

APPLICATION NO	PA/2023/10
APPLICANT	Mrs Sharon Pinkerton
DEVELOPMENT	Planning permission for the stationing and occupation of a caravan for a further 12 months
LOCATION	Hallands, Thornton Road, Goxhill, DN19 7LW
PARISH	GOXHILL
WARD	Ferry
CASE OFFICER	Paul Skelton
SUMMARY RECOMMENDATION	Refuse
REASONS FOR REFERENCE TO COMMITTEE	Support by Goxhill Parish Council

POLICIES

National Planning Policy Framework:

- 2 Achieving sustainable development
- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 12 Achieving well-designed and beautiful places
- 15 Conserving and enhancing the natural environment

North Lincolnshire Local Plan:

- RD2 Development in the open countryside
- T1 Location of development
- T2 Access to development
- LC7 Landscape protection
- DS1 General requirements
- DS14 Foul sewage and surface water drainage

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

CS16 North Lincolnshire's landscape, greenspace and waterscape

CS25 Promoting sustainable transport

Housing and Employment Land Allocations Development Plan Document:

PS1 Presumption in favour of sustainable development

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

SS5 Overall housing provision

SS11 Development limits

RD1 Supporting sustainable development in the countryside

DQE1 Protection of landscape, townscape and views

T1 Promoting sustainable transport

DM1 General requirements

CONSULTATIONS

Highways: No comments or objections.

LLFA Drainage: No objections or comments.

Environmental Protection: No comments.

PARISH COUNCIL

No objection and support this planning application.

PUBLICITY

The application has been advertised by site notice – no comments have been received.

ASSESSMENT

Planning history

The relevant planning history for the application site is as follows:

PA/2021/683: Planning permission for the siting of a caravan to form temporary living accommodation was granted in September 2021. The application was retrospective as, according to the application form, the caravan had been sited on the land and lived in since 5 April 2021. This permission was subject to a condition requiring the caravan to be removed and the land reinstated on or before 8 September 2022. The reason for the condition was to protect the character of the open countryside. Temporary permission was sought to allow the applicant to submit a scheme for permanent residential development on the site.

Pre-application advice was sought in respect of proposals for a permanent dwelling in February 2023, after the temporary permission expired. Officers advised that the site was outside the settlement boundary and as such any residential development on the site would represent unsustainable development, in conflict with the council's policies for new housing.

The site and its location

The site is in the open countryside to the south of Goxhill, just north of the College Road/Thornton Road junction.

The most recent use of the land (prior to its current occupation and notwithstanding the temporary permission), according to the most recent planning application, was as a stable yard and stable block previously associated with the property known as The Hallands. It is understood the two were separated following the sale of The Hallands. The application indicates that the adjacent land retained by the applicant following the sale of the house is currently used for the training of specialist dog breeds, whilst the former stable area is now used as kennels for the applicant's own dogs.

Part of the site is occupied by the ruin of what is understood to be a structure relating to the WWII airfield at Goxhill.

The development

This application seeks permission to retain the caravan on the site, to form temporary living accommodation, for a further 12 months. This would enable the applicant to live on the site in the short term to carry on a dog training business. This would also enable the applicant to submit the longer-term application for the site, which it is suggested would incorporate the WWII ruin, which is within the applicant's ownership, to the southeast of the current application site.

The planning history of the site does not appear to reveal any planning permission authorising the use of the land within the applicant's ownership for use as a dog training business/kennels. It appears that this use was previously carried out by the applicant/the applicant's family at The Hallands; however, that property was sold in 2021. The original planning permission which allowed the use of that property as a cattery/kennels did not extend to the current application site or the field shown to be within the applicant's ownership on the site location plan.

Material considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act states that, in dealing with an application for planning permission, the local planning authority shall have regard to the provisions of the development plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations.

In this instance, the development plan consists of the saved policies of the North Lincolnshire Local Plan (NLLP) and the North Lincolnshire Core Strategy (NLCS). Other material planning policy considerations include the National Planning Policy Framework (NPPF) (December 2023), the emerging North Lincolnshire Plan and a suite of supplementary planning documents.

The key issues for consideration for this application are the principle of development, accessibility, and whether there is justification for a temporary permission.

The principle of development

Whilst the application is submitted on the basis that the siting of the caravan for residential purposes would be for a 12-month period only, it falls to be considered in light of the council's housing policies. The site is in the open countryside, where new housing is strictly controlled by development plan policies.

Saved local plan policy RD2 sets out that development in the open countryside will be strictly controlled. This policy only supports residential development outside defined development limits in certain circumstances, none of which apply in this case.

Core Strategy policy CS2 (Delivering more sustainable development) sets out that any development that takes place outside the defined development limits of settlements or in rural settlements in the countryside will be restricted. Only development which is essential to the functioning of the countryside will be allowed to take place. This might include uses such as those related to agriculture, forestry or other uses which will contribute to the sustainable development of the tourist industry. A 'sequential approach' will also be applied to ensure that development is, where possible, directed to those areas that have the lowest probability of flooding, taking account of the vulnerability of the type of development proposed, its contribution to creating sustainable communities and achieving the sustainable development objectives of the plan.

Policies CS3 and CS8 similarly strictly limit housing development outside development boundaries to that which is essential to the functioning of the countryside.

It should be noted that the council is able to demonstrate a five-year housing land supply as identified within the North Lincolnshire Council Five Year Housing Land Supply Statement, July 2023. Therefore, full weight can be attributed to the Local Plan and Local Development Framework policies.

In these circumstances, paragraph 12 of the NPPF states that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. In this case, therefore, planning permission should be refused unless material considerations indicate that the development plan should not be followed in this case.

In this case, given the scale of development, the economic and social benefits of a single new dwelling are very limited.

In light of the above, it is clear that the continued occupation of the site for residential purposes would conflict with saved policy RD2 of the local plan and policies CS2, CS3 and CS8 of the Core Strategy.

Whether a justification exists for a temporary permission is considered below.

Accessibility

The council's adopted strategy for the location of new houses is heavily predicated on locating new houses in sustainable/accessible locations. This is a common thread running through the strategic policies in the Core Strategy (as discussed above) as well as the new local plan. Policy T1 of the local plan provides that development will be permitted where there is good foot, cycle and public transport provision or where there are opportunities for foot, cycle and public transport to be provided. Core Strategy policy CS25 seeks to support and promote sustainable transport that offers a choice of transport modes and reduces the need to travel, including by managing transport demand through reducing the need to travel, improving accessibility and reducing car-based travel.

The site is remote from Goxhill and the services and facilities in the village. The site is around 700 metres from the edge of the settlement by road; the journey is not an attractive one to pedestrians as there are no lit footpaths along the route. The railway station is around 1.3 kilometres from the site, with the Co-op just beyond. Whilst there are some rural businesses nearby, there are no day-to-day services or facilities within the generally accepted 800 metre walking distance from the site. The primary school is approximately 2.5 kilometres away from the site; however, again, a large part of this route is on an unlit country road with no footpaths. Whilst it appears that the applicant currently runs their business on the adjacent land, this does not appear to be authorised.

From the above it is clear that the occupiers of the proposed dwelling would be likely to use the private car for the majority of journeys. This locational disadvantage weighs against the proposals, contrary to the development plan strategy for new housing development, and policies T1 of the local plan and CS25 of the Core Strategy which seeks to actively reduce the need for car-based travel.

Is there justification for a temporary permission?

As set out above, temporary permission for the residential use of the caravan on site was granted in September 2021. This was granted following agreement with the applicant that permission should be granted for a 12-month period only, to allow an application for permanent redevelopment of the site to be submitted. No application was received within that

period and the request for pre-application advice regarding a new dwelling referred to above was not submitted until after the temporary permission expired.

The planning practice guidance on temporary permissions is clear:

'It will rarely be justifiable to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale, such as temporary classrooms and other school facilities). Further permissions can normally be granted permanently or refused if there is clear justification for doing so. There is no presumption that a temporary grant of planning permission will then be granted permanently.'

It is not the role of this application to determine whether any future application for permanent residential use would be successful; however, it is clear from the policy analysis above that the site is not one which is supported by the development plan as an appropriate location for new housing. The applicant seeks to gain support for the principle of development by reference to the existing structure on the and within their ownership which is purported to be a ruin of a WWII building associated with Goxhill airfield. Whilst this may be the case, at pre-application stage the council's archaeologist advised that, given its condition and significance, it is unlikely that the retention of the ruins would justify a new dwelling. Indeed, subsuming the ruins into a dwelling as has been suggested by the applicant would be likely to further destroy any significance it does possess.

In light of the above, it is not considered, given the clear government guidance, that there is any clear justification for a further temporary permission on the site.

Other matters

As set out above, the site is within the open countryside. The siting of the caravan and the domestic paraphernalia that goes with its residential use does result in harm to the character and appearance of the area; however, by its very nature, and the temporary period applied for, it is recognised that this harm would be limited and temporary. It is therefore not considered that the continued use of the land for 12 months would result in significant harm to the landscape.

The access is indicated to use an existing field gate. There is a wide highway verge at the front of the site and good visibility in both directions. The Highways Officer has raised no objection in highway safety terms.

In terms of residential amenity, given the siting of the caravan and the fact that permission was previously granted for the temporary use, it is not considered there would be any undue impacts on nearby residential uses.

The site is within flood zone 1, the area at least risk of flooding. The LLFA has raised no objections to the application.

Conclusions and planning balance

As set out above, s38(6) of the 2004 Act requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this case there is a clear conflict with the development plan as the site is outside of any recognised development boundary. This conflict must be given substantial weight in the overall planning balance.

Furthermore, because of the site's unsustainable location, occupiers of the proposed development would be heavily reliant on the private car to access facilities and services to meet their daily needs.

The public benefits of the development are negligible given that they would be time restricted. Whilst the continued occupation of the site is proposed on a temporary basis and would mean that the applicant could stay on site whilst a permanent scheme is prepared and submitted, the permanent use of the land for residential use also conflicts with the council's policies for the location of new housing.

For these reasons it is recommended that the application is refused.

RECOMMENDATION Refuse permission for the following reasons:

1.

The site lies in an open countryside location where new residential development is strictly limited and there are no other specific exceptions/circumstances defined in the Development Plan which indicate that a further temporary permission should be granted. The site is in an unsustainable location that is remote from services and facilities and the continued use of the site for residential purposes would lead to an increased reliance on the private car. The development does not represent sustainable development and is contrary to saved policies RD2 and T1 of the North Lincolnshire Local Plan and policies CS1, CS2, CS3, CS8 and CS25 of the North Lincolnshire Core Strategy.

Informative

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

0 50 100 150 200 250 m



Hallands

Lark Hall Farm

Garners Hill Farm

The Homestead

Ruin

GP

COLLEGE ROAD

10.1m

10.7m

10.4m

**North
Lincolnshire
Council**

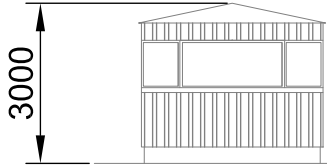
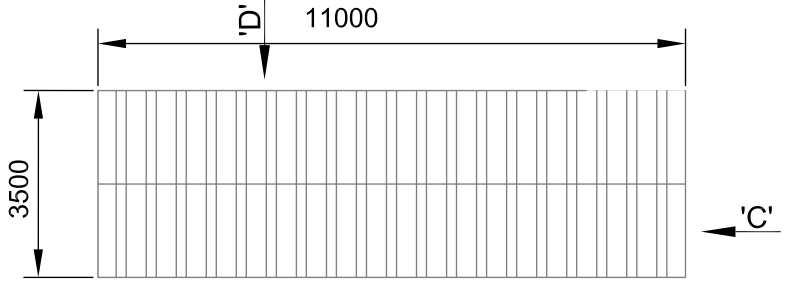
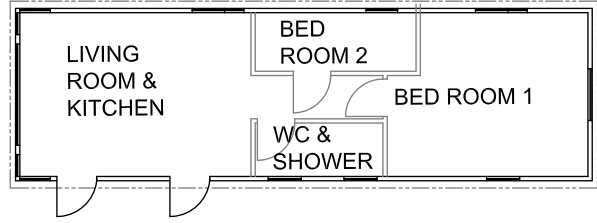
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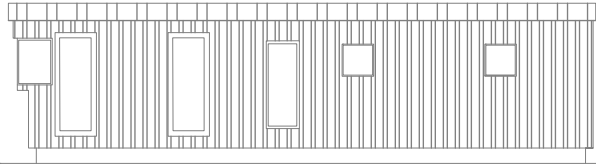
PA/2023/10 Elevations and floor plan (not to scale)

Note : White plastic facade and roof.

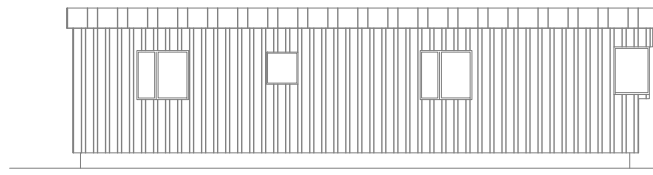
PLAN VIEW DETAIL



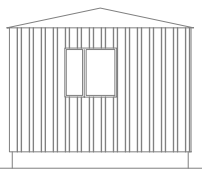
END ELEVATION
VIEW ON 'A'



SIDE ELEVATION
VIEW ON 'B'



SIDE ELEVATION
VIEW ON 'D'



END ELEVATION
VIEW ON 'C'

PLAN VIEW

Drawing Title			Mark Simmonds Director Mark Simmonds Planning Services Ltd Mercury House Willoughton Drive Foxby Lane Gainsborough DN21 1DY
CARAVAN DETAIL THORNTON ROAD, GOXHILL			
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