

<b>APPLICATION NO</b>	<b>PA/2020/903</b>
<b>APPLICANT</b>	Mr M Matthews
<b>DEVELOPMENT</b>	Planning permission to erect a hay barn (approximately 48 square metres) and alter stables approved under PA/2017/1022
<b>LOCATION</b>	Land adjacent to Holly Lodge, West Hann Lane, Barrow Haven, Barrow upon Humber, DN19 7HD
<b>PARISH</b>	Barrow upon Humber
<b>WARD</b>	Ferry
<b>CASE OFFICER</b>	Brian McParland
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Cllr Richard Hannigan – significant public interest)  Objection by Barrow upon Humber Parish Council

## **POLICIES**

**National Planning Policy Framework:** Section 12

**North Lincolnshire Local Plan:** DS1, RD2, T2 and T19

**North Lincolnshire Core Strategy:** CS1, CS2, CS3 and CS5

## **CONSULTATIONS**

**Highways:** No objection.

**Archaeology:** No objection.

Given the development is retrospective, the archaeologist was also asked to comment on the archaeology conditions attached to the previous application (PA/2017/1022). Their response was:

‘...it is clear from the email that I received from the archaeologist at the time that the excavations for the previously approved building were adequately monitored, photographed, and recorded.

As there were no archaeological features or finds noted during this site monitoring visit, I would not consider it necessary to recommend any further monitoring during the construction of the current proposal for an enlarged building on the same footprint. It is still the case that the effects of the retrospective hay barn and enlarged stable building on the setting and significance of the Barrow Castles scheduled monument has not been assessed. I would suggest that the applicant is asked to submit photographs from along West Hann Lane looking across the area of the monument on the north side of the road towards the hay barn. This will ensure we

have sufficient information to assess the application in line with policy and can document the process considering the public interest in this application.

Regarding compliance conditions 4 and 5 of PA/2017/1022, we can take the view that the archaeologist's email and photographs demonstrate that the agreed archaeological mitigation strategy was carried out in accordance with condition 4, and that the information constitutes a sufficient report to update the HER database and make the information publicly available and thereby satisfies condition 5.'

The agent then provided photos, to which the archaeologist replied:

'...whilst these photographs do not illustrate the view from further west along West Hann Lane looking over the scheduled area towards the built stables/hay barn, they do however provide useful visualisation of the scale and appearance of the buildings and surrounding vegetation to supplement the drawn plans and elevations. Together with Google street view, I'm satisfied that there are no impacts on the setting of the scheduled monument that extends to the north side of West Hann Lane. I confirm that I have no further comments to make in relation to the current application and archaeology.'

**Environmental Protection:** Objects to the proposal on grounds of impact on neighbouring amenity through noise and smell.

## **PARISH COUNCIL**

Objects:

'In view of the major alterations to the original plan, the fact that work has been going ahead in contravention of the planning approval and the proposed overall size of the operation when completed, Barrow Parish Council wishes to lodge its strong objections to this planning application.'

## **PUBLICITY**

Advertised by site and press notice. Ten objections have been received which are summarised below:

- principle of development
- poor design
- noise/disturbance
- traffic/highway safety
- flood risk
- biodiversity impacts
- potential residential use
- inaccuracies in description.

## **ASSESSMENT**

**The main issues to be considered are whether adequate justification can be demonstrated with regard to the principle of the development, neighbouring amenity and highway issues.**

### **The site**

The application site is on the north side of West Hann Lane, north-east of the adjacent dwelling, Holly Lodge. The surrounding area is flat agricultural land used for agricultural rotation.

The site is within the open countryside, falls within SFRA flood zone 2/3 (a), is not within a conservation area, does not relate to any listed buildings and there are no tree preservation orders on the site or in the nearby vicinity.

### **Planning history**

PA/2016/93: Planning permission to erect a general-purpose agricultural building with adjoining multi-use loose boxes – refused 23/03/2016 and dismissed on appeal 14/02/2017

PA/2017/1022: Planning permission to erect a four-bay stable block and tack room/feed store – approved 29/08/2017

### **Proposal**

Planning permission is sought to erect a hay barn (approximately 48 square metres) and alter stables approved under PA/2017/1022. It is acknowledged the retrospective stable was not built in accordance with the plans submitted as part of the approval of PA/2017/1022. As such, this application seeks to formally approve the varied stable design.

### **Principle of development**

Policy CS2: Delivering More Sustainable Development states any development that takes place outside the defined development boundaries of settlements or in rural settlements in the countryside will be restricted. Only development which is essential to the functioning of the countryside will be allowed to take place. This might include uses such as those related to agriculture, forestry or other uses which require a countryside location or which will contribute to the sustainable development of the tourist industry. Policy CS3 provides that outside development boundaries development will be restricted to that which is essential to the functioning of the countryside.

Policy RD2 of the North Lincolnshire Local Plan applies, which states development in the open countryside will be strictly controlled and planning permission will only be granted for development which is '(iv) essential for the provision of outdoor sport, countryside recreation, or local community facilities.'

The hay barn is used as storage situated within the paddock. The stable block serves horses/ponies. As such, the development would fall within the scope of section (iv) of policy RD2 and the accompanying provisions. Subject to the considerations below, it is considered the proposal would be in accordance with policies RD2, and CS2 and CS3 of

the Core Strategy. Furthermore, the principle of development has already been established by way of the previous approval (PA/2017/1022).

### **Impact on the locality**

Policy DS1 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy are concerned with quality of design and amenity. In respect of impact on character, policy DS1 states that the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area. Policy RD2 is also considered relevant.

Regarding the stable (as built), it has the following dimensions (approximately): 23m deep by 7.3m wide by 4.5m high. The external enclosed area of the stable is 170m<sup>2</sup>, finished with a tiled pitched roof and red brick facing. Importantly, the stable provides 11 bays, however the agent has confirmed there would be a maximum of eight horses/ponies kept within the stable. This can be secured by way of a condition.

The approved stable (PA/2017/1022) was for a similar stable design, albeit some minor external alternations have been introduced (more stable door openings and the approved hipped roof changed to a pitched roof for the now as-built scheme). Overall, the design has remained largely the same. Importantly, the approved stable was to provide only four bays for horses/ponies but the number of horses/ponies to be kept was unrestricted (not controlled by condition). The as-built stable has 11 bays as a result of internal alterations; however, as previously stated, the agent has confirmed there would be a maximum of eight horses/ponies kept within the stable. This can be secured by way of a condition.

The hay barn is a new feature that does not benefit from any previous planning approval. It would have the following dimensions (approximately): 6.5m wide by 8m deep by 4m high, finished with a pitched roof and clad in pre-painted verdant metal sheeting. The hay barn is situated to the north of the stables and so would be adequately obscured from West Hann Lane.

It is acknowledged the stable and hay barn are both low-impact developments, being of single-storey design and located away from boundaries shared with the nearest neighbouring site. The site is also adequately screened by over 2m high landscaping that visually mitigates the impact upon the wider area. Notwithstanding this, the stable, in terms of size, would be appropriate for the application site and is of a similar footprint to that already approved.

It is considered the stable (as built) and the hay barn, by way of their design, would be a befitting form of development which would not prejudice the character of the open countryside. As such, the development would be in accordance with policies DS1, RD2 and CS5.

### **Impact on residential amenity**

Policy DS1 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy are concerned with quality of design and amenity. In respect of impact on amenity, policy DS1 states that 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. Policy RD2 is also considered relevant.

There is one neighbouring property to the south-west (Holly Lodge). It is situated approximately 58 to 65m from the stable and hay barn which have been positioned to the other side of the site to reduce any potential impacts. In terms of scale, mass and design there would be no impact on the neighbouring amenity.

The principle of the stable and the keeping of horses/ponies is not the subject of this application, given the original approval. The slightly enlarged stable and the new hay barn, in terms of design, would be modest forms of development and unlikely to impact the neighbouring amenity. Third party comments received are particularly concerned with the increase in the number of bays within the stable (11), however the applicant has agreed to keep a maximum of eight horses/ponies within the stable, which can be controlled by condition. Importantly, the previous approval (PA/2017/1022) did not restrict the number of horses/ponies to be kept within the stable. Although the number of bays has increased from 4 to 11 (as built), these are internal alterations. Further, it is important to note that the use of the paddock land is for unrestricted equine purposes; however, in this instance, the local planning authority can only condition the stable block and not the land. On balance, restricting the number of horses/ponies within the stable by way of this application would protect the amenity of Holly Lodge and beyond the original approval.

With regard to the planning history of the site and addressing LRD Planning's objection letter (third party), the previous planning refusal (PA/2016/93) was for a much larger agricultural building situated closer to the west boundary shared with Holly Lodge where amenity impacts would be more profound. This application is materially different to the previous refusal and appeal dismissal (situated further to the north-east corner of the plot).

Environmental Protection have objected to the development on the grounds that 'the increase to 11 bays would result in more horses than what has already been approved (four bays) (PA/2017/1022) and would harmfully impact the amenities of Holly Lodge.' In response to this, the already approved application (PA/2017/1022) did not restrict the number of horses/ponies to be kept, given the absence of a limiting condition, and so the number of horses/ponies was left uncontrolled. The use of the recommended condition by the applicant (limiting the number of horses/ponies within the stable to eight) allows the local planning authority to limit the impact on neighbouring amenity within the scope of policy.

On balance, it is considered the stable and hay barn would not prejudice neighbouring amenities. As such, the proposal would be in accordance with policies DS1 and RD2 of the local plan, and CS5 of the Core Strategy.

## **Highways**

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety. Both policies are considered relevant.

The site would be accessed via West Hann Lane and vehicle movements would be consistent and in keeping with the already approved application (PA/2017/1022). The original area of hardstanding/parking (that still remains) next to the entrance gate is capable of parking 10 cars as it was previously. Importantly, the stable (if approved) would be limited to eight horses/ponies. The applicant has provided some vehicle movement details (eight car-type visits a day at peak use and one or two vehicles servicing the unit a week (farrier, ad hoc supplies, visitors).

This application only relates to the formal consent of the retrospective development of the stable and hay barn. There will be no further impact on the highway than what has already been approved. No objection has been received from Highways.

### **Other matters**

- In response to LRD Planning's objection letter, it is noted the site is within flood zone 2/3(a). The drainage team did provide a comment in relation to impermeable areas, however these are not the subject of the application. This application only relates to the roof area of the hay barn and any consequences of the marginal increase in roof area of the stable, for this is the subject of the application.
- Biodiversity surveys were not required as the application relates only to the stable and hay barn and the plot is not considered to be a high biodiversity amenity area.
- The agent was made aware of inaccuracies which were rectified (amended site and the materials for the hay barn).
- It appears, based on the submitted plans, the stable would be 57m from the rear elevation of Holly Lodge.
- The principle of development has already been established by way of the previous planning approval (PA/2017/1022).
- The application site was reviewed by the planning enforcement team as to whether the site is a paddock. No further action was taken. Additionally, in approving PA/2017/1022, the use of the land was not questioned nor was a change of use applied for. Furthermore, in the previous planning report the site was referred to as a paddock.
- Comments have also been received with regard to enforcement issues. The enforcement officer reviewed the application and provided the following response:

'...the original planning permission, albeit for four bays, was not restricted to that; or four horses. Post-build it could have been split into as many bays as they wanted (similar to a shop being split – no material change). In essence, the application is an amendment to the positioning of the stable by about 2 metres – it is almost 'de minimis'.

The use of the land associated with the stables may be used for grazing horses without the need for planning permission (grazing is not a material change of use)...
- If the stable or hay barn was converted to residential use, then a full application would be required.

### **Conclusion**

Whilst the proposal is within the open countryside, it would not conflict with the policies of the local plan. It is considered the in-situ development would be acceptable.

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

1.

The development hereby permitted shall be carried out in accordance with the following approved plans:

AR266-(AB)105 Site Location OS  
AR266-(AB)130 P1 Revised Site Plan  
AR266-(AB)128 P1 Revised Floor Plan & Elevations  
AR266-(AB)129 Haybarn – Plans & Elevations  
Planning Statement – Addendum  
Planning Statement.

Reason

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

2.

The stable hereby permitted shall be limited to a maximum number of eight horses (including ponies) at any one time and shall be limited to the use of horses/ponies only, unless agreed in writing by the local planning authority.

Reason

To protect residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

3.

The barn shall be restricted to the storage of fodder, animal feed, animal bedding and associated animal goods. No livestock (including horses/ponies) shall be permanently stabled within the barn.

Reason

To protect residential amenity in accordance with policy DS1 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.



**North  
Lincolnshire  
Council**

**PA/2020/903**

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**AMENDED**

haybarn

proposed  
stables

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BEFORE MANUFACTURE

Site Plan Issued 14/06/2020

TITLE  
Revised Site Plan

PROJECT  
Proposed Stables -  
Barrow Haven

CLIENT  
Mr M Matthews

DRAWN  
AR265-JAB/130 P1

DATE  
14.06.20

SCALE (B1)  
1 : 100

Archemi Architects  
Moor Barn, High St  
Gosby, Lincs  
LN8 2EE

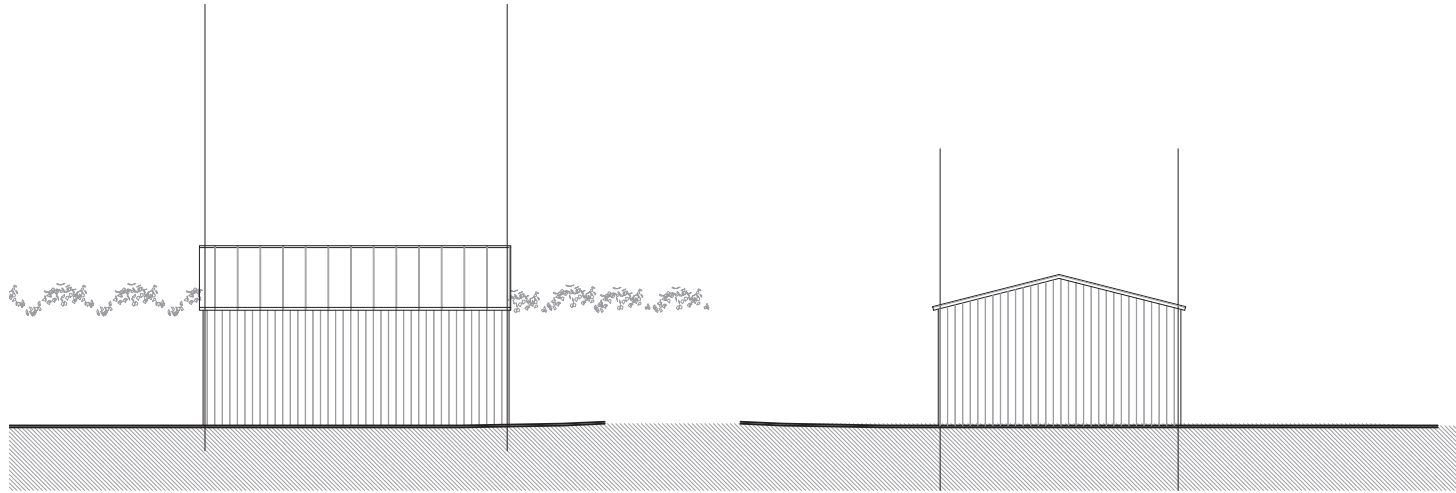
01673 878107  
mail@archemi.com  
Archemi Architects



Layout Plan

# PA/2020/903 Proposed barn (not to scale)

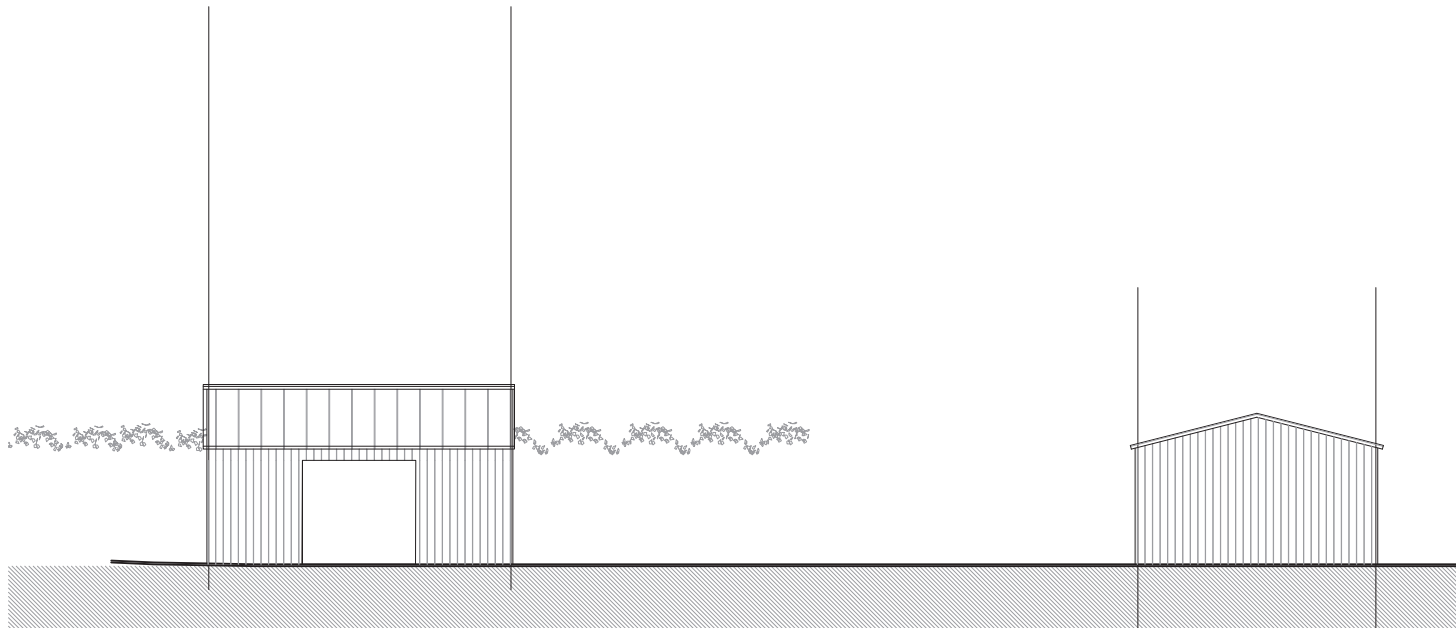
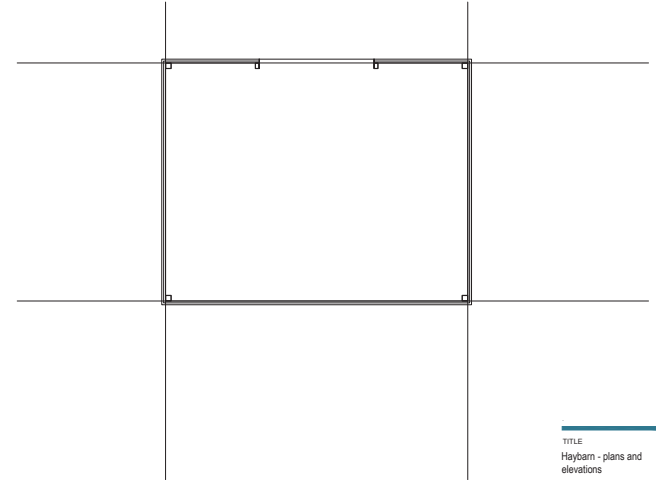
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Elevation looking south (from menage)

End elevations

## Floor Plan



Elevation looking north (from boundary)

End elevations

TITLE  
Haybarn - plans and  
elevations

PROJECT  
Proposed Stables -  
Barrow Haven

CLIENT  
Mr M Matthews

DRAWN

AR266-(AB)129

DRAWN DATE  
aps 14.06.20

SCALE (@ A2)

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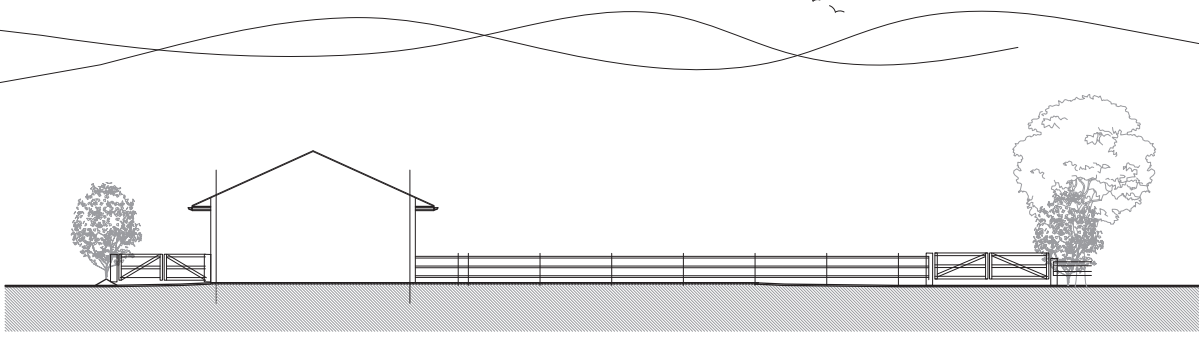
Archemi Architects  
Moat Barn, High St  
Cventry, Lincs  
LN8 2EE

01673 878107  
mail@archemi.com  
Archemi Architects

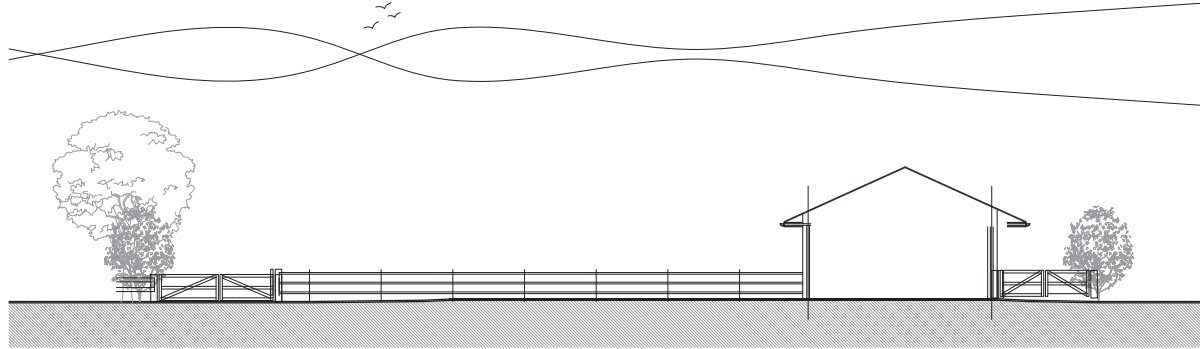


# PA/2020/903 Proposed stables (not to scale)

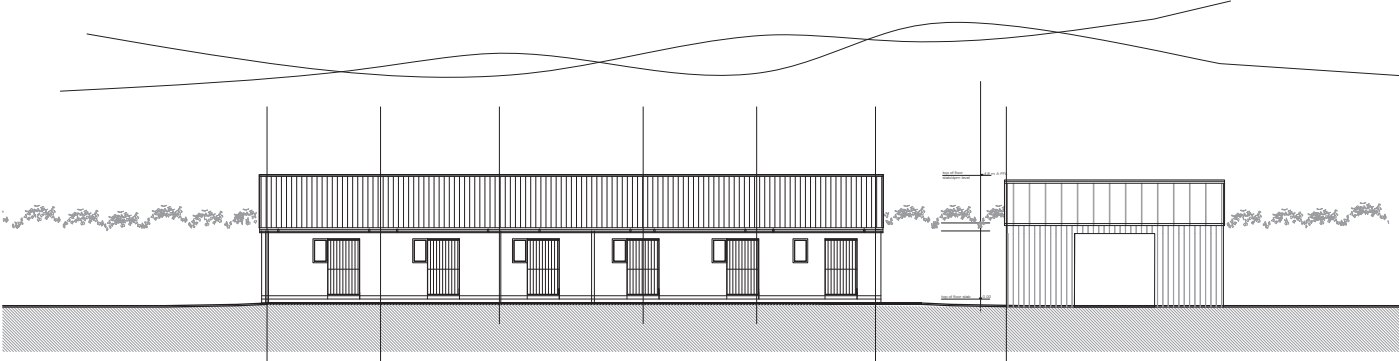
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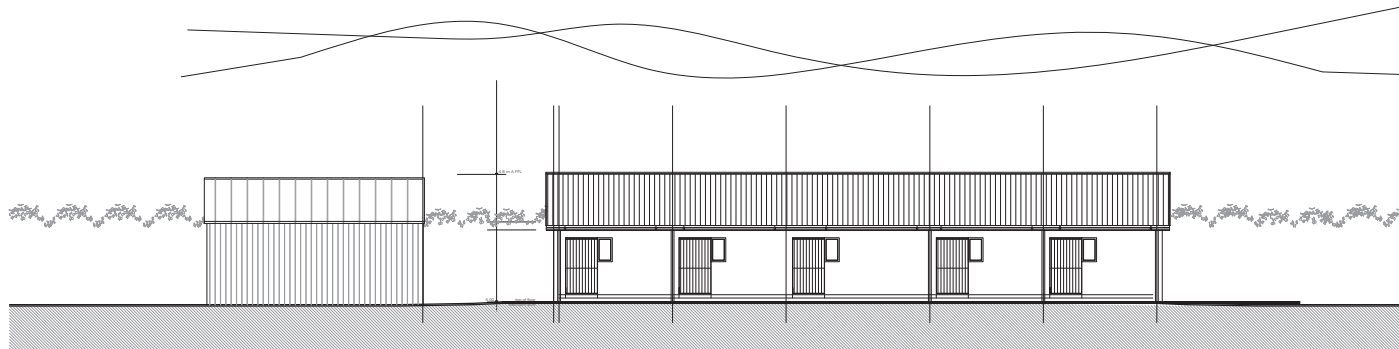
Elevation looking south (towards west hann lane)



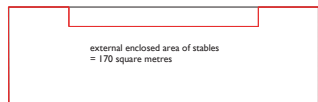
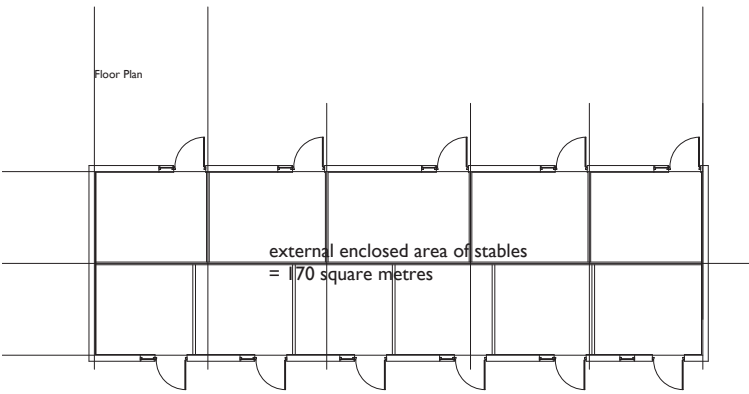
Elevation looking north (from west hann lane)



Elevation looking southeast (from menage)



Elevation looking north (from boundary)



original enclosed area = 149.46 square metres

PROJECT  
Proposed Stables -  
Barrow Haven

CLIENT  
Mr M Matthews

DATE  
ARCH/AB/128 p1

DATE  
SHEET 14.06.20

SCALE (S.A.)  
1:100, 200

Archerm Architects  
Most Barn, High St  
Cumbria, Lancs  
LN8 2EE

01673 876107  
mail@archerm.com  
Archerm Architects

