

# Howard J Wroot

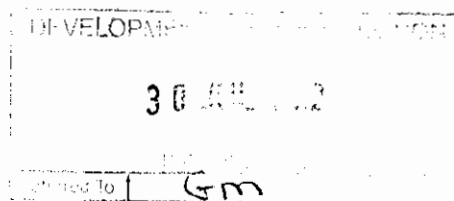
## Chartered Surveyor

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North Lincolnshire Council  
Development Control  
Pittwood House  
Ashby Road  
Scunthorpe  
DN16 1AV

Date: 30 July 2012



Your Ref: FAO Phil Wallis  
Our Ref:

Dear Phil,

**Proposal:** Retention of Extension at and Removal of Condition 7  
PA/2011/0018  
**Site Location:** Poplars Farm House, Jaques Bank, Crowle, Scunthorpe, DN17  
4BW.  
**Application ref:** PA/2012/0698 and 0694 respectively.  
**Applicant:** Mr F Barker

## SUPPORTING STATEMENT 2

### 1.0 PD Rights

1.1 Referring to the plan attached herewith, it can be shown that the increase in actual floor area of the replacement dwelling as built, compared to the original house that could have been so extended under the permitted development rules is fairly similar. If we exclude the garages, which again could have been built under the permitted development rules.

1.2 The relevant policy RD9 does state volumes not floor area thus I calculate the volume of the as built dwelling to be 2000m<sup>3</sup> approx (excluding garages) and that of a PD extended dwelling plus an increase of 20% of the original house volume to be around 2060m<sup>3</sup>.



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Company Number 6586509

1.3 Thus it can be shown that in fact the as built house would be no bigger than one that could have been built/enlarged etc on site in any event. The size of the dwelling as built should not therefore be an issue. However the fact still remains that Mr Barker did construct it not in full accordance with the approved plans and he thus requires permission to retain the building.

1.4 I would add that the “as built” property is an attractive dwelling house and would be far more suitable than the original dwelling house that had been extended to obtain the required floor space. It has been carefully designed and well built, it is to incorporate modern insulation and heating techniques to reduce it’s carbon footprint such that an original extended dwelling could not achieve.

## 2.0 RD9

2.1 In my original supporting statement I did refer to examples of where RD9 had been flexible and I would again refer to the photographs below from application PA/2002/0974. This shows how a very modest derelict cottage (scale drawings of it’s actual size can be provided) became a property as large if not larger than the subject house.

2.2 Other similar examples can be supplied but that below serves merely to show that RD9 can be and has been flexible in the size of replacement dwellings that have been approved and the actual size of the replacement dwelling should not be the issue.

Photograph 1 Original dwelling The Moors Crowle a.



Photograph 2 Original dwelling The Moors Crowle b.



Photograph 3 Replacement dwelling The Moors Crowle.




3.0 Removal of Condition 7

- 3.1 Condition 7 on Planning Permission PA/2011/0018 restricts the occupancy of the property to that of someone working or last employed in agriculture at Poplars Farm.
- 3.2 It should be borne in mind that the original house had no such planning restriction on it, therefore why should one be imposed in this instance. It is unfair on Mr Barker as it will have serious financial implications. Should he ever require a mortgage on the dwelling this will be extremely problematical as lending institutions shy away from lending on properties with agricultural occupancy conditions on them.
- 3.3 Further, such a condition will have the effect of reducing the value of the dwelling from between 33% to 50%, which in this case could amount to £200,000 or more.
- 3.4 I would argue that the inclusion of this condition in the original planning permission has been improperly applied in that it is designed for new dwellings in the countryside not replacement dwellings that had no such conditions on them.
- 3.5 Therefore as the original dwelling did not have such a condition on it then the effect of the new permission is to modify the existing permission, by the imposition of condition 7, and thus may give rise to a claim for compensation under the 1990 Act. Obviously where such an amount of money is involved then this is something Mr Barker may wish to explore with his solicitors.

I would finally say that whilst Mr Barker has acted foolishly in ploughing on with his project without getting the necessary permission for the alterations, when you look at the issue of the buildings size, it is in fact about the same as he could have built around the existing farm house anyway and imposing the agricultural occupancy clause is unfair on him.

Yours sincerely

  
Howard J Wroot BSc MRICS

## VOLUME

### Original House extended under PD

Extensions 1100m<sup>3</sup>  
 Original 800m<sup>3</sup> inc basement

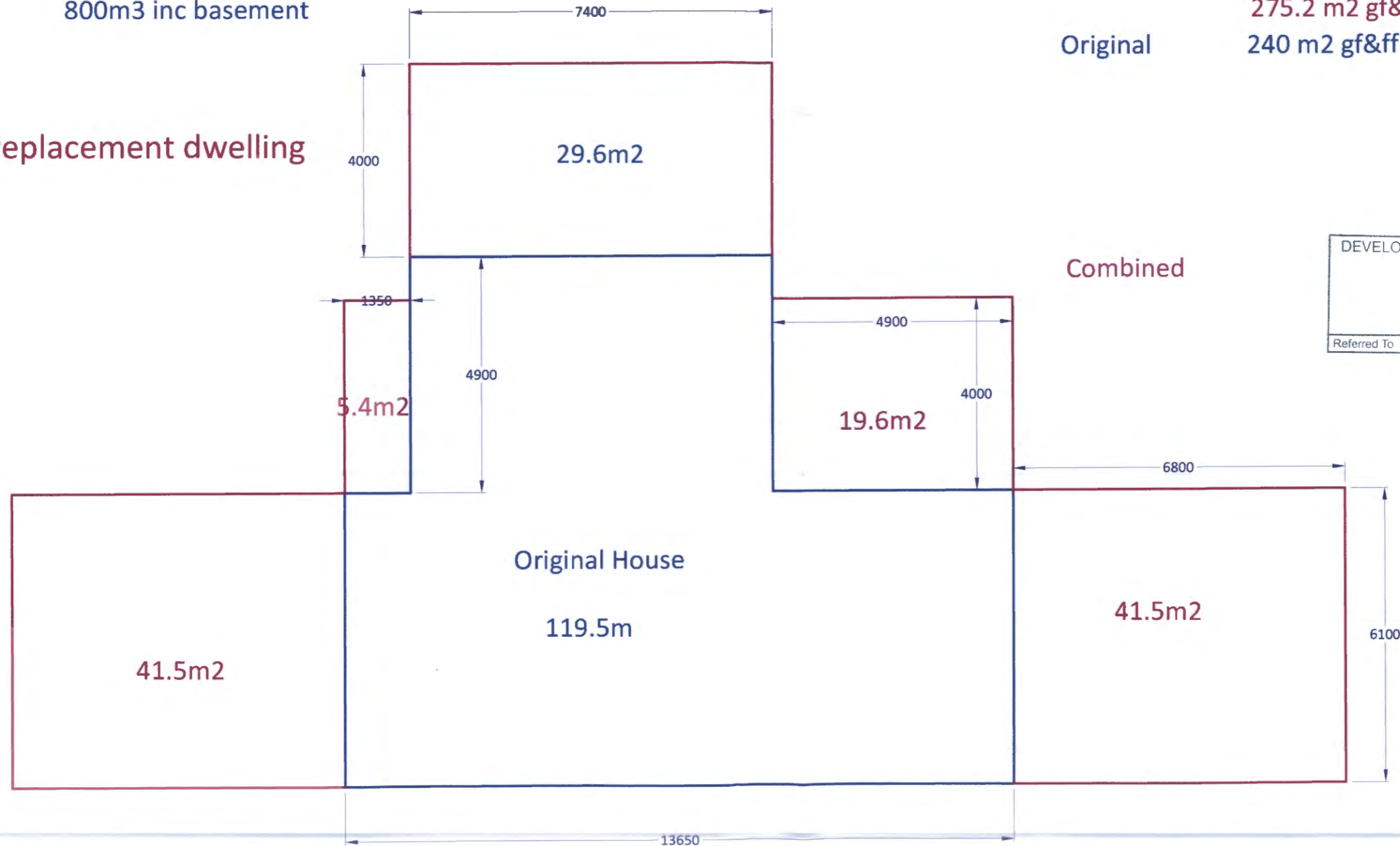
### As built replacement dwelling

2000m<sup>3</sup>

## FLOOR AREA

### Original House extended under PD

Extensions 137.6 m<sup>2</sup> gf  
 275.2 m<sup>2</sup> gf&ff  
 Original 240 m<sup>2</sup> gf&ff



DEVELOPMENT CONTROL SECTION	
30 JUL 2012	
Referred To	DATE RECEIVED