

<b>APPLICATION NO</b>	<b>PA/2022/1536</b>
<b>APPLICANT</b>	Mr Lee, Adwick Caravans
<b>DEVELOPMENT</b>	Planning permission for additional and reconfigured static/lodge pitches, new reception block, new parking bays and new pond (including filling in the existing pond)
<b>LOCATION</b>	Epworth Fields Holiday Park, access road to farm off Blackdyke Road, Epworth, DN9 1JA
<b>PARISH</b>	Epworth
<b>WARD</b>	Axholme Central
<b>CASE OFFICER</b>	Emmanuel Hiamey
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Epworth Town Council Member 'call in' (Cllr Tim Mitchell - significant public interest)

## **POLICIES**

### **National Planning Policy Framework:**

Chapter 2: Achieving sustainable development

Chapter 4: Decision making

Chapter 6: Building a Strong, competitive economy

Chapter 9: Promoting sustainable transport

Chapter 11: Making effective use of land

Chapter 12: Achieving well-designed places

Chapter 14: Meeting the Challenge of climate change, flooding and coastal change

Chapter 16: Conserving and Enhancing the historic environment

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

Policy T2: Access to Development

Policy T19: Car Parking Provision and Standards

Policy RD2: Development in the Open Countryside

Policy DS1: General Requirements

Policy DS14: Foul Sewage and Surface Water Drainage

Policy DS16: Flood Risk

Policy R12: New Caravan and Camping Facilities

Policy LC7: Landscape Protection

Policy LC14: Area of Special Historic Landscape Interest

Policy T6: Pedestrian Routes and Footpaths

**North Lincolnshire Core Strategy:**

Policy CS1: Spatial Strategy for North Lincolnshire

Policy CS2: Delivering More Sustainable Development

Policy CS3: Development Limits

Policy CS5: Delivering Quality Design in North Lincolnshire

Policy CS6: Historic Environment

Policy CS15: Culture and Tourism

Policy CS17: Biodiversity

Policy CS19: Flood Risk

Policy CS25: Promoting Sustainable Transport

**New North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023. The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies regarding this application include:

Policy SS1: Presumption in Favour of Sustainable Development

Policy SS2: A Spatial Strategy for North Lincolnshire

Policy SS3: Development Principles

Policy SS5: Overall Housing Provision

Policy SS6: Spatial Distribution of Housing Sites

Policy SS10: Development Limits

Policy RD1: Supporting Sustainable Development in the Countryside

Policy DQE1: Protection of Landscape, Townscape and Views

Policy DQE5: Managing Flood Risk

Policy DQE6: Sustainable Drainage Systems

Policy CSC17: Camping and Caravan Sites

Policy HE2: Area of Special Historic Landscape Interest

## **CONSULTATIONS**

**Highways:** No objections subject to a condition. The officer has indicated that the proposals are for an additional 17 static lodges, but the removal of touring caravan/camping pitches will significantly decrease vehicle movements to and from the site.

**Environment Agency:** Has withdrawn their initial objection following the submission of an amended Flood Risk Assessment and Flood Warning Evacuation Plan and has recommended conditions.

**LLFA Drainage:** No objections subject to conditions. However, has commented that the revised proposals fail to provide sufficient information to enable a full assessment of the site to be carried out. For example, it is unclear as to what the existing surface water drainage arrangements/outfalls are and how the existing pond currently interacts with groundwater and what mitigation may/will be required by removing this feature.

**Severn Trent Water Limited:** No objection subject to conditions and informative comments.

**Isle of Axholme and North Nottinghamshire Water Level Management Board:** Surface water run-off rates to receiving watercourses must not be increased as a result of the development.

**Environmental Protection:** Has reviewed the application in terms of noise nuisance and contaminated land and has no objections subject to conditions.

**Environmental Health and Housing:** There is no indication that the proposed development meets North Lincolnshire Local Plan policy CSC17: Camping and Caravan Sites, section 3c. We would request that should planning permission be granted, this is on condition that evidence is supplied that the existing sewage facilities can be upgraded to accommodate the intensified use of the site. The proposed development does not appear to include sanitation or washing provisions for visitors using the touring pitches. We would request that should planning permission be granted conditions be imposed.

**Humberside Fire Brigade:** No objections.

**Humberside Police (Crime Reduction Officer):** No observations to make.

**Ecology:** No objection subject to conditions.

**Archaeology:** Retains their initial objection to the application following the amended information. The officer has indicated that the development would adversely affect the character, appearance and setting of the historic landscape contrary to the NPPF, Core Strategy policies CS5 and CS6, and local plan policies LC14, LC7, RD2, and DS1. No requirement for archaeological conditions.

**Public Rights of Way:** Neighbourhood Services have commented with regard to Public Footpath 77 on the Isle of Axholme definitive map (the statutory register of public rights of way in the area concerned). This heads eastwards from Blackdyke Road in the direction of West Butterwick via Newlands Cottage and Farm, the first approximately 340 metres of which, known as Newlands Lane, also apparently serves as the access to the holiday park. As a pedestrian highway maintainable as such at the public expense, the surface of this is vested in North Lincolnshire Council as highway authority. It should not, therefore, be altered or interfered with without the council's prior express approval. Furthermore, under the Road Traffic Act 1988 it is an offence to drive a mechanically propelled vehicle on a footpath without demonstrable lawful authority to do so (e.g. the owner of the site also owning the subsoil of the track bearing the footpath en route to the site, and he or she granting drivers an easement).

## **TOWN COUNCIL**

Objects to the application. The council has commented that it has considered the additional information submitted, however, has resolved that the supporting information is in parts inconsistent with the proposed development, and there are still concerns over access from the junction of Rectory Street and Newlands Lane to the site.

## **PUBLICITY**

A press advert and site notice have been displayed. Nine responses have been received, four from the same objector. The following concerns have been raised:

- impact on the historic landscape
- impact on the open farmland
- the proposal is not in keeping with the character of the area
- the proposal would erode the special character of the open countryside
- damage to the road
- traffic
- public safety on the road
- noise nuisance
- harm to biodiversity
- flood risk
- foul water
- the design of the mobile homes
- setting up a shop
- security of the residents of Newlands Lane

- antisocial behaviour
- Public Footpath 77 on the Isle of Axholme definitive map (the statutory register of public rights of way in the area concerned).

## **ASSESSMENT**

This application was deferred at a previous meeting of the planning committee to allow members to visit the site before making a decision.

### **Planning history**

- PA/2015/1050: Planning permission to vary condition 6 of PA/2003/0344 to allow permanent habitation of the manager's caravan on plot 3 – refused 12/10/2015 and dismissed at appeal (APP/Y2003/W/16/3146133) 07/04/2017.
- PA/2014/0634: Planning permission to vary condition 6 of planning permission PA/2003/0344 so that plots 4 and 5 can have residential rights for the owner and manager and plots 1, 7, 8, 9, 15, 18, 22 and 24 can have a residential status for mobile homes – refused 09/01/2015.
- PA/2007/1482: Planning permission for an extension of the existing caravan holiday home park with associated roads and hardstanding (re-submission of PA/2006/1834) – refused 08/10/2007 and dismissed at appeal (APP/Y2003/A/08/206616/NWF) 04/06/2008.
- PA/2006/1834: Planning permission for a change of use of land to a static caravan holiday home park with associated roads and hardstanding – refused 12/04/2007.
- PA/2003/0345: Planning permission to excavate land to form a fishing lake and wild bird haven and use excavated material to form a windbreak/screen – approved 21/07/2003.
- PA/2003/0344: Planning permission to change the use of land to a caravan park (static and touring) – approved 24/07/2003.
- PA/2003/0240: Planning permission to convert a disused barn into 6 self-contained holiday cottages – approved 24/07/2003.

### **Site description and proposal**

Planning permission is sought for additional and reconfigured existing static/lodge pitches, a new reception block, new parking bays and a new pond (including filling in the existing pond) at Epworth Fields Holiday Park, off Blackdyke Road, Epworth.

The site is outside the development boundary of Epworth and is an established holiday park. A field to the east of the site is currently used as a recreational park for visitors to the holiday park. The field is grassed and contains picnic tables and caravans which have permitted development rights to remain on the field for 28 days. The field is sufficiently screened by mature trees.

This proposal seeks to provide additional facilities at the site to meet the demands of the business.

By way of background, the original proposal involved moving the existing pond to the field and erecting new static/lodges within the footprint of the pond plus a new one-and-a-half-storey reception block within the site at the vehicular entry point. Furthermore, the proposal sought to erect additional static/lodges on the field to the east of the site.

Following concerns raised by the planning department, the applicant has downsized the proposed development. Currently, the revised proposal would add 17 new static/lodges to the existing site. The pond would be relocated to the field as originally proposed to enable the 17 new static/lodges to be located within the existing site.

Currently, there are a total of 24 static/lodges on the site. With the addition of 17 new static/lodges, the overall number of static/lodges on the existing site would be 41. There would be no static/lodges on the grass field to the east of the site as originally proposed.

Discussions took place between the applicant and the planning department with regard to the one-and-a-half-storey reception block. The planning department recommended it be lowered to single-storey, but the applicant responded that the proposed one-and-a-half-storey reception block was recommended by the Environment Agency in the interest of public safety, as a safe refuge area. Accordingly, the planning department accepted the Environment Agency's recommendation as the justification for a one-and-a-half-storey reception block on the site.

Regarding the planning history of the site, planning permission PA/2003/0240 was approved on 24/07/2003 to convert a disused barn on the site into six self-contained holiday cottages. PA/2003/0344 was also granted for planning permission to change the use of land to a caravan park (static and touring) on 24/07/2003. This established the principle of a caravan park (static and touring) on the site.

Furthermore, planning permission PA/2007/1482 for an extension of the existing caravan holiday home park with associated roads and hardstanding (a resubmission of PA/2006/1834) was refused on the basis that the site is located within the open countryside and the Isle of Axholme Area of Historic Landscape Interest. The proposed siting of the caravans in this exposed position does not benefit from adequate landscaping, and the number of caravans proposed would harm the character, setting and appearance of the historic landscape.

In addition, in determining PA/2007/1482 the local planning authority did not consider that this type of development could be regarded as a small-scale tourist and recreational development that is related to the historic landscape and features by the number of caravans proposed and the siting of the site in such a prominent location within this area of an open flat landscape. The proposal was therefore contrary to policies RD2, LC14 and DS1 of the North Lincolnshire Local Plan and Planning Policy Statement 7: Sustainable Development in Rural Areas.

Planning appeal APP/Y2003/A/08/206616/NWF was also dismissed.

In this case, while the site is in the countryside, the current proposal is not an extension of the caravan park per se, but more lodges are to be placed within the existing caravan park site and therefore the reasons for refusal of the above application and the dismissed appeal would not apply.

In support of the proposal, the applicant has indicated that they purchased Epworth Fields Holiday Park in October 2021 as an investment opportunity to continue the operation of the site as a caravan park and invest in the reconstruction of the holiday cottages, infrastructure of the roads, curbing and the creation of driveways for the holiday homes.

The applicant indicated that, as part of the reconstruction of the caravan park, the proposed reception block would serve as the first place of call by visitors and its primary function is to greet visitors and provide information or advice.

The reception block would be constructed in the same brickwork, tiled roofs, doors, and windows as the holiday cottages adjacent to the site.

Regarding the pond, the applicant has indicated that the current pond area was not constructed correctly and does not hold water, which is not good for the fish, wildlife, or the visual appearance of the park. The design of the pond is not appropriate because it is a bowl shape and the fishing pegs are sited too close together, which is not a good design of a pond and is not suitable for public safety. Furthermore, the pond is not cost-effective, and it is better to move it to the field to the east of the site which is currently a camping field.

The business model would be to concentrate on the holiday lodges rentals market, therefore ceasing caravanning and camping. The business would provide employment opportunities, such as receptionists, sales teams, cleaners, maintenance teams and groundskeepers, which would hopefully be sourced from the surrounding villages.

The business would promote Epworth's fantastic tourist attraction, not only because of the history of the Wesley brothers, the old rectory, and the attractive market town but with the addition of accommodation.

## **Key issues**

**The main planning considerations in assessing this application are:**

- **principle of development**
- **impact on character and appearance**
- **impact on residential amenities**
- **Contaminated land and noise impact**
- **Highway safety**
- **Flood risk and drainage**
- **archaeology**
- **ecology.**

## **Principle of the development**

As indicated earlier, planning permission PA/2003/0240 to convert a disused barn on the site into six self-contained holiday cottages and PA/2003/344 to change the use of the land to a caravan park (static touring) were both approved on 24/07/2003. This proposal does not

involve an extension of the site, as the proposed statics/lodges are located within the existing site area where the current statics/lodges are located. The pond would be relocated to the field to the east (the camping field). The proposed new pond would serve as a fishing pond and wildlife zone. Ponds are important breeding grounds for different wildlife species and serve as shelter and even drinking/feeding locations for other wildlife. The pond is therefore an appropriate development in the countryside.

Furthermore, the increase in the overall number of static/lodges plus the new reception block would be located within the existing site. Accordingly, the principle of a caravan park (static touring) on the site has already been established.

The National Planning Policy Framework (NPPF) places a strong emphasis on economic development in rural areas, noting that the sustainable growth and expansion of all types of business in rural areas should be supported. Paragraph 84 Section (c) of the NPPF supports sustainable rural tourism and leisure developments which respect the character of the countryside.

Chapter 2 (Achieving sustainable development) of the NPPF also notes that development proposals should be considered in the context of a presumption in favour of sustainable development. This should be considered carefully in the context of the rural location of the application site.

Policy RD2 (Development in the Open Countryside) states that development in the open countryside will be strictly controlled. Planning permission will only be granted for development which is essential to the efficient operation of agriculture or forestry, and employment-related development appropriate to the open countryside among other criteria.

Policy R12 (New Caravan and Camping Facilities) supports new caravan and camping facilities for both touring and static provided the development is closely associated with existing or proposed recreational and tourist attractions and is of an appropriate scale having regard to the size and type of attraction with which it is associated, and the site can be suitably screened by existing landforms and or the provision of a scheme of landscaping. The provision of any built development would be restricted to those essential facilities which are required to service the site.

Epworth Fields Holiday Park is an established rural business looking to improve its facilities and diversify the business with on-site holiday accommodation. The facilities will offer local and rural visitor-based businesses. The business will create additional employment opportunities, vital in rural locations and would make a valuable contribution towards providing inexpensive visitor accommodation in the area.

Overall, the proposal is considered an appropriate development on the established site and will promote the existing business operations.

Based on the above policies, the principle of development is acceptable.

### **Impact on character and appearance**

Policy DS1 (General Requirements) is concerned with the impacts of development on residential amenity. It states, '...No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.'



Core Strategy policy CS5 (Delivering Quality Design in North Lincolnshire) requires that 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 if it is appropriate for its location and is informed by its surrounding context. A design that is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.

In considering the layout of the site, it is judged acceptable as an overall 41 static/lodges (the existing 24 static/lodges plus 17 new static/lodges) would fit well into the site.

In considering the design, the scale would be acceptable as the development would not be significantly increased to the detriment of the site and the environment.

Static/lodges tend to have simple and subtle designs, finished in timber effect cladding with low-pitched roofs. Conditions would be applied to any permission granted requiring details of the design of the static/lodges to be submitted for approval to ensure that they do not become an intrusive feature within the site and surrounding area and are designed to a high standard.

In terms of the proposed one-and-a-half-storey reception block, as indicated earlier, the applicant has confirmed that it was proposed to meet the requirements of the Environment Agency in the interest of public safety. The scale of the reception block is acceptable.

Turning to the existing use of the field to the east of the site for recreational purposes, this proposal would not alter the current use and therefore does not require a change of use of the land.

The grass field would be retained as it stands and touring caravans and tents could continue the use of the site under permitted development rights, which allows caravans to remain on the field for 28 days. It is also worth noting that the field is sufficiently screened by mature trees and therefore does not raise any additional issue of landscape impact as existing. The proposed pond on the grass field is acceptable as it is appropriate development in the countryside and would be appropriately managed by the applicant.

Overall, the siting and layout of the lodges would be acceptable, and planning conditions will be used to secure acceptable details of the lodges/static; therefore, the proposal would comply with policies DS1 of the local plan and CS5 of the Core Strategy.

### **Impact on residential amenity**

The NPPF states that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. Further to this, the NPPF advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

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

Policy DS1 (General Requirements) expects a high standard of design in all developments in both built-up areas and the countryside and proposals for poorly designed development

will be refused. It requires that all proposals be considered against the quality of the design and amenity, among others.

This proposal is well distanced from any neighbouring dwelling and therefore would not result in any concern in terms of overbearing impact, overlooking or privacy on any residential amenity.

Regarding the impact on neighbouring land, it is not anticipated the pond would raise an issue because there are no properties nearby. In general, the creation of the pond would not affect any neighbour's drainage system or property.

### **Contaminated land and noise impact**

The Environmental Protection team has commented on contaminated land and noise and has no objection.

On noise, the Environmental Protection team officer has indicated that the applicant has now submitted additional information and has amended the site layout resulting in an additional 17 static caravans/lodges instead of the previously proposed 47.

The applicant has also submitted photographs to demonstrate that the access road to the site has been recently tarmacked. Furthermore, a noise management plan and site rules document has been submitted with the application, which places controls on the site to limit noise disturbance to nearby residents. A condition was recommended that no vehicles shall enter or leave the site between 11pm and 7.30am except in the case of emergency. This condition would not meet all the six tests set out in the PPG for planning conditions and is not recommended to be imposed on the planning permission. It must also be noted that planning permission PA/2003/0344 for the existing static and touring caravans does not include this condition.

On contaminated land, the proposals include the infilling of an existing pond which will then be relocated within the southern part of the site. The department then recommends the inclusion of a condition should planning permission be granted.

It is therefore judged that the proposal would accord with policy DS11 of the North Lincolnshire Local Plan.

### **Highway safety**

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by satisfactory access. Policy T19 is concerned with parking provisions as well as general highway safety.

Highways have reviewed the proposal and have no objection subject to a condition requiring that the internal access roads and parking facilities serving the site are provided. Once provided these facilities shall be retained.

### **Flood risk and drainage**

Policy CS19 of the Core Strategy is concerned with flood risk and policy DS14 is concerned with foul sewage and surface water drainage.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) requires that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary for such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

The above policies aim to steer new development to flood zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in flood zone 1, local planning authorities in their decision making should consider the flood risk vulnerability of land uses and consider available sites in flood zone 2 (areas with a medium probability of river or sea flooding), applying the exception test if required. Only where there are no reasonably available sites in flood zones 1 or 2 should the suitability of sites in flood zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the exception test if required. Within each flood zone, surface water and other sources of flooding also need to be taken into account in applying the sequential approach to the location of the development.

The site lies in flood zone 2/3a and is therefore at high risk of flooding. A Flood Risk Assessment (FRA) has been submitted, along with a Flood Warning & Evacuation Plan.

The FRA contains an assessment of the sequential and exception tests.

The report confirms that the development site lies partly within zone 3 of the Environment Agency Flood Map (version 2.8.2), being the zone with a risk of 1 in 200 year (0.5% AEP) or greater for tidal/coastal flooding. The proposed development is for short-term holiday lets and as such is more vulnerable. Because of the above, an exception test is required.

Mitigation measures have been proposed. These include:

- raising floor levels/land raising;
- emergency access and egress;
- flood resilience measures;
- flood warnings;
- a flood evacuation plan; and
- control of run-off.

In conclusion, the report has demonstrated that there is a risk of flooding from the nearby River Trent; however, the mitigation measures recommended in the report should provide betterment and ensure that the risk is reduced.

The planning department has no adverse comments to make on the assessment of the sequential and exceptional tests as the applicant has successfully demonstrated that there are no reasonably available alternative sites at lower risk of flooding, especially as this proposal is an extension to the existing holiday let static caravan business operating on the site. While the proposed development is for short-term holiday lets, and as such is considered to be more vulnerable, the flood risk assessment indicates that the Groundwater Vulnerability Map and Source Protection Zones produced by the Environment Agency show that the district

is not underlain by an aquifer and are therefore unlikely to be a source of significant flood risk. Accordingly, the proposed uses of the site are acceptable in terms of their vulnerability.

The LLFA has commented that the revised proposals still fail to provide sufficient information to enable a full assessment of the site to be carried out. For example, it is unclear what the existing surface water drainage arrangements/outfalls are, and how the existing pond currently interacts with groundwater and what mitigation may/will be required by removing this feature. Taking the above into consideration, they have recommended conditions.

The Environment Agency has commented following the submission of an amended Flood Risk Assessment and a Flood Warning and Evacuation Plan. The amended FRA now proposes raising the floor levels of the caravans slightly higher than previously and includes further consideration of the 'safe refuge' area on the first floor of the reception building. The Environment Agency has removed their initial objection subject to conditions.

In general, the proposal complies with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the Core Strategy, and paragraphs 155, 157, 163 and 165 of the NPPF.

## **Archaeology**

The Archaeology officer has been consulted on the revised drawings. Initially, they objected to the application on the basis that the site is within the Area of Special Historic Landscape Interest of the Isle of Axholme (local plan policy LC14). This area is designated for its unique historic landscape retaining the pattern of ancient open strip fields and enclosures surrounding the villages on the Isle.

The officer indicated that the application site is within the Recent Enclosed Land character type and the setting of the Early Enclosed Land. The proposed development introduces static residential units and an amenity building into a grass field and would be an unacceptable extension and intrusion of the built environment into the historic landscape, contributing to adverse character change and affecting the setting and legibility.

Accordingly, the development would adversely affect the character, appearance and setting of the historic landscape contrary to the NPPF, Core Strategy policies CS5 and CS6, and local plan policies LC14, LC7, RD2, and DS1.

The officer was reconsulted on the revised drawing, however, retained their objection. The officer noted that the amended layout shows the removal of the pitches and structures within the eastern field. Though, the proposed fishing pond has remained within the eastern field. In addition, the officer was concerned that the proposed two-storey reception block resembles a dwelling and is oversized for the proposed function (i.e., reception for the business and refuge area in case of flooding).

The planning department has reviewed and considered the comments from the Archaeology officer. Following discussions with the applicant, the initial two-storey reception block has been revised to a one-and-a-half-storey reception block and should be supported because it is an improvement over the initial two-storey reception block proposed. It is worth noting that the ground floor would be the reception area where people can get information or advice, and the first floor would be the refuge area as requested by the Environment Agency in the event of flooding.

The planning department also believes that the scale and position of the current reception block would not be worse than the impact of the two-storey six self-contained holiday cottages nearby.

Overall, the scale of the current one-and-a-half-storey reception block would not significantly impact the landscape.

Regarding the comments on the proposed fishing pond on the field, the site is a grass field, sufficiently screened by mature trees. The field has picnic tables and caravans which are allowed on the field for 28 days under permitted development rights. Planning conditions would be applied to the decision notice to ensure that it is retained.

The planning department acknowledges that pond creation can be both a threat and an opportunity for archaeology. Digging holes in areas that are scheduled ancient monuments raises concerns. Notwithstanding the above, the creation of the pond is not anticipated to raise an archaeology issue. HER have confirmed that no archaeological conditions are required for the proposed pond.

Overall, the appearance and quality of the landscape would not be significantly harmed by the creation of the pond. Furthermore, it would create beneficial features such as new habitats and would be in keeping with the landscape. The pond is unlikely to impact negatively on the Area of Special Historic Landscape Interest of the Isle of Axholme, though designated for its unique historic landscape retaining the pattern of ancient open strip fields and enclosures surrounding the villages on the Isle. On balance, the proposal will not result in demonstrable harm to the LC14 area in this location due to the screening around the site and its overall siting.

## **Ecology**

Policy CS17 (Biodiversity) is primarily about conserving and enhancing North Lincolnshire's wildlife, including intertidal and peat moor locations and supporting a richness of biodiversity that will underpin the creation of sustainable neighbourhoods and green tourism.

The applicant has submitted a Preliminary Ecological Appraisal.

The ecology officer has reviewed the proposal and the Preliminary Ecological Appraisal and has no objection subject to conditions and informative comments. The officer has indicated that the proposal is unlikely to affect protected or priority species, other than nesting birds. The officer has recommended conditions be applied to minimise harm to protected and priority species and habitats and to seek a measurable net gain in biodiversity in accordance with policy CS17, the National Planning Policy Framework and Biodiversity Metric 3.1.

The officer has commented that with this proposal, biodiversity enhancement should be secured by:

- planting locally appropriate trees, shrubs and hedgerows of high biodiversity value and perhaps local heritage varieties of fruit trees;
- assuming the new pond will be stocked with fish, considering creating additional unstocked ponds for wildlife;
- enhancing the grassland sward and pond margins with UK origin wildflower seeds, plugs or plants, appropriate to the local area;

- installing bat boxes and nest boxes in retained trees; and
- the use of pollinator-friendly plants in any formal planting areas.

To make sure that biodiversity net gain is quantified and deliverable, the applicant is advised to make use of Defra's Biodiversity Metric Version 3.1.

The proposal, therefore, complies with policy CS17.

### **Public comments**

The concerns raised in the public comments such as the impact of the proposal on the historic landscape, on open farmland, on the character of the area and the open countryside, as well as damage to the road, traffic and public safety, noise nuisance, harm to biodiversity, flood risk and foul water have all been addressed in this report.

Concerning security and antisocial behaviour concerns for residents of Newlands Lane, as indicated earlier, Epworth Fields Holiday Park is an established rural business and the council has received no complaints of security issues or antisocial behaviour affecting residents of Newlands Lane because of the business.

Turning to concerns about Public Footpath 77 on the Isle of Axholme definitive map (the statutory register of public rights of way in the area concerned), this proposal does not affect any public right of way.

### **Town council comments**

Epworth Town Council has objected to the application on the basis that the proposal is inconsistent with the local development plan. They have raised concerns over access from the junction of Rectory Street and Newlands Lane to the site. Highways have not raised any issues or made any adverse comments regarding the proposal in general or any street or road maintained by the council.

### **Environmental Health and Housing comments**

The comments made are noted. Conditions in relation to sewage disposal are recommended in this report. Comments in relation to touring pitches facilities are noted but touring pitches do not form part of this application. The applicant will need to ensure satisfactory refuse disposal arrangements to serve this development.

### **Conclusion**

The principle of the development on the site has been established by the grant of planning permission PA/2003/0240 to convert a disused barn on the site into six self-contained holiday cottages and PA/2003/344 to change the use of land to a caravan park (static touring) on 24/07/2003.

Furthermore, the additional and reconfigured static/lodge pitches, new reception block, new parking bays and new pond (including filling in the existing pond) as submitted under the amended drawing are acceptable.

The proposal looks to enhance and protect the existing rural business, and provide new visitor facilities, for visitor enjoyment of the countryside and is acceptable.

There would be no significant harm to the landscape or rural area, in general, arising from the proposal that would warrant refusal. There are provisions within the development to mitigate any adverse impact on the site subject to conditions. The design of the lodges would match the existing lodges and is acceptable.

In terms of advantages, the proposal would result in economic benefits to the local area arising from the potential increases in visitor numbers. There are no heritage, highway safety, drainage (subject to conditions) or residential amenity impacts that would result in any demonstrable harm being caused. The proposal is therefore recommended for approval.

### **Pre-commencement conditions**

The pre-commencement condition included in the recommendation has been agreed with the applicant.

### **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:

- Topographical Survey 0482/10/001
- Existing Site Plan NLEF 001
- Viewpoints NLEF 007
- Proposed Site Plan NLEF 009
- Proposed Plan & Landscape NLEF 012
- Reception Block Dormer NLEF 013
- Materials for Reception Building October 2022.

#### **Reason**

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

3.  
No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. This must be based upon the submitted Flood Risk Assessment, Rev: C, submitted by: EWE Associates Ltd, Dated: January 2023.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in a 100-year critical storm (including an allowance for climate change, which should be based on current national guidance) will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to

secure the operation of the scheme throughout its lifetime so that flood risk, both on and off the site, is not increased. SuDS must be fully considered in accordance with current PPG guidance. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above-ground solutions.

#### Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 159 to 169 of the National Planning Policy Framework.

4.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 3 above, completed prior to the occupation of any lodge/static caravan within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

#### Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 159 to 169 of the National Planning Policy Framework.

5.

No development shall take place until details of the disposal of foul sewage from the development hereby permitted have been submitted to and approved by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

#### Reason

To ensure satisfactory disposal of foul water in accordance with policy DS14 of the North Lincolnshire Local Plan.

6.

Works shall be carried out strictly in accordance with the recommendations in sections 5.2.2 to 5.6.2 of the submitted Preliminary Ecological Appraisal report.

#### Reason

To conserve biodiversity in accordance with saved policy LC5 of the North Lincolnshire Local Plan, and policies CS5 and CS17 of the Core Strategy.

7.

Within three months of the commencement of development, the applicant or their successor in title shall submit a biodiversity management plan to the local planning authority for approval in writing. The plan shall include:

- details of bat roosting features to be installed in retained trees;



- details of nesting sites to be installed to support a variety of woodland and farmland bird species;
- restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- prescriptions for the planting and aftercare of native trees, shrubs and hedgerows of high biodiversity value;
- proposals for grassland sward enhancement and management;
- details of the pond and wetland habitat to be created;
- details to confirm that the measures proposed will provide a measurable net gain in biodiversity value of at least 1% in accordance with the Defra biodiversity metric 3.1;
- proposed timings for the above works in relation to the operation of the caravan pitches.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

8.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter unless otherwise approved in writing by the local planning authority. Prior to the completion of the approved development, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the biodiversity management plan.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

9.

The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref 2022/2923, Final Report RevC January 2023, compiled by EWE Associates Ltd) and the following mitigation measures details:

- Finished floor levels of the caravans shall be set no lower than 3.1 metres above Ordnance Datum (AOD).
- The caravans shall be securely anchored to the ground.
- The caravans shall be for short-term holiday lets only.
- Finished floor levels of the reception block shall be set no lower than 2.5mAOD.
- The reception block shall have a first-floor safe refuge which will have finished floor levels set no lower than 4.1mAOD.

These mitigation measures shall be fully implemented prior to occupation and subsequently retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants and ensure the caravan units do not become dislodged during flooding.

10.

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 human health.

11.

No pitches/lodges/statics shall be brought into use until the internal access roads and parking facilities serving them have been provided. Once provided these facilities shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

12.

Approval of the siting, design and external appearance of the static/lodges shall be obtained from the local planning authority in writing before any development is commenced. Plans relating to the siting, design and external appearance shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

In the interests of the amenity of the locality and to comply with policy DS1 of the North Lincolnshire Local Plan.

13.

No more than 17 additional lodges/static caravans are permitted on the site.

Reason

The site is in the open countryside where development is strictly controlled in accordance with policies RD2 of the North Lincolnshire Local Plan and CS3 of the North Lincolnshire Core Strategy, and to safeguard the character and appearance of the LC14 area and the amenity of the locality in accordance with policies CS5 of the Core Strategy and DS1 of the North Lincolnshire Local Plan.

14.

The lodges/static caravans permitted on the site shall be occupied for holiday purposes only and not as a person's sole or main place of residence. An up-to-date register of all occupiers on the site (including details of their home address) shall be maintained and this information shall be made available at all reasonable times to the local planning authority.

#### Reason

To ensure the approved holiday accommodation is not used for unauthorised permanent residential occupation in this countryside location in accordance with policies RD2 of the North Lincolnshire Local Plan, and CS3 and CS8 of the Core Strategy.

15.

The use of the site shall be for short-term use only and no lodge/static caravan shall be occupied on the site for more than 28 consecutive days in any 12 months. A logbook recording full details of the occupation (including dates and length of time of each occupation) of each lodge/static caravan shall be maintained and this information shall be made available at all reasonable times to the local planning authority.

#### Reason

The site is for holiday use only and is inappropriate for permanent residential development, being within the open countryside in accordance with policy RD2 of the North Lincolnshire Local Plan and policies CS3 and CS8 of the Core Strategy.

16.

The reception block/building shall remain ancillary to the main use of the site as a caravan holiday park at all times and not occupied as a separate planning unit without the prior permission in writing of the local planning authority.

#### Reason

The site is within the open countryside where development is strictly controlled in accordance with policy RD2 of the North Lincolnshire Local Plan. The reception block/building has only been approved on the site to support the existing tourism use operating on the site.

### **Informatives**

1.

The applicant will need to be aware of their obligations under the following legislation:

- Caravan Sites and Control of Development Act 1960 (as amended)
- Model Standards 1989: Holiday Caravan Site
- Model Standards 1983: Touring Caravan Site
- Electrical Safety Regulations 2020
- The Regulatory Reform (Fire Safety) Order 2005
- The Gas Safety (Installation and Use) Regulations 1994.

2.

All species of bat are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2017 making all species of bat European Protected Species. Details of the legislation can be found at:

- Wildlife and Countryside Act:  
<http://www.legislation.gov.uk/ukpga/1981/69/contents>
- The Countryside and Rights of Way Act:  
[http://www.opsi.gov.uk/acts/acts2000/ukpga\\_20000037\\_en\\_7#pt3-pb8-l1g81](http://www.opsi.gov.uk/acts/acts2000/ukpga_20000037_en_7#pt3-pb8-l1g81)
- The Conservation of Habitats and Species Regulations 2017  
[http://www.opsi.gov.uk/si/si2010/uksi\\_20100490\\_en\\_1](http://www.opsi.gov.uk/si/si2010/uksi_20100490_en_1)

3.

It is an offence under Section 1 of the Wildlife and Countryside Act of 1981 (WCA 1981) to intentionally take, damage or destroy the nest of any wild bird while it is in use or being built. The WCA 1981 also provides that all wild birds and their eggs are protected and cannot be killed or taken except under a licence.

4.

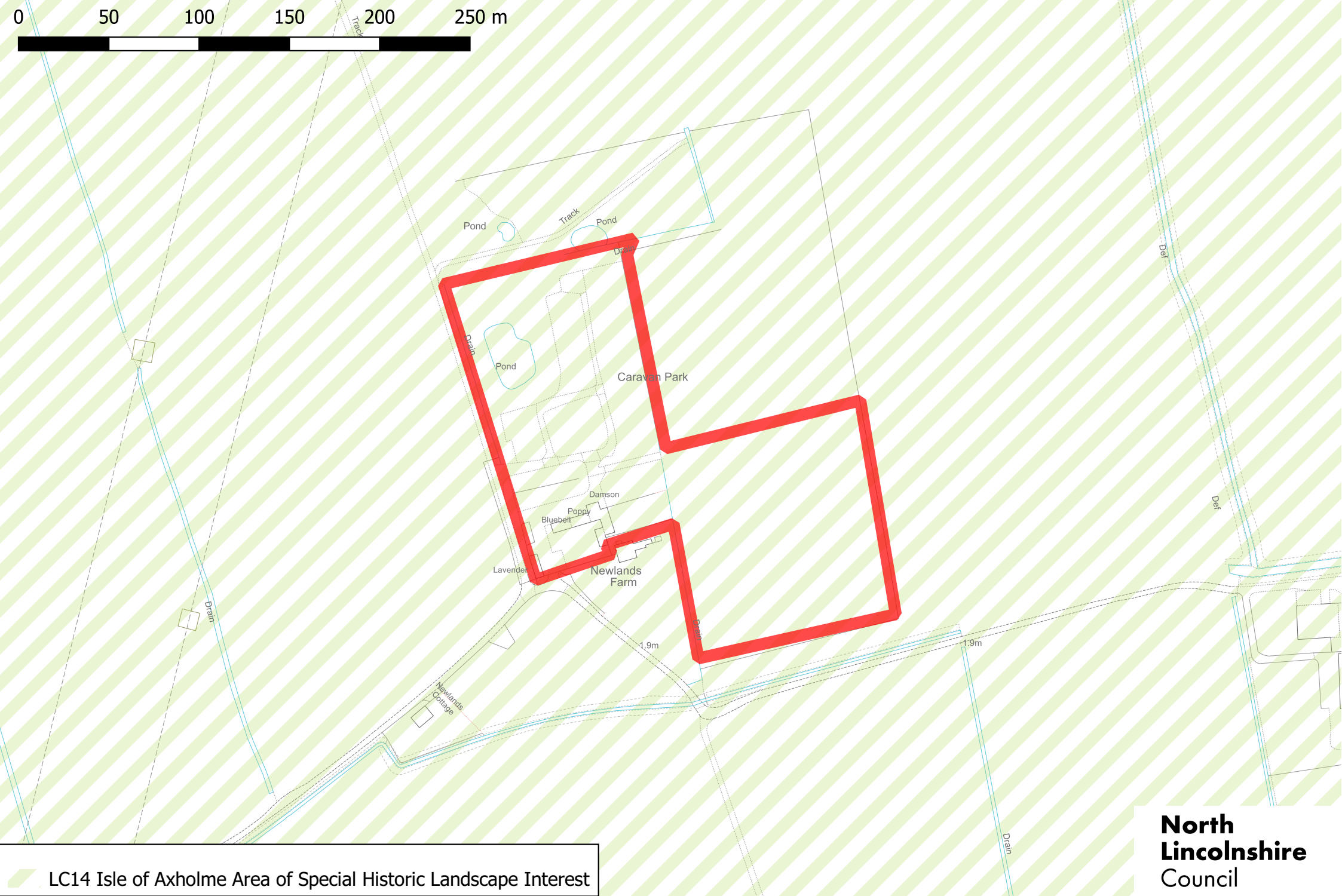
The applicant should be aware that in case of extreme flood events and flood infrastructure failure, the site could be inundated with water. This would be likely to result in significant damage to these structures, with a significant impact on the development: the applicant should recognise and accept these risks.

5.

Severn Trent Water advise that although statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you in obtaining a solution which protects both the public sewer and the building.

6.

In determining this application, the council, as a 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 Interest

**North  
Lincolnshire  
Council**

**PA/2022/1536**

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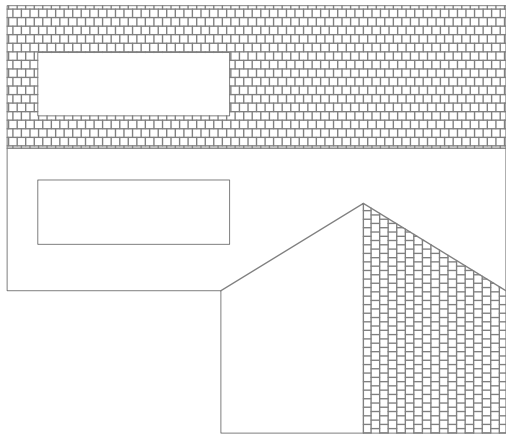
# PA/2022/1536 Proposed layout (not to scale)



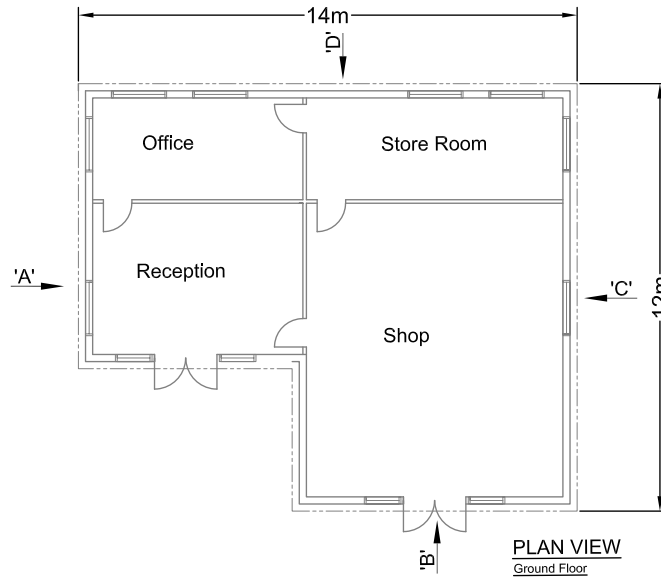
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Ref:	Scale @ A3	Date
NLEF 009	1:1250	JUL/23



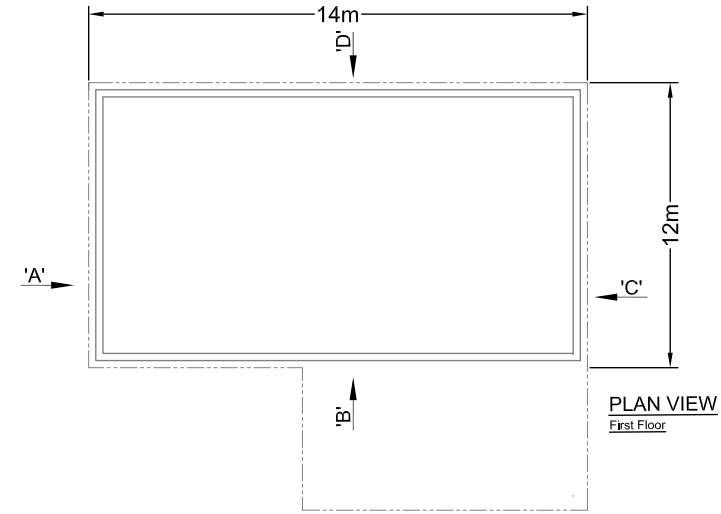
enquiries@marksimmondsplanningservices.co.uk  
Mark Simmonds  
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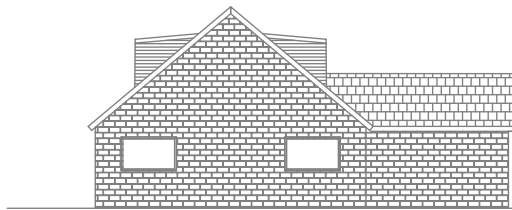
PLAN VIEW DETAIL



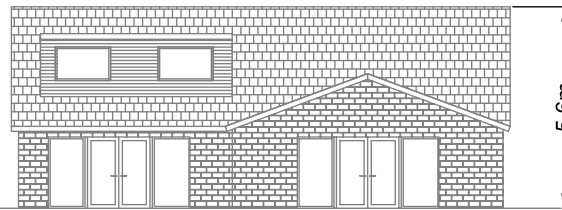
PLAN VIEW  
Ground Floor



PLAN VIEW  
First Floor

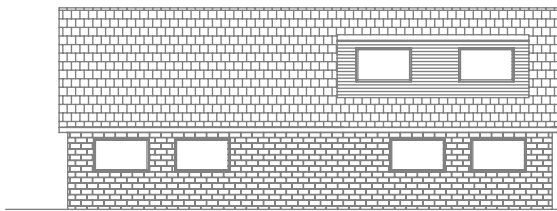


END ELEVATION  
VIEW ON 'A'

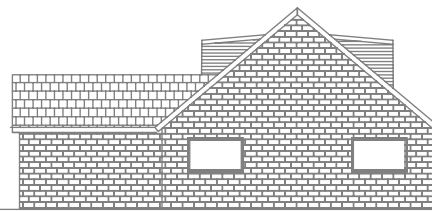


SIDE ELEVATION  
VIEW ON 'B'

**AMENDED**



SIDE ELEVATION  
VIEW ON 'D'



END ELEVATION  
VIEW ON 'C'

Drawing Title			enquiries@marksimmondsplanningservices.co.uk Mark Simmonds Director Mark Simmonds Planning Services Ltd Mercury House Willoughton Drive Foxby Lane Gainsborough DN21 1DY
RECEPTION BLOCK DORMER EPWORTH FIELDS NEWLANDS LANE			
Ref:	Scale @ A3	Date	
NLEF 013	1:150	JUN/23	