

APPLICATION NO	PA/2023/1059
APPLICANT	Paul Jones
DEVELOPMENT	Planning permission to site a shipping container
LOCATION	Netherholme, 53 Brethergate, Westwoodside, Haxey, DN9 2AA
PARISH	HAXEY
WARD	Axholme South
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council Member 'call in' (Cllr Judy Kennedy – large industrial building on the land, the area will turn into a brownfield site, no clear justification has been put forward and contrary to planning policy)

POLICIES

National Planning Policy Framework:

- 12 Achieving well-designed places
- 16 Conserving and enhancing the historic environment

North Lincolnshire Local Plan:

- RD2 Development in the open countryside
- DS1 General requirements
- LC14 Area of special historic landscape interest

North Lincolnshire Core Strategy:

- CS1 Spatial strategy for North Lincolnshire
- CS2 Delivering more sustainable development
- CS3 Development limits
- CS5 Delivering quality design in North Lincolnshire
- CS6 Historic environment

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 early 2024.

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 concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS11 Development limits

HE1 Conserving and enhancing the historic environment

CONSULTATIONS

Highways: No objection or comments.

LLFA Drainage: No objection or comments.

Archaeology: This proposal does not adversely affect any heritage assets of archaeological interest or their settings. The site is within the Area of Special Historic Landscape Interest of the Isle of Axholme (local plan policy LC14).

The nature, scale and use of the shipping container are such that I do not consider this proposal adversely affects the character of the landscape heritage asset or its setting at this location. No objection subject to standard conditions removing permitted development rights to avoid the unregulated extension of the built environment into the protected historic landscape area.

Environmental Protection: No objection or comments.

PARISH COUNCIL

Objects on the following grounds:

- unsure over the proposed use of the storage container
- the application does not stipulate whether it is for private or commercial use
- if it is for private use its size does not substantiate the number of animals on the land
- if for commercial use it may increase traffic
- noise and dust
- question whether it is policy compliant
- access to the site is not suitable.

PUBLICITY

Site notices have been displayed. Seven responses have been received objecting to the application and raising similar issues to the parish council together with the following:

- there is an ongoing appeal on the site
- no change of use of the land has been applied for
- the applicant has turned the area into a 'dumping ground'
- infestation of rats and vermin
- the storage container is excessive in size and its requirements
- object to its siting
- it would support a significant amount of livestock
- the container is out of keeping with the character and appearance of the historic landscape.

One response has been received in support of the application.

ASSESSMENT

Planning history

PA/2021/1188: Outline planning permission to erect 9 dwellings – pending

PA/2022/1101: Outline planning permission to erect 5 dwellings – refused 02/12/2022

Planning permission is sought to retain a metal storage container to the rear of 51a Brethergate. The application site consists of an area of land to the rear of the applicant's dwelling which is located to the south-east. The area is somewhat mixed in appearance with it seemingly used for the incidental parking of vehicles: it contains sheds, a polytunnel, building materials, tools and garden equipment, with an area laid to loose stone. Essentially, the land is used as a smallholding with a number of sheds and some animals on the land. The land is outside the defined settlement boundary for Westwoodside and the land to the north is laid to grass. The whole site is within the Isle of Axholme Area of Special Historic Landscape Interest and there are residential properties and a doctor's surgery to the east.

The main issues in the determination of this application are the principle of development, impact on the historic landscape and upon residential amenity.

Principle

Planning permission is sought to retain a metal storage container in connection with the use of the land as a smallholding. There is no planning history attributed to the wider application site marked in blue, but part of the land is used as a smallholding (with some animals on the land). The remainder of the land to the north is grassland with trees along the boundaries. Following a request from the case officer, the applicant has provided further information to substantiate the retention of the storage container in this location. The supporting statement

highlights it is to be used to store machinery and tools for the maintenance of the land, and to provide a more robust solution for the storage of animal feed and bedding, preventing vermin so that animal feed/bedding can be stored in bulk.

It is worth noting the local planning authority is only considering the retention of the storage container and its relationship to the use of the land, not any matters relating to the planning appeal for dwellings, the use of the land surrounding the container or whether the applicant has attempted to encroach into the countryside to extend their garden. The size of the storage container and the number of animals the applicant has is noted (in relation to proportionality) but the storage container does offer a more robust and secure method of storing animal feed/bedding, machinery and other maintenance equipment and would help prevent vermin. It would also offer additional space if the applicant were to purchase bedding/feed in bulk should they increase the number of livestock they currently have on the surrounding land (the intentions of which are set out in the applicant's supporting information). It may also transpire that the applicant does not require as many outbuildings or structures on the land as the retention of the storage container would displace their requirement.

The supporting information provided by the applicant demonstrates the storage container is to be used in connection with the use and maintenance of the land (namely a smallholding and grassland/trees) and that a commercial use has not been established. To ensure the storage container is used for the purposes associated with the land and for the avoidance of doubt, a condition is recommended that it is only used for the purposes set out in the supporting information received from the applicant. Should permission be granted, an informative is also included highlighting to the applicant that the grant of planning permission does not give permission for the garden to be extended.

The retention of the storage container on land to the rear of the applicant's property is considered to comply with policies RD2 of the North Lincolnshire Local Plan and CS3 of the adopted Core Strategy in that it is to be used for purposes related to agriculture.

Historic landscape

As noted in the consultation response from the council's archaeologist, the storage container is located on land beyond the applicant's rear garden, within the Area of Special Historic Landscape Interest on the Isle of Axholme (policy LC14 of the North Lincolnshire Local Plan). This is an area which is designated for its significant areas of medieval open strip fields and turbaries, both of which are of considerable national importance.

It is worth noting the storage container is to be retained on a section of land where a previous building once stood, thought to be a piggery. The storage container measures 6.1 metres x 2.44 metres with a height of 2.59 metres and is not considered to constitute a large, bulky, industrial structure on the land.

Within this area (the historic landscape) 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. In this case the siting and scale of the storage container is not considered to be at odds with the thrust of the policy as it does not form an alien or discordant feature in the historic landscape – it has been sited close to the rear of residential gardens (and not in the middle of the field to the north for example) and on the site of a former piggery. The storage container is not highly visible in the landscape, being screened by existing properties and sited 70 metres from the public highway to the south. In the wider area it is screened by existing trees along its northern, eastern and western boundaries and

is only accessible via the driveway which provides further screening with a fence and gate across the track 52 metres from Brethergate (B1396) to the south. The council's archaeologist has stated the nature, scale and use of the shipping container is such that it is not considered to adversely affect the character of the landscape heritage asset or its setting at this location.

To ensure greater visual assimilation into the rural landscape a condition is recommended that the storage container is painted a dark green colour, which the applicant has acknowledged they are prepared to do. In conclusion, it is considered that the retention of the storage container in this location does not form a highly visible or discordant form of development in the rural landscape and will not adversely affect the character, appearance or setting of the LC14 historic landscape.

Residential amenity

A number of objections have been received highlighting issues relating to the use of the land and whether a change of use has been made in that regard. The local planning authority can only assess the nature of what is being applied for, in this case the storage container and whether its retention has an impact on residential amenity. The container is sited 31 metres from the rear elevation of 51a Brethergate and, given the stated use of the container, it is not considered to result in loss of residential amenity through the effects of odour or noise, or through having an overbearing impact.

Some objectors have highlighted issues relating to the initial delivery of the container by an HGV and the inadequacy of the access, together with potential blocking of the access. The applicant would be able to accept bulk deliveries (such as animal feed/bedding) at the roadside, which could then be transported to the container via the driveway; this would negate any HGVs or large delivery vehicles attempting to access the driveway in future.

In conclusion, the retention of the storage container to the north-west of the applicant's property is not considered to result in loss of residential amenity and as such it is considered to comply with policy DS1 of the North Lincolnshire Local Plan.

Conclusion

In conclusion, it is considered the applicant has satisfactorily demonstrated to the local planning authority that the storage container is not to be retained for any commercial use on the land and that it will be used in connection with the smallholding and maintenance of the grassland. In addition, the retention of the storage container in this location is not considered to constitute development which is out of keeping with the character and appearance of the rural landscape and will not adversely affect the character, appearance and setting of the historic landscape in this case. Finally, the use and siting of the storage container is not considered to result in loss of residential amenity through the effects of noise, odour or having an overbearing impact. The application is therefore considered to comply with policies DS1, RD2 and LC14 of the North Lincolnshire Local Plan, and CS3, CS5 and CS6 of the adopted Core Strategy, and is recommended for approval.

RECOMMENDATION Grant permission subject to the following conditions:

1. The metal storage container hereby permitted shall only be used in connection with the purposes set out in the supporting email from the applicant dated 18 October 2023 (strictly for the storage of animal feed/bedding and for equipment in connection with maintenance of the grassland) and not for any domestic storage, commercial or business use at any time.

Reason

To define the terms of the permission, for the avoidance of doubt and to ensure the container is used for the purposes set out in the supporting information.

2.

Within 3 months of the date of this permission, the metal storage container hereby permitted shall be painted in a dark green colour and once it has been painted, it shall thereafter be retained in that colour.

Reason

To define the terms of the permission, in the interests of visual amenity and taking into account the location of the container within the rural and historic landscape.

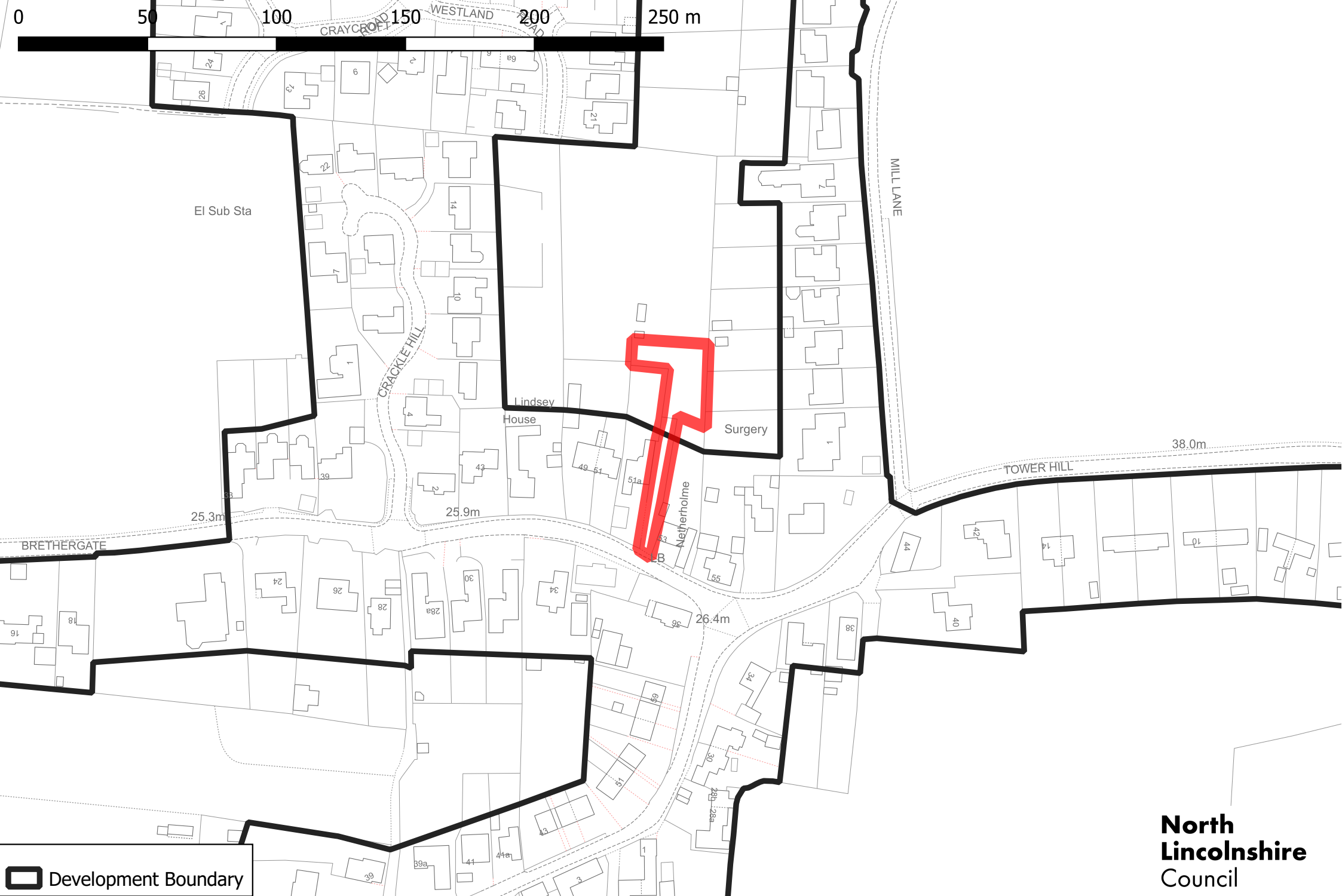
Informatives

1.

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.

2.

The granting of planning permission for the storage container does not grant any planning permission for the extension of the applicant's garden into the land marked in red on drawing DRWG/PA/2023/1059/01.



 Development Boundary

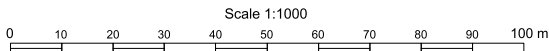
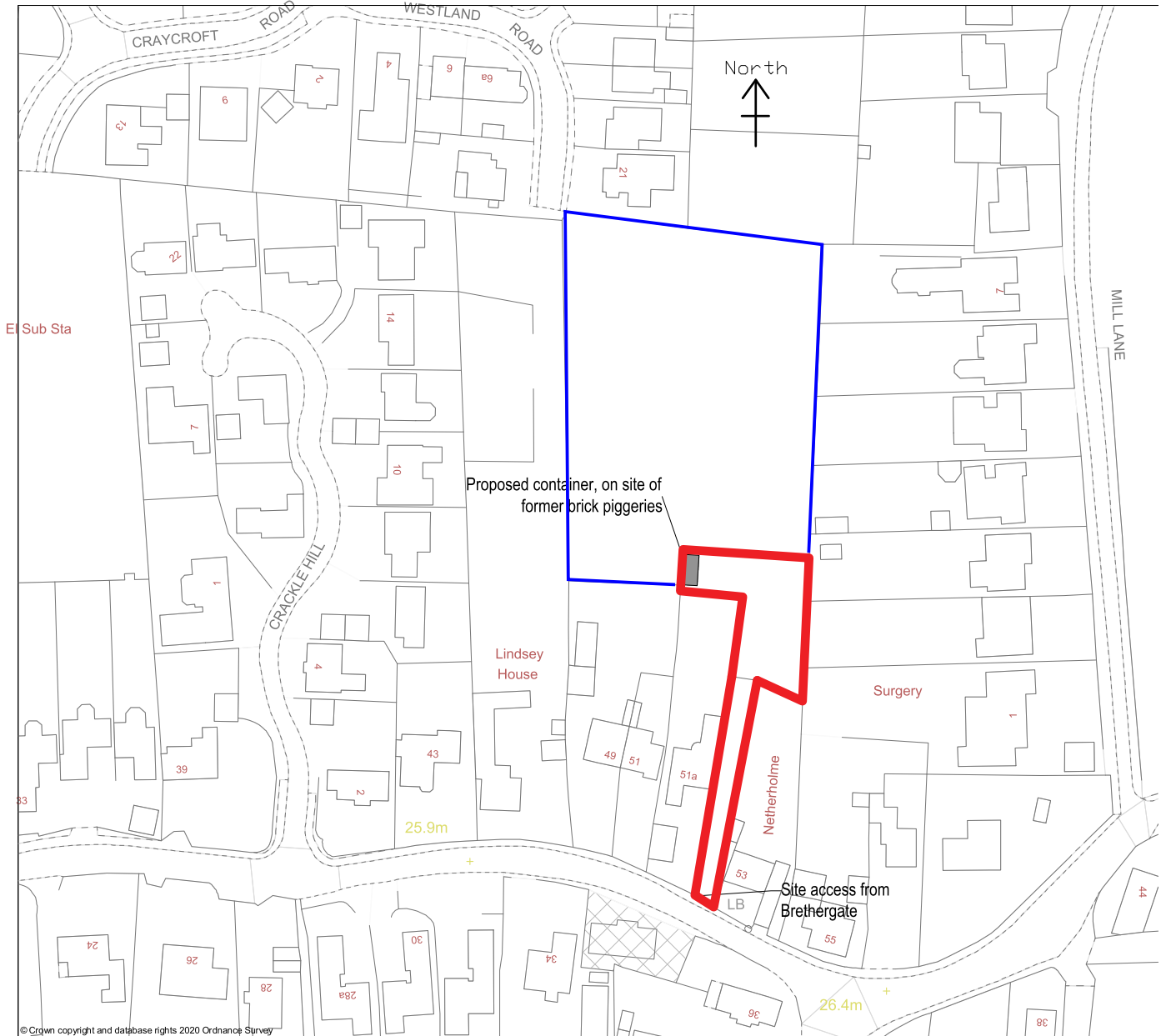
**North
Lincolnshire
Council**

PA/2023/1059

© Crown copyright and database rights 2023. Ordnance Survey AC0000819831

PA/2023/1059 Siting of container (not to scale)

DRWG/PA/2023/1059/01



Projection: British National Grid