

**APPLICATION NO** PA/2021/999

**APPLICANT** Ms C Allen & Mr T Binks

**DEVELOPMENT** Planning permission to erect six holiday lodges (resubmission of PA/2020/1251)

**LOCATION** Former site of Priesthows, Butterwick Road, Messingham, DN17 3PA

**PARISH** Messingham

**WARD** Ridge

**CASE OFFICER** Scott Jackson

**SUMMARY RECOMMENDATION** **Grant permission subject to conditions**

**REASONS FOR REFERENCE TO COMMITTEE** Objection by Messingham Parish Council

## **POLICIES**

**National Planning Policy Framework:** Sections 6, 9 and 12 apply.

**North Lincolnshire Local Plan:** Policies RD2, LC5, LC6, LC7, R12, DS1 T1, T2, T19 and R5 apply.

**North Lincolnshire Core Strategy:** Policies CS1, CS2, CS3, CS5, CS15 and CS17 apply.

## **CONSULTATIONS**

**Highways:** No objection; recommend two conditions.

**Ecology:** Compared to the previous application this is an improvement in landscape terms. Conditions are recommended to minimise harm to protected and priority species and to seek a net gain in biodiversity.

**Historic Environment Record:** The proposal does not adversely affect any heritage assets or their settings.

**Environment Agency:** No objection or comments.

**Drainage (Lead Local Flood Authority):** No objection; recommend a condition.

**Environmental Protection:** Following receipt of additional information, no objection but recommend a condition.

## **PARISH COUNCIL**

Object on the following grounds:

- The proposed location is in too close proximity to the village and allotment site.
- The allotments provide a valued amenity space and should not be impacted on by holiday or residential properties.
- The visual impact is detrimental to the street scene and the entrance to the village.

## **PUBLICITY**

A site notice has been displayed; no comments have been received.

## **ASSESSMENT**

The application site consists of an agricultural field which is located on the northern side of Butterwick Road and extends to 0.48 hectares (4800 square metres) in area. It is within the open countryside, to the west of Messingham. There is a residential property to the west of the site and another under construction to the west of that. The site is within flood zone 1 and has an existing vehicular access from Butterwick Road to the south. A highway footpath runs across the front boundary of the site (to the south). Planning permission is sought to change the use of the land to erect six holiday lodges with associated garden areas, car parking and bin store. This is a resubmission of PA/2020/1251 which was refused on 13 January 2021.

**The main issues in the determination of this application are the principle of development (incorporating impact on the character and appearance of the countryside).**

### **Principle**

This proposal is for the creation of a new business in the open countryside (a tourism use). Of direct relevance to this proposal is policy RD2 of the North Lincolnshire Local Plan (NLLP) which states that development in the open countryside will be strictly controlled and only permitted if it is employment-related development appropriate to the open countryside. Policy CS3 of the adopted Core Strategy (CS) echoes this policy approach and states the following in respect of development outside defined settlement boundaries:

‘Development outside these defined boundaries will be restricted to that which is essential to the functioning of the countryside. This will 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.’

In terms of national planning policy, the NPPF, at paragraphs 83 and 84, states the following:

‘Planning policies and decisions should enable: the sustainable growth and expansion of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings;’

and

'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).'

It is worth noting that the NPPF is not discriminatory about the types of businesses to be located in a rural area, save they are grown in a sustainable manner and that they may be sited in locations not well served by public transport. This is not an existing business in the countryside and it is proposed to erect six holiday lodges, each with its own garden area to the rear of each lodge.

Policy R12 (New Caravan and Camping Facilities) of the NLLP is relevant and states that new caravan and camping facilities (both touring and static) will be granted planning permission provided:

- (i) 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
- (ii) the site can be suitably screened by existing land forms and/or the provision of a scheme of landscaping; and
- (iii) the provision of any built development is restricted to those essential facilities which are required to service the site.

In granting planning permission conditions will be imposed, where necessary, restricting the use of the site to holiday lettings.

The first issue to consider is whether establishing new tourist accommodation in the countryside is sustainable in the context of the NPPF and policy CS3 of the adopted CS, and whether it complies with policy R12 of the NLLP.

There is no existing business established at this site and the proposal, if permitted, would result in the establishment of a new business in the open countryside. A supporting statement has been submitted that states this location has been chosen for the lodges as they link to existing businesses in the area (fishing lakes, paintball, walking and golf), the site is linked via a highway footpath to Messingham, where it will support local services and amenities, and there are a wide range of amenities within close proximity of the site. Whilst no additional supporting information has been received such as a business case or support from the local tourism sector (in order to substantiate the need for additional holiday accommodation in this location), it is noted there are a number of tourist attractions in the local area that the proposed lodges could be linked to, including Messingham Zoo, local fishing lakes along Butterwick Road, Pink Pig, Play Avenue, Gainsborough Old Hall, Aerial course at Pink Pig and local attractions in Scunthorpe. The number of lodges proposed in this location would not be detrimental to the character and appearance of the countryside, would not constitute an intensive form of development (it would allow the business to grow

organically), could easily be removed from the site if required and could be appropriately managed by the applicant.

The site is within walking distance along a highway footpath to Messingham to the east and there are facilities within Messingham that the tourist accommodation could reasonably support. However, at an overall walking distance of approximately 965 metres along a partly unlit section of highway footpath, it is likely the development would result in the use of the private car to access local facilities (other than in the lighter summer months).

The proposal would introduce built form onto the site by virtue of the proposed holiday lodges (which have a ridge height of 4.45 metres). As a result, it would not reflect its less developed surroundings and the introduction of built development on the site could contrast markedly with the relatively expansive and open nature of the rural landscape in the area to the east. However, there is recent built form to the west which consists of a new bungalow and a converted barn currently under construction. Some screening is afforded to the site along its southern boundary with Butterwick Road, along the eastern boundary and by a substantial hedge along the northern boundary. It is proposed to introduce a landscaping scheme within the site which consists of additional hedge, tree and wildflower planting. This will help to screen views of the site, assist in biodiversity enhancement and provide an attractive environment for recreational enjoyment of the site. In terms of landscape impact, the council's ecologist has confirmed the proposal has been improved with a more attractive layout, makes use of more natural bog gardens, proposes native shrub and tree planting and will complement the existing landscape south of Butterwick Road and Black Bank. Following receipt of the landscaping scheme, it is considered that the proposal can be successfully assimilated into the rural landscape without resulting in an alien or discordant form of development. In addition, the lodges will be set back from the public highway and screened by existing hedging and additional landscaping over time. The proposal will not be highly visible in the rural landscape.

In conclusion, the proposed development is considered to comply with policies RD2 of the NLLP and CS3 of the adopted Core Strategy in this regard, where it concerns development not being detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials and it constitutes a use which requires a countryside location. In addition, the proposal is considered to comply with policy R12 of the NLLP in that it has been demonstrated the proposal is linked to existing tourist facilities in the local area, it would support the local economy, the scale of the business is acceptable in a rural area, it can be effectively screened and successfully assimilated into the rural landscape and the holiday lodges are self-sufficient without the requirement for additional facilities on site.

## **Other issues**

The level of parking provision consisting of two spaces per lodge, together with a turning space, is considered acceptable in highway safety terms. There is provision for a bin store to the front of the site which will be enclosed by close-boarded fencing and the level of amenity space is proportionate to the size of each lodge. The plans show a connection to the foul sewer can be achieved on Butterwick Road to the south, and the retention of gardens with soakaways and parking areas constructed from permeable materials will allow the drainage of surface water from the site. In addition, the flood risk maps on the Gov.uk website show this area to be at low risk from surface water flooding and located in Flood Zone 1 (lowest area of flood risk). Therefore, the condition recommended by LLFA

Drainage in respect of the submission of a surface water drainage scheme is considered neither necessary nor reasonable in this case.

The proximity of new holiday accommodation has the potential to disrupt the enjoyment of the allotments (a hobby associated with enjoyment and relative peace) located to the east of the site through additional noise and disruption. However, the allotments (in part) are directly to the west of the built framework of Messingham and to the south of Butterwick Road. This, in part, will already create noise sources to users of the allotments. In addition, the scale and type of holiday accommodation proposed appears to be based on relaxation and enjoyment of the countryside and not towards other parts of the tourist market. Furthermore, the site operator would be able to regulate the types of customers occupying the holiday accommodation in this case.

## **Conclusion**

In conclusion, the proposed development is considered to comply with policies RD2 of the NLLP and CS3 of the adopted Core Strategy, where it concerns development not being detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials and it constitutes a use which requires a countryside location. In addition, the proposal is considered to comply with policy R12 of the NLLP in that it has been demonstrated the proposal is linked to existing tourist facilities in the local area, it would support the local economy, the scale of the business is acceptable in a rural area, it can be effectively screened and successfully assimilated into the rural landscape and the holiday lodges are self-sufficient without the requirement for additional facilities on site. The application is therefore recommended for approval.

## **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: 030321-03, Site Location Plan, 030321-02 and 030321-05.

Reason

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

3.

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:

- (a) details of nest boxes and bat boxes to be installed;
- (b) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;

- (c) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (d) prescriptions for the planting and aftercare of native trees, shrubs, hedgerows and wildflowers of high biodiversity value;
- (e) details of wetland habitat to be created as part of sustainable drainage;
- (f) details of how the measures proposed will provide at least 1% biodiversity net gain in accordance with the Defra Small Sites Metric;
- (g) proposed timings for the above works in relation to the completion of the lodges.

**Reason**

To conserve and enhance landscape and biodiversity in accordance with saved policy LC7 of the North Lincolnshire Local Plan, and policies CS5, CS16 and CS17 of the Core Strategy.

**4.**

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 landscape and biodiversity in accordance with saved policy LC7 of the North Lincolnshire Local Plan, and policies CS5, CS16 and CS17 of the Core Strategy.

**5.**

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

**Reason**

To define the terms of the permission and in the interests of ensuring the successful assimilation of the development into the rural landscape.

**6.**

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 in writing by the local planning authority.

Reason

To ensure that 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 workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

7.

None of the holiday lodges hereby permitted shall be brought into use until adequate parking and turning facilities have been completed in accordance with the approved details shown on drawings 030321-02 and 030321-05.

Reason

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

8.

The holiday lodges are to be occupied for holiday purposes only.

Reason

To ensure the approved holiday accommodation is not used for unauthorised permanent residential occupation.

9.

The holiday lodges shall not be occupied as a person's sole or main place of residence.

Reason

To ensure the approved holiday accommodation is not used for unauthorised permanent residential occupation.

10.

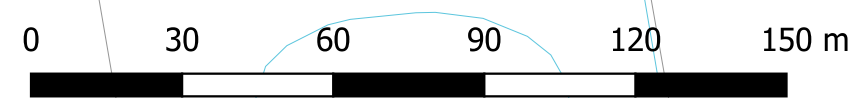
The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual holiday lodges on the site, and of their main addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason

To ensure the approved holiday accommodation is not used for unauthorised permanent residential occupation.

**Informative**

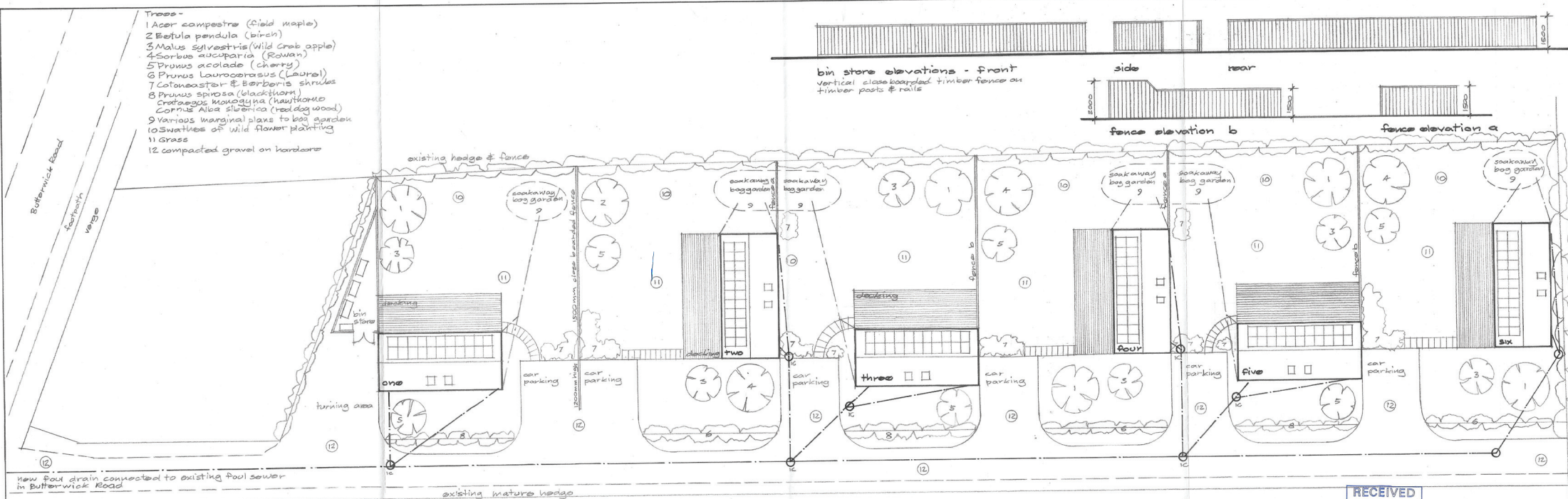
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



**PA/2021/999**



# PA/2021/999 Proposed layout (not to scale)

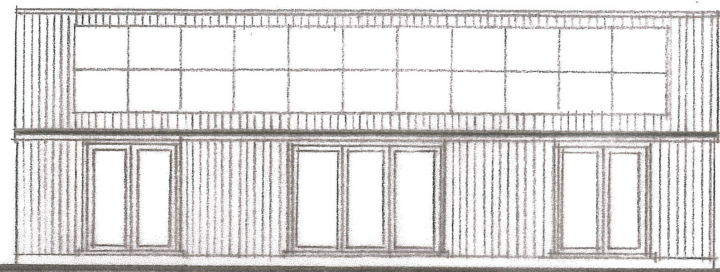


proposed site layout 1:200  
 proposed holiday lodges, Butterwick Road, Messingham

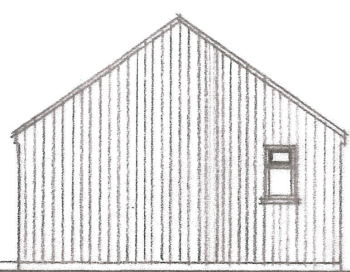
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dwg 030321-05  
 scale 1:100 & 1:200

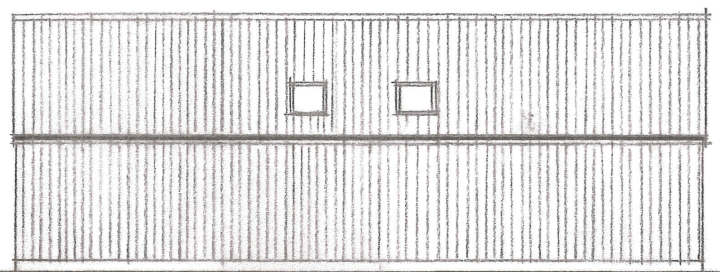
PA/2021/999 Proposed plans & elevations (not to scale)



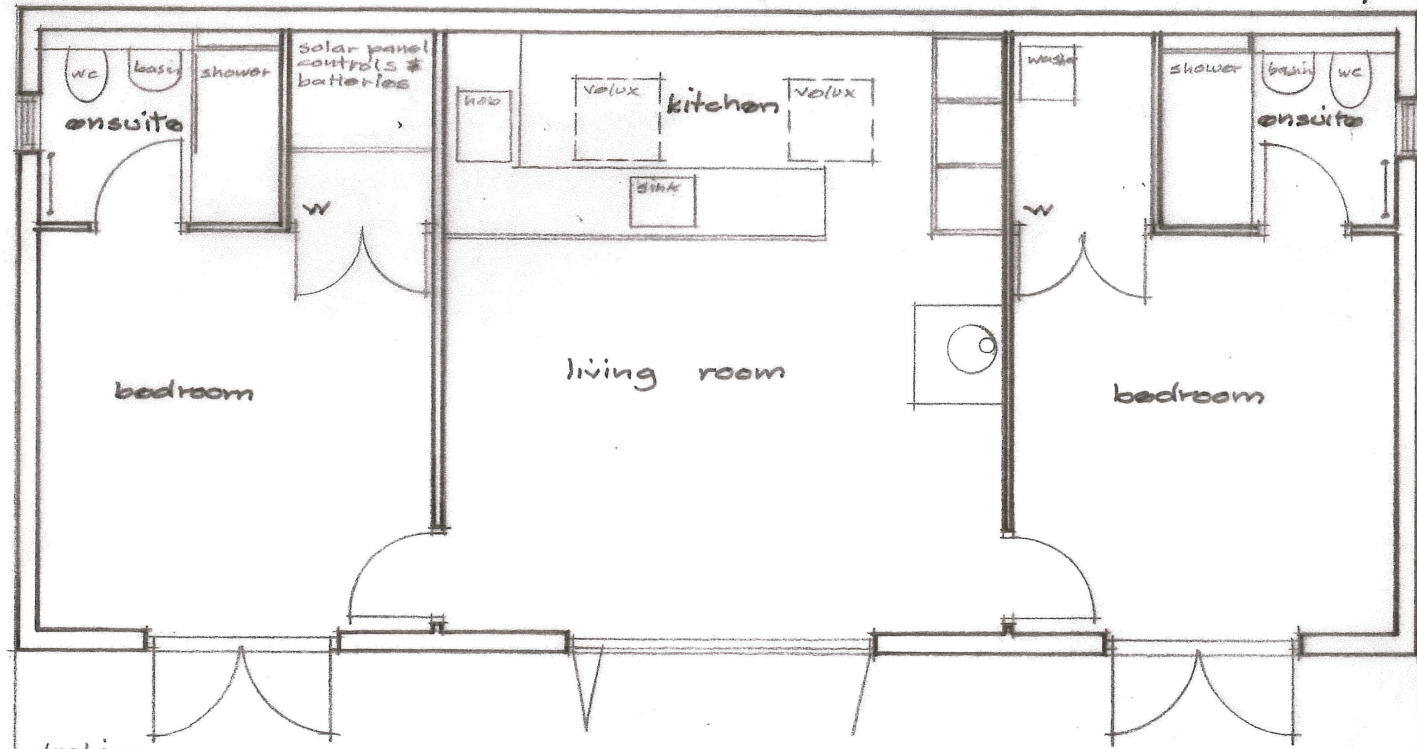
proposed front elevation



proposed side elevation



proposed rear elevation

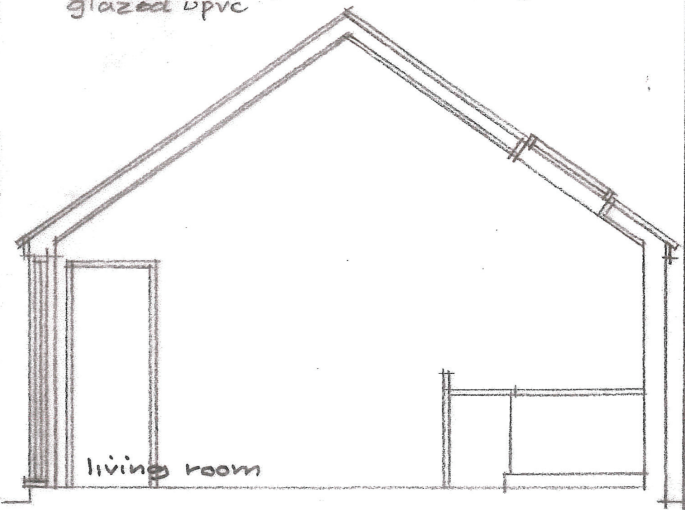


proposed ground floor plan



proposed side elevation

roof - anthracite grey profiled steel sheeting  
 external walls - larch vertical boarding  
 windows & doors - anthracite grey double glazed upvc



proposed section

proposed holiday lodges, Butterwick Road, Messingham

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 scale 1:50&1:100