

APPLICATION NO	2006/1325
APPLICANT	Mr & Mrs R Johnson
DEVELOPMENT	Planning permission to change the use of existing outbuildings and make alterations and extensions to form a farm shop and cafe with associated farm displays and walking areas (resubmission of 2006/0758)
LOCATION	Medley Farm, Carrhouse Road, Carrhouse, Belton
PARISH	BELTON
WARD	Axholme Central
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Third party request to address the committee
POLICIES	<p>Planning Policy Statement 1: Delivering sustainable development.</p> <p>Planning Policy Statement 7: Sustainable development in rural areas.</p> <p>Humberside Structure Plan: Policy E3 (iv) states that in the open countryside new proposals for industry and commerce will not normally be permitted. Proposals to re-use existing buildings for small businesses may be permitted provided their impact on the countryside is acceptable.</p> <p>Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.</p> <p>North Lincolnshire Local Plan: Policy ST3 (Development Limits) states that development outside development boundaries will be considered as being in the open countryside and will only be permitted if it is essential for the purposes of agriculture, forestry or to meet a special need associated with the countryside.</p> <p>Policy RD2 (Development in the Open Countryside) only allows proposals for development in the open countryside which are essential to the efficient operation of agriculture or forestry; employment-related development related to the open countryside, or other special countryside associated need, provided that the open countryside is</p>

the only appropriate location and development cannot be accommodated within defined development boundaries; the proposal accords with other specific requirements of this chapter of the local plan; it would not be detrimental to the character or appearance of the open countryside or nearby settlements in terms of siting, scale, massing, design or materials.

Policy LC14 identifies the Isle of Axholme as an area of Special Historic Landscape Interest and states that within this area, 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.

Policy RD7 (Agriculture, Forestry and Farm Diversification) applies and states that proposals for agriculture, forestry and farm diversification will be acceptable in principle provided that:

- (i) the proposal does not conflict with the operational requirements of the agricultural or forestry enterprise;
- (ii) there is no adverse impact on high quality agricultural land;
- (iii) the proposal should, wherever possible, re-use existing farm buildings, or if new building is necessary, should be sited in, or adjacent to, an existing group of buildings and be of a design, scale and construction appropriate to its surroundings; and
- (iv) the likely level of traffic generated by the proposal is acceptable taking account of the suitability of existing access and approach roads; and
- (v) any parking associated with the proposal would not be visually intrusive.

Policy DS1 applies and sets out general primary requirements for all new developments in North Lincolnshire.

Supplementary Planning Guidance – North Lincolnshire Landscape Assessment and Guidelines applies.

Supplementary Planning Guidance – North Lincolnshire Countryside Design Summary sets out requirements for development in the countryside.

CONSULTATIONS

Highways: Advise conditions.

Environment Agency: Advise a condition.

PARISH COUNCIL

The parish council are not opposed to this application provided that Highways are consulted about the suitability, especially the greatly increased traffic that would be using Carrhouse Road, which in many places is extremely narrow. The parish council would also refer you to the resident's comments that accompanied the comments on 2006/0758.

PUBLICITY

Neighbouring properties have been notified, and site and press notices posted. Letters of both support and objection have been received.

Objections:

- increased traffic not only on Carrhouse Road but within the village, road not adequate for use, lack of pavements, conflict between vehicles and pedestrians – it is an accident waiting to happen
- what hours will it be open? Open all year round?
- loss of privacy
- disturbance from construction vehicles
- effect on pet cats (rescue cats)
- noise, litter and air pollution
- application encircles neighbouring property
- loss of light
- loss of way of life, Human Rights Act 2006 gives right to maintain way of life
- increased security worries
- signage
- utilities
- screening
- would affect existing farm shop on the High Street

Support (not all from local residents):

- providing local produce for sale
- providing local employment, important for the rural economy
- 'The farm walk will be a great way for children to see how a modern farm works so that they understand where their food comes from.'
- diversification in a way that contributes to local services
- there is ample parking on site, it poses no congestion problems

A letter from the NFU has been submitted in support of the proposals:

- 'The proposals are also in line with current Government and public opinion, following the recommendations of the Curry report. This requires farmers to become "connected" more directly with their markets, and engage in sustainable farming.'
- residents can shop local and reduce food miles
- labour needs will increase
- re-using redundant farm buildings in a way that benefits the whole community as well as farm business

ASSESSMENT

Planning permission is sought for the change of use of existing farm buildings and the erection of extensions and a new building to create a farm shop and café. The proposals also include the change of use of land to allow farm displays and walking areas on agricultural land.

The key issues to be considered in the determination of this planning application are:

- (1) whether the proposals are acceptable in policy terms;**
- (2) whether any unacceptable harm to the amenities of the occupiers of neighbouring properties would occur;**

- (3) whether the impact of the development upon the historic landscape would be acceptable; and**
- (4) whether the proposals are acceptable in terms of highway safety, parking and access.**

This planning application is a resubmission following withdrawal of application 2006/0758. That application was withdrawn following negotiations to require significant amendments by the applicant to address the concerns of residents which had been raised following the consultation process for the original application.

The amendments made by the applicant include:

- (a) reducing the extent of land involved in the proposals very significantly. The northern boundary has been pulled back by approximately 350 metres. This means a lot less dwellings are directly adjacent to the site and a smaller area would be accessed by the public;
- (b) a more detailed plan shows where the public walking route would be, although this is still more conceptual than detailed. A condition can be imposed to require exact details to be submitted and agreed;
- (c) the parking areas have been moved away from the boundary with Medley Farm House. The closest residential property.

The key issues for consideration are:

(1) Policy

Central Government guidance and local plan policy (RD7) support sustainable farm diversification. The proposals to create a farmshop and café, and farm displays and walking areas are in principle an acceptable way for an existing farm operation to diversify its activities. It is considered that the proposals are in accordance with the relevant planning policies.

(2) Amenity

With the revised site boundary far fewer properties are now affected. The farm display and walking areas are not likely to materially cause harm to residents' amenities as the actual suggested route, apart from the way in/out,

would be approximately 95 metres to the nearest residential garden and with screening and hours of use conditions the impact would be minimal.

(3) Landscape

The proposals mostly involve re-using existing buildings. The new building would be next to existing dwellings and would have little impact upon the landscape. The farm walks/displays would have little harmful impact upon the landscape.

(4) Highways

A number of objections have raised issues relating to highway safety.

Highway Control have been formally consulted on the application and have not objected but advise conditions to be imposed.

It is considered that the access and parking arrangements are acceptable.

In conclusion, the proposals represent a satisfactory form of farm diversification and should be supported.

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 shall be carried out in accordance with the submitted drawings and particulars unless otherwise agreed in writing by the local planning authority in which case the development shall be carried out in accordance with the agreed amended details.

Reason

To ensure that the development is carried out in accordance with the provisions of the Town and Country Planning Act 1990 or any amending legislation.

3.

No development 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 design of the development shall incorporate all the mitigation measures identified in the agreed flood risk assessment dated 29 August 2006.

Reason

To reduce the potential impact of flooding in accordance with policy DS16 of the North Lincolnshire Local Plan.

5.

No development shall take place 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 change of use takes place/the building(s) is/are occupied/in accordance with a programme to be agreed in writing by the Local Planning Authority before development is commenced, 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.

6.

No loose material shall be placed on any driveway or parking area within ten metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the Local Planning Authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

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

7.

The development shall not be brought into use until the access to it and the parking area serving it have been completed and these facilities shall thereafter be so retained.

Reason

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

8.

The building(s) shall not be brought into use until they have been sound insulated in accordance with details to be agreed in writing by the Local Planning Authority beforehand.

Reason

To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

9.

The site shall not be open to the public outside the hours of 8.00am to 7.00pm Monday to Saturday, and 10.00am to 2.00pm on Sundays, and not at all on Public Holidays.

Reason

To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

10.

No development shall commence until detailed plans of the farm walk routes and signage have been submitted to and agreed in writing by the Local Planning Authority.

Reason

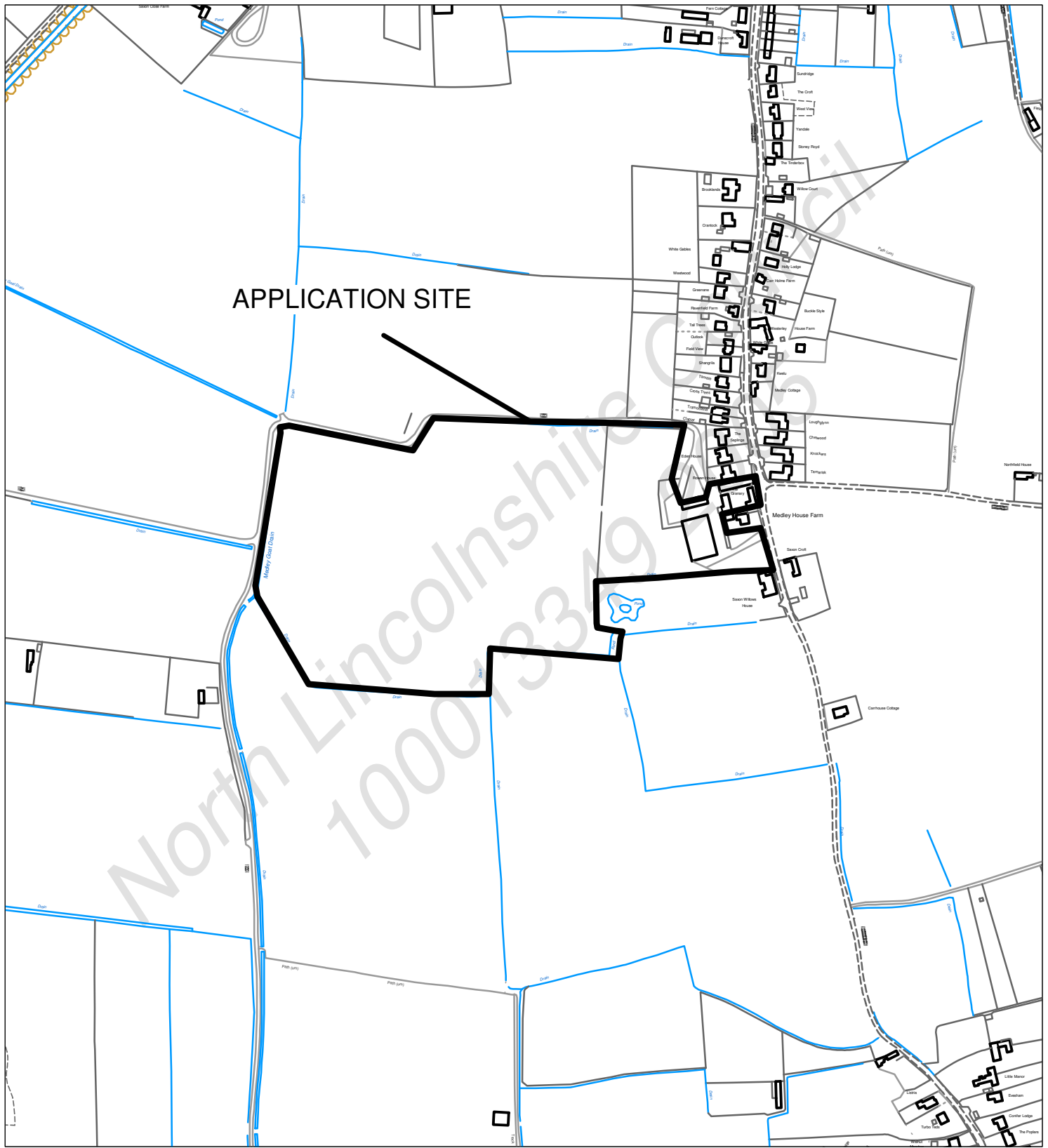
To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

11.

Only farm food produce from within a 10 mile radius of the site shall be available for sale in the farmshop, and no other products, goods or items shall be sold or displayed for sale.

Reason

In the interests of sustainable development and to allow the Local Planning Authority to maintain a degree of control over the operation.



TITLE: 2006/1325

SCALE: 1:5000



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 Planning and Regeneration Service
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