscape Interest of the Isle of Axholme (local plan policy LC14). Permission was granted for the siting of a mobile home for a temporary period of three years which has now expired. The site operates as a fishery, fishing lakes and caravan park. The site benefits from a café, fish hatchery and stock ponds.

### **Relevant planning history**

PA/2016/996: Planning permission for change of use of land for the siting of a residential mobile home, siting of a café, erection of a poly tunnel for use as a hatchery, and the creation of two 1 metre deep stock ponds – granted with conditions 15/09/2016.

PA/2017/120: Planning application to vary conditions 2 and 3 of PA/2016/996 to change chalet for a mobile home and three years to start from the 'first siting' of the mobile home – granted with conditions 23/03/2017.

## **Proposal**

Permission is sought for the permanent siting of a mobile home on the site of the existing mobile home. The existing mobile home would be removed from the site to enable the proposed permanent mobile home to be sited on the same footprint.

It should be noted that this application is for the retention of a mobile home on a permanent basis for the site owner, not for additional mobile homes on the site.

## **Principle of development**

Policy RD2 of the adopted local plan provides a list of development types which are considered acceptable in the open countryside. This list includes:

- employment-related development appropriate to the open countryside; and
- development which is essential for the provision of outdoor sport, countryside recreation, or local community facilities.

The National Planning Policy Framework (NPPF) states that local planning authorities should avoid new homes in isolated locations within the countryside unless there are special circumstances which include:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside.

As with the 2017 application, it is considered that the applicant has provided a robust business plan and planning statement to support the application and provided adequate justification as to the essential need for a worker to live/continue living at the site. Further to the 2017 application, the site has been operating for three years successfully and as such has been able to provide additional justification as an established business to prove the need for a permanent dwelling in this location.

It is considered that the proposal would accord with national and local planning policy objectives, supporting a rural business and economic growth.

## **Historic environment**

The proposed site is located within the Early Enclosed Land (EEL) south of Graizelound; to the north the EEL buffers and forms the setting for the southernmost block of Ancient Open Strip Fields (AOSF) on the east side of Haxey. Views from within the application site look out across the EEL towards Graizelound village and there are clear views towards the site within the historic landscape on the Public Right of Way (PROW) south of the village. The land here is open and retains the characteristic features of the historic landscape.

It is acknowledged that a permanent dwelling would extend the built form into the historic landscape. The Historic Environment Record (HER) therefore object to a permanent dwelling at the site, as it would contribute to adverse character change and affect the setting, contrary to policy LC14 of the North Lincolnshire Local Plan.

The HER states that if a permanent unit is considered acceptable at this time, it will be important to ensure that the scale and design of such an agricultural worker's dwelling is in accordance with the policy and does not adversely affect the character and setting of the historic landscape character types in this area. It is considered that retaining a mobile home of the design shown would result in a design which is in keeping with a rural location and not atypical of rural fisheries. Additionally, it is noted that as the dwelling complies with the caravan act and is therefore moveable, should the need arise, the unit could be removed from the site in much the same way a caravan could.

On balance, it is considered that while there would be some adverse impact upon the LC14 character area, the proven need for a permanent dwelling on the site to provide 24-hour care and management of the fish breeding ponds tips the balance in favour of allowing the siting of a permanent agricultural worker's dwelling at this location. It is considered the design of the proposed mobile home is a significant improvement over the existing mobile home at the site. The details of the approved mobile home can be conditioned to ensure a satisfactory visual appearance.

### **Residential amenity**

The proposed development would not be within close proximity of other residential dwellings and therefore it is not envisaged that the permanent siting of a mobile home at this location would give rise to any detrimental impacts upon residential amenity. The existing mobile home is served by an area of amenity space which would broadly remain as existing; therefore, the occupier of the site would also be provided with adequate residential amenity.

### **Ecology**

The previous application for the siting of the mobile home was considered by the council's ecologist who stated that the site is of little ecological interest. The existing site has been used as residential curtilage around the mobile home with maintained mowed grass and, as such, the biodiversity value of the site is unlikely to have altered. The proposal is therefore acceptable in this regard.

### **Flood risk**

The site is located within an area known to be at risk from flooding, being in zone 2/3a according to the council's SFRA. The previous application, which granted permission for the temporary siting of the mobile home, acknowledged that the mobile home would actually be sited within flood zone 1 according to the Environment Agency maps and as such it is unlikely that flood risk would pose an issue to a dwelling (permanent or temporary) in the same location as the previous mobile home.

### **Highways**

No objections have been raised by the Highways officer. There would be no increase in comings and goings from the site and no alterations to the site access; therefore the proposal presents no highways safety concerns.

## Conclusion

In summary, based on the information provided and the relevant site history, it is considered that a permanent dwelling on the site would be acceptable in principle. As mentioned above, while the objection of the HER is noted, taking into consideration all material factors, it is considered that the design of the proposed mobile home is acceptable in this instance.

## **RECOMMENDATION**      **Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: Existing and Proposed Location Plan prepared by Gareth Stent 03.07.2020, Norwegian Log 'The Mendip' Floor Plans and Elevations.

Reason

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

3.

The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) by G M Stent, dated July 2020. In particular, the residential mobile home shall:

- be located as shown in the FRA, outside of Flood Zones 2 and 3 of the Environment Agency's Flood Map for Planning;
- have finished floor levels set at 4.6 metres above Ordnance Datum (AOD), 600 millimetres above surrounding ground level.

Reason

To reduce the risk of flooding to the mobile home and future occupants. Residential mobile homes are classified as 'highly vulnerable' to flooding and are not permitted in Flood Zone 3, as set out in Table 3, paragraph 67 of the planning practice guidance (flood risk and coastal change section) associated with the National Planning Policy Framework.

4.

If during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site.

Reason

To protect residential amenity.

5.

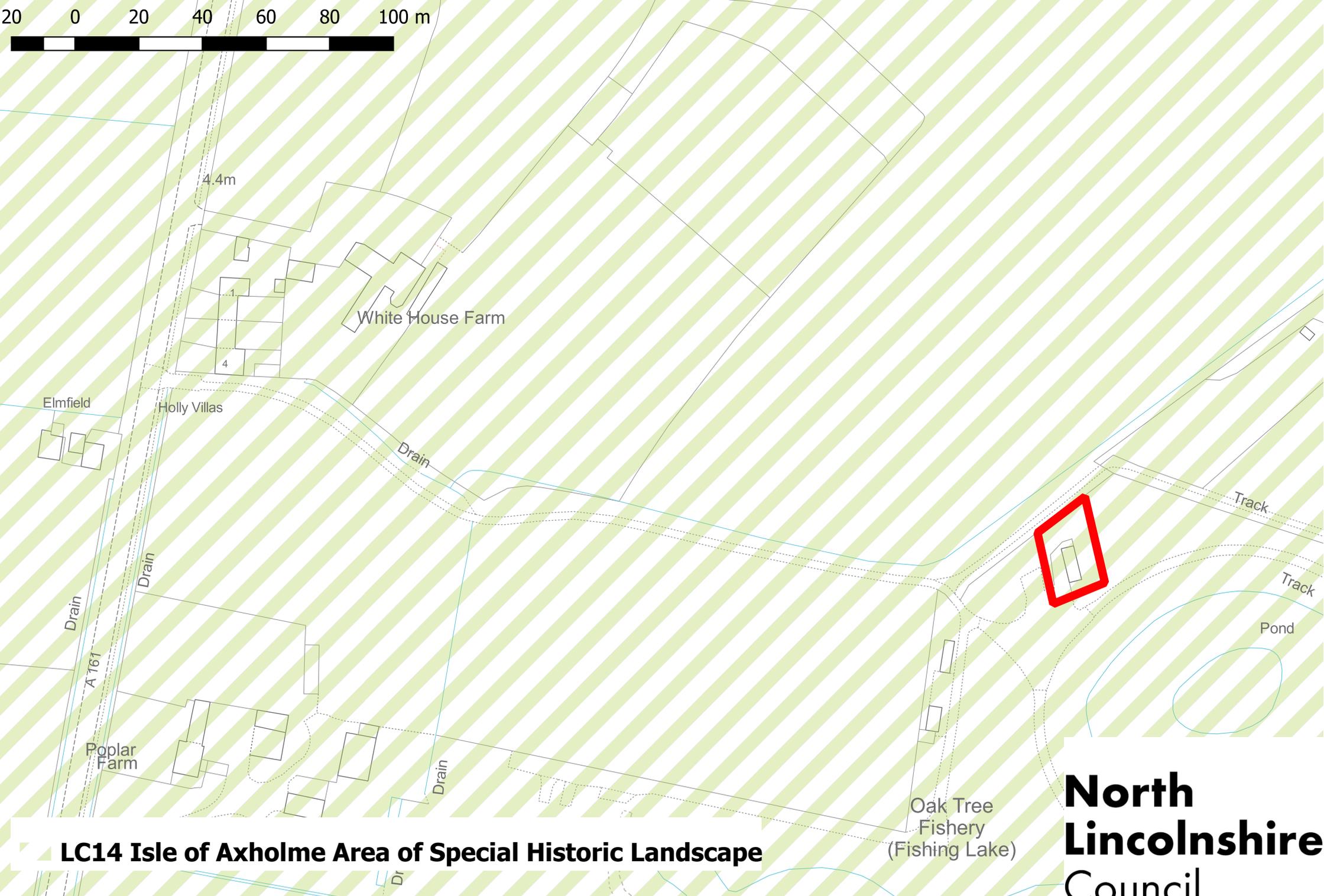
The occupation of the proposed residential mobile home shall be limited to a person solely or mainly working, or last working, at the commercial fishery, or a widow or widower of such a person, and to any resident dependants.

Reason

In the interest of protecting the open countryside and to accord with policy 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.



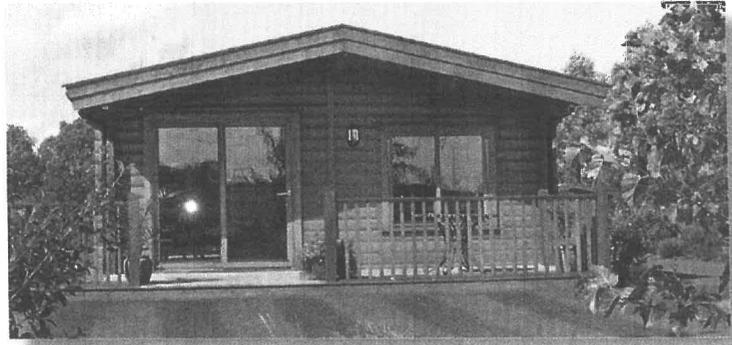
**LC14 Isle of Axholme Area of Special Historic Landscape**

Oak Tree Fishery (Fishing Lake)

**North  
Lincolnshire  
Council**

**PA/2020/1017**

# Norwegian Log transportable log homes



## Introduction

Welcome to Norwegian Log's design portfolio, an easy-to-use guide to help you choose from our standard transportable homes. They all comply fully with the Caravan Act as mobile homes, which means they are exempt from Building Regulations. And they are the only mobile homes available in the UK to Norwegian Log's high standard of log construction.

With up to four bedrooms and two bath/shower rooms - including ensuite facilities - these homes are designed to meet a wide variety of needs, from private owners to leisure developers (see examples opposite). Our versatile standard designs are based on many years' experience, and we have found that they meet most clients' needs. However, we do have a bespoke design service available if you have a specific requirement.

## Key advantages

Norwegian Log transportable homes use solid log construction, which means they offer so much more than caravans, chalet-vans or prefabs.

- Stylish interiors, and low external visual impact - ideal for environmentally sensitive areas
- Natural thermal insulation from solid log for year-round comfort - cool in summer, warm in winter
- Only minimal maintenance needed - indefinite lifespan and low running costs

## Further Information

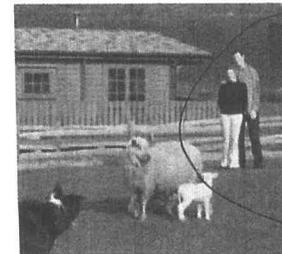
For your copy of our full-colour brochure, or further information on specifications and prices, please contact Norwegian Log (details on back cover)

## Norwegian Log transportable homes - typical applications



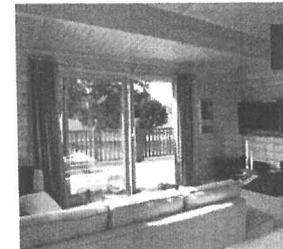
### Your Home/Annexe?

- Ideal replacement for your existing mobile home, or as an annexe
- Makes the most of your Certificate of Lawful Development (CLD)



### Rural Employer?

- Comfortable accommodation for your family or employees
- Meets requirements of NPPF (National Planning Policy Framework) - Paragraph 55



Harleyford Estate, Marlow

### Holiday home owner?

- Light, spacious - and perfect for year-round use
- A solid asset with enhanced letting potential

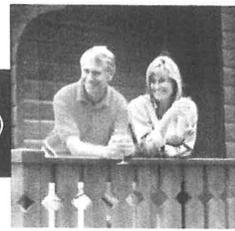


Cottesmore Lodges, Sussex

### Leisure developer?

- Quick and simple delivery - from order to site in just weeks
- Visibly higher quality that visitors appreciate

## The Mendip 3 bedrooms - 128.18m<sup>2</sup> Floor Area (1380 sq.ft.)



**Norwegian Log**

Room Dimensions -  
Imperial measurements

Lounge: 21' 2" x 14' 1"

Dining Room: 14' 4" x 9' 11"

Kitchen: 14' 4" x 11' 0"

Utility Room: 11' 1" x 6' 11"

Bedroom 1: 14' 3" x 12' 0"

Dressing Room:  
7' 10" x 6' 11"

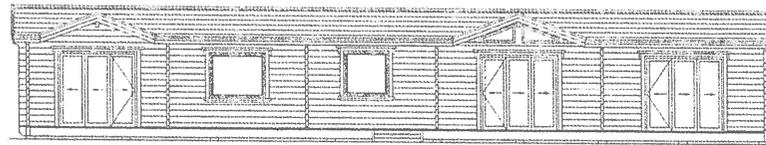
Shower Room: 6' 0" x 6' 11"

Bedroom 2: 12' 0" x 10' 0"

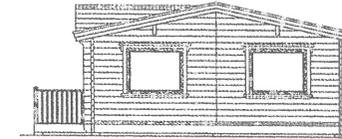
Bedroom 3: 11' 1" x 10' 0"

Bathroom: 9' 10" x 6' 11"

*The various options shown here  
for furniture and fittings are  
for illustration purposes only*



Elevations/Scale 1:200



Floor Plan/Scale 1:100

