

APPLICATION NO	PA/2020/1676
APPLICANT	Mr Robert Knapton
DEVELOPMENT	Planning permission to erect a bungalow for use as an agricultural dwelling
LOCATION	Manor Farm, West Halton Road, Coleby, DN15 9AL
PARISH	West Halton
WARD	Burton upon Stather and Winterton
CASE OFFICER	Brian McParland
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Ralph Ogg – significant public interest)

POLICIES

National Planning Policy Framework: Paragraph 79 – Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- (a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside:
- (b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets:
- (c) the development would re-use redundant or disused buildings and enhance its immediate setting:
- (d) the development would involve the subdivision of an existing residential dwelling; or
- (e) the design is of exceptional quality, in that it:
 - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

North Lincolnshire Local Plan: DS1, DS4, DS7, DS14, RD2, RD11, LC7, LC14, T2, T19

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS7, CS8, CS18, CS19

CONSULTATIONS

Highways: No objection and recommended a condition in relation to access, parking and turning.

Drainage: No objection and recommended conditions in relation to surface water run-off.

Environmental Protection: No objection and recommended conditions in relation to contaminated land and occupation of the dwelling.

PARISH COUNCIL

No comments received.

PUBLICITY

Advertised by site and press notices. No comments have been received.

ASSESSMENT

The main issues to be considered are whether adequate justification can be demonstrated with regard to the principle of the proposed development, its impact on the locality and on residential amenity, highway issues and land quality.

The site

The site is on the west side of West Halton Road and is a flat agricultural field immediately north of Manor Bungalow which relates to Manor Farm. A previous application for an agricultural dwelling (PA/2020/206) was refused for reasons including the need for the agricultural dwelling was not adequately justified and its proposed design.

The site is within the open countryside, falls within SFRA flood zone 1 (low risk), 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.

Proposal

Planning permission is sought to erect a bungalow for use as an agricultural dwelling.

Principle of development

In terms of the principle of the development, the site is located within the open countryside where residential development is strictly controlled. There is scope for an agricultural dwelling within the open countryside within policy RD2 (Development in the Open Countryside) of the North Lincolnshire Local Plan (2003), under section (i) which states 'planning permission will only be granted for development which is:...(i) essential to the efficient operation of agriculture or forestry;'. In addition, policy RD11 (New Agricultural Dwellings) is also considered relevant and states (by way of provisions i – viii), the applicant must demonstrate there is no other viable option of other accommodation, the proposed dwelling is located within the holding of existing buildings, the applicant must demonstrate a functional test for a full-time worker to live on site, the dwelling would be of an appropriate size, the agricultural unit has been in existence for more than three years and the proposed occupation of the dwelling would be restricted to an agricultural worker, external

appearance would reflect local buildings and means of access is acceptable. Subject to the below, the proposal would meet the stipulated provisions (i – viii).

Paragraph 79 of the National Planning Policy Framework (NPPF) advises that local planning authorities should avoid new isolated houses in the open countryside unless there are special circumstances such as (a) *the essential need for a rural worker to live permanently at or near their place of work in the countryside*. Therefore, in terms of paragraph 79, an agricultural dwelling will only be acceptable on this site if it is demonstrated that there is an essential need for an agricultural worker to live on the site.

Essential need and functional test

The applicant has submitted information in relation to the essential need/functional test for an agricultural dwelling and an agricultural worker to live on the site.

The farm is known as Manor Farm which is to the rear of the application site (west). Manor Farm extends over 460 acres and has been in the family for three generations. The farm grows crops based on a rotation, i.e. cereals, oil seeds, sugar beets and potatoes. The farm also accommodates 60 horses.

The applicant and his son live together but as part of future succession planning a separate dwelling for the applicant's son is required allowing the two farmers to live independently whilst they both work. The additional agricultural worker (the applicant's son) will be required 24 hours a day 7 days a week to take care of the livestock (i.e. horses, animal health, crops, feeding, maintenance etc) whilst also improving farm security. Additionally, being within approximately 100 yards, the farm would be easily accessible from the proposed dwelling so the agricultural worker could easily administer their farming duties. Considering the size of the enterprise the labour requirement would give rise to 2+ agricultural workers.

Multiple occupancy of the extant dwelling is not suitable for the applicant's son and his future family given the needs of a single family. There are no adequate buildings on site that can be sub-divided given they are all in use and essential to the growing farm business. There are no reasonably close properties for rent within the area (1 mile radius); it would be simply impractical for an agricultural worker to live far away from the farm base, especially given this would not allow the agricultural worker to care for the farm and the horses. It is suggested that if the farm and the horses are to be properly cared for and the security requirements of the farm are to be dealt with then it is necessary for the agricultural worker to live at the farm on a permanent basis.

The labour requirement on site justifies a 24/7 presence by way of an agricultural worker and the recommending officer is satisfied there are no other available dwellings that could fulfil the functional need of the enterprise. Furthermore, the size of the farm, the number of horses and general crop maintenance would require intense management that would be difficult to achieve remotely. It has been demonstrated there is a functional/essential need for a full-time agricultural worker to reside on the site 24/7 to fulfil the needs of the enterprise. The occupation of the proposed dwelling will be limited to an agricultural worker and can be controlled via an agricultural occupancy condition.

It is considered the proposed agricultural dwelling to be occupied by an agricultural worker located within the open countryside would not be contrary to the local development plan policies. As such, the proposal would be in accordance with the NPPF, policies RD2 and

RD11 of the North Lincolnshire Local Plan and policies CS1, CS2, CS3 and CS5 of the Core Strategy. As such, the principle of development would be acceptable, subject to the considerations below.

Impact on the locality

Policies DS1 of the North Lincolnshire Local Plan and 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 a proposal should reflect or enhance the character, appearance and setting of the immediate area. Policy RD11 (ii) and (iv) are also considered relevant.

The proposed dwelling would be of a bungalow design and would be a modest development given the low-impact single-storey form. The dwelling would have three bedrooms and a pitched roof with a central dual-pitched porch feature to the front (east-facing). Proposed materials include facing brick and a tiled roof. The neighbouring property to the south (Manor Bungalow) is of a similar single-storey bungalow design. Furthermore, the proposed dwelling would be of an appropriate size and located next to an outbuilding relating to Manor Farm which lies approximately 10 metres to the north.

It is considered the proposed new dwelling, by way of its design and sensitive proportion, 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, RD11 and CS5.

Impact on residential amenity

Policies DS1 of the North Lincolnshire Local Plan and 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.

There is one neighbouring dwelling to the south (Manor Bungalow); however, the proposed dwelling would be of a low-impact single-storey design and would be situated approximately 5 metres from the shared south boundary which would mitigate impacts.

For this reason, it is considered the proposed dwelling would not prejudice neighbouring amenities. As such, the proposal would be in accordance with policies DS1, RD2 and RD11 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 a shared lane which joins West Halton Road. A large parking forecourt is also proposed to the front of the dwelling. The council's highways department has made an assessment and has no objection, subject to a condition. It is considered the proposal would be in accordance with policies T2 and T19.

Land quality

Policy DS7 of the local plan is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination.

This application for residential development is a sensitive end use. In addition, the site's use as a farm may give rise to contamination as agricultural sites have the potential to be impacted upon by contaminants such as hydrocarbons, agrochemicals and asbestos, which are harmful to human health. It is the developer's responsibility to assess and address any potential contamination risks, however no supporting information has been provided that demonstrates potential risks can be reduced to an acceptable level.

The council's Environmental Protection team has been consulted and has no objection subject to conditions.

Conclusion

Whilst the proposal is within the open countryside, it would not preclude the policies of the local plan. Likewise, the applicant has adequately demonstrated there is an essential need for an agricultural worker to live on the site which can be controlled by condition. It is considered the proposal is an acceptable form of development and has overcome the reasons given for refusing the previous application, PA/2020/206.

Pre-commencement conditions

These have been agreed with the applicant/agent.

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:

20054/001 Existing Location, Block and Site Plan;
20054/010 Proposed Block and Site Plan;
20054/011 Proposed Plans and Elevations;
Design and Access Statement;
Appraisal of Need.

Reason

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

3.

No above-ground works shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

The dwelling shall not be occupied until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the dwelling is occupied and once built/planted it shall be retained.

Reason

To provide an appropriate level of screening in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed and, once provided, the vehicle parking and turning space(s) shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

6.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

A Phase 1 desk study shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the local planning authority for approval prior to proceeding to further site investigation.

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a

written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks' written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in

accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

Reason

To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to works, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

7.

The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture, or a widow or widower of such a person, and to any resident dependants.

Reason

To protect residential amenity.

8.

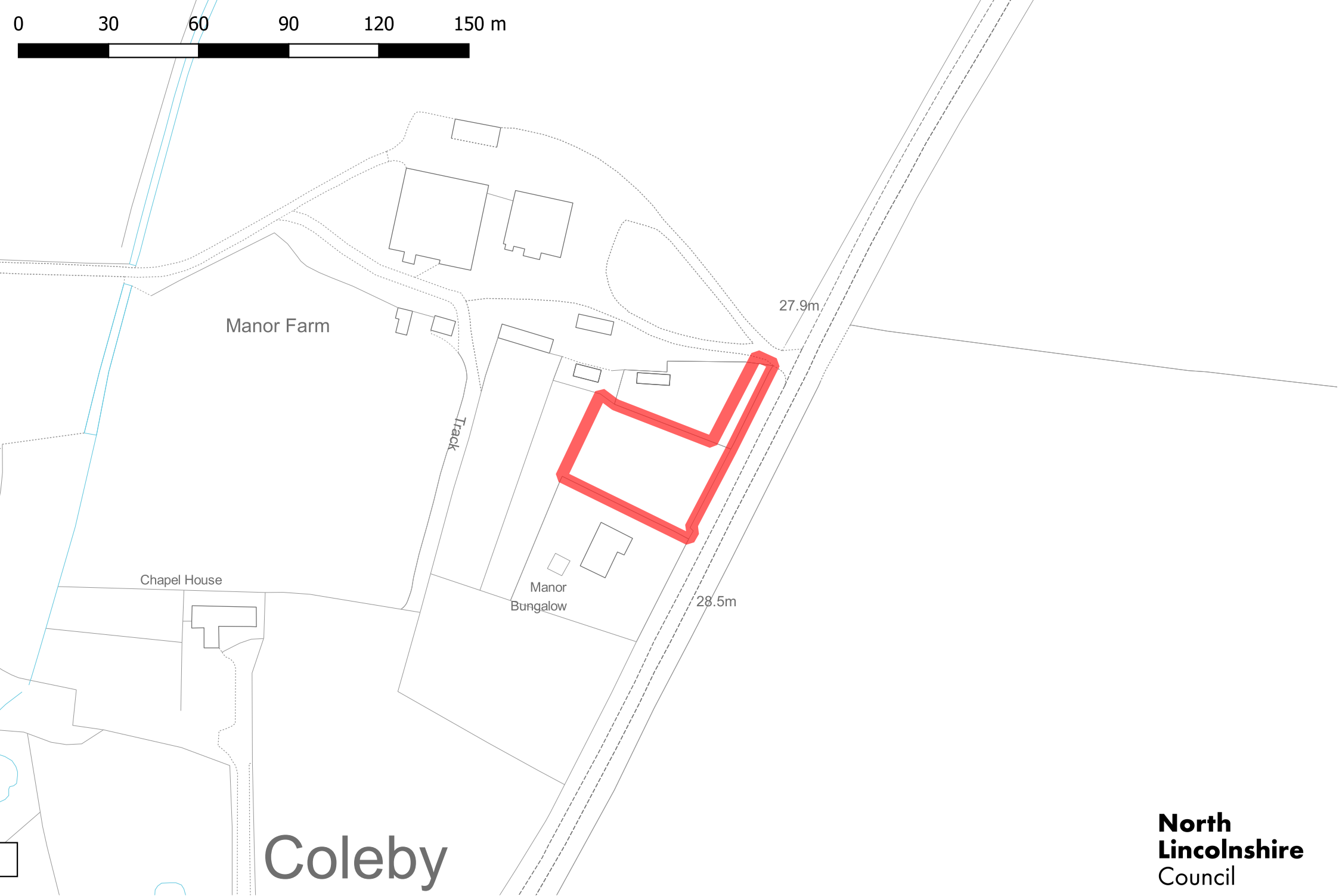
No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraph 163 of the National Planning Policy Framework.

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.

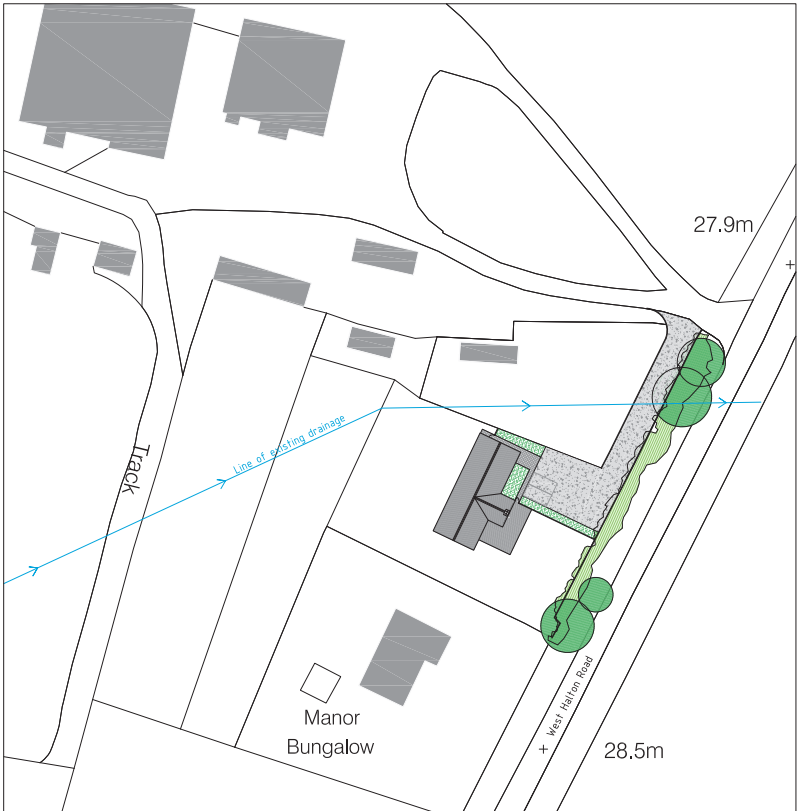


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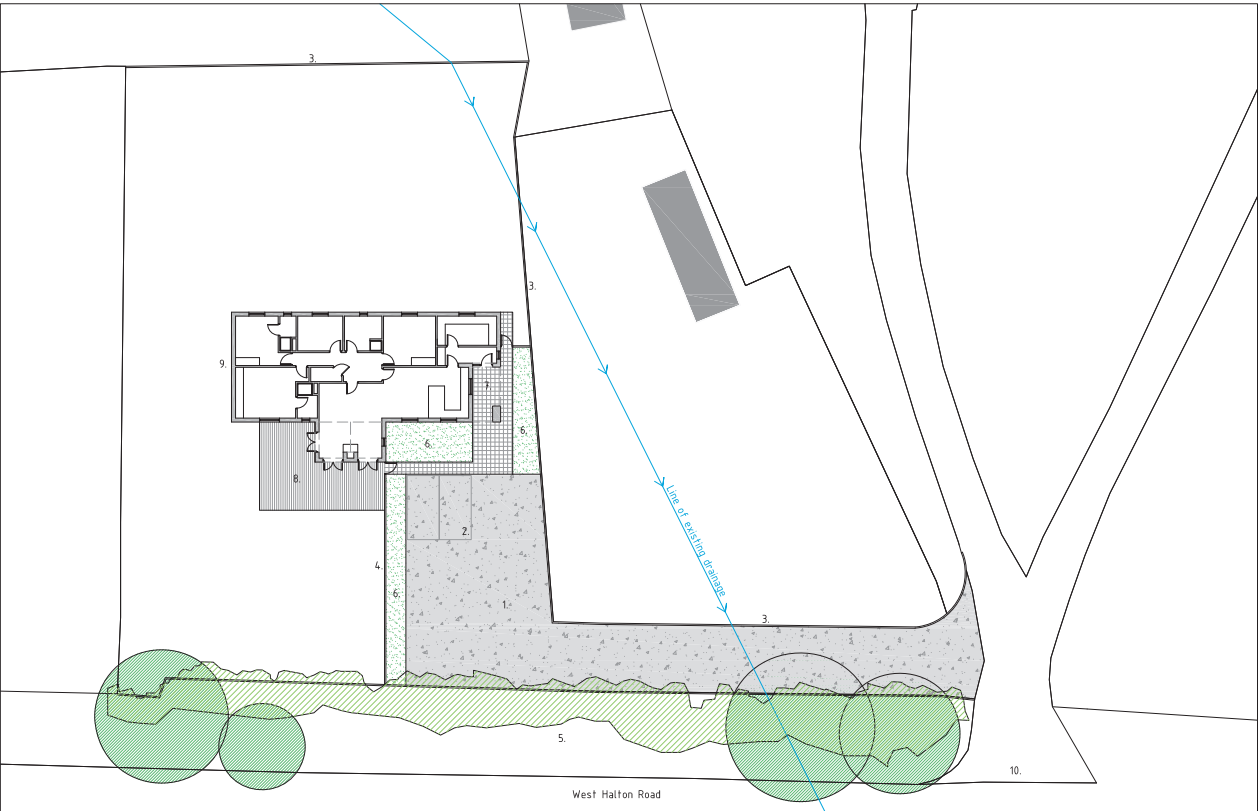
PA/2020/1676

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PA/2020/1676 Proposed layout (not to scale)



PROPOSED BLOCK PLAN
Scale 1:500



PROPOSED SITE PLAN
Scale 1:200

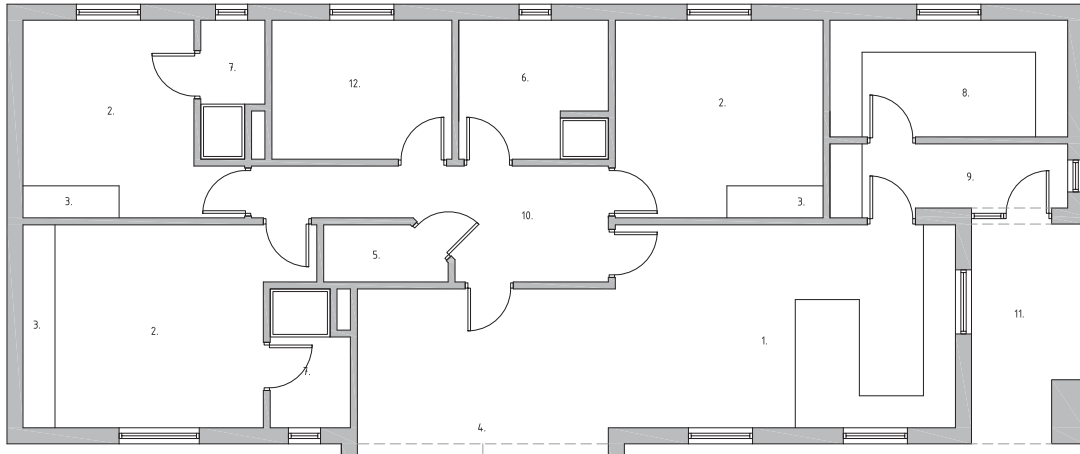
1. New gravel driveway (allowing rainwater percolation)
2. Parking spaces
3. New estate railings
4. Close boarded fencing (privacy)
5. Existing mature hedgerow and trees retained
6. Planting beds
7. Covered porch
8. South facing Terrace
9. No windows to reduce overlooking
10. Existing entrance into site

id architecture

TITLE: Proposed Block and Site Plan
 CLIENT: Mr R Knapton
 PROJECT: New Dwelling
 LOCATION: Manor Farm, Coleby
 DRAWN BY: JL
 CHECKED BY: JL
 SCALE: Various
 SIZE: A1
 DATE: October 2020
 STAGE: Planning

DRG NO: **20054/ 010**

PA/2021/1676 Proposed plan and elevations (not to scale)



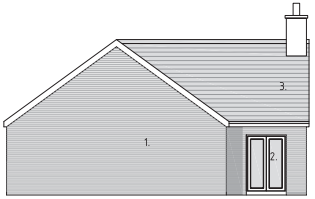
PROPOSED GROUND FLOOR PLAN
Scale 1:50

- 1. Kitchen/ Dining
- 2. Bedroom
- 3. Wardrobe
- 4. Lounge
- 5. Storage
- 6. Bathroom
- 7. En-Suite
- 8. Utility/ Boot room
- 9. Lobby
- 10. Hall
- 11. Covered porch
- 12. Office



PROPOSED SOUTH EAST ELEVATION
Scale 1:100

- 1. Facing brickwork
- 2. uPVC Windows/Doors
- 3. Tiled roof
- 4. Recessed Porch



PROPOSED SOUTH WEST ELEVATION
Scale 1:100

- 1. Facing brickwork
- 2. uPVC Windows/Doors
- 3. Tiled roof



PROPOSED NORTH EAST ELEVATION
Scale 1:100

- 1. Facing brickwork
- 2. uPVC Windows/Doors
- 3. Tiled roof
- 4. Recessed porch



PROPOSED NORTH WEST ELEVATION
Scale 1:100

- 1. Facing brickwork
- 2. uPVC Windows/Doors
- 3. Tiled roof

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TITLE: Proposed Plans and Elevations
 CLIENT: Mr R Knapton
 PROJECT: New Dwelling
 LOCATION: Manor Farm, Coleby
 DRAWN BY: JL
 CHECKED BY: JL
 SCALE: Various
 SIZE: A1
 DATE: October 2020
 STAGE: Planning

DRG NO: **20054/ 011**