

DELEGATED ASSESSMENT

Application no: PA/2025/777

Proposal: Planning permission to erect agricultural workers dwelling

Location: Mendle Farm, Holme Lane, Holme, Scunthorpe, DN16 3RF

Applicant: Mr John Richardson

Officer: Jennifer Ashworth

POLICY

National Planning Policy Framework: Chapter 2 – Achieving sustainable development, Chapter 4 – Decision making, Chapter 5 – Delivering a sufficient supply of homes, Chapter 9 – Promoting sustainable transport, Chapter 11 – Making effective use of land, Chapter 12 – Achieving well-designed places, Chapter 14 – Meeting the challenge of climate change, flooding, and coastal change.

Saved Policies of the Local Plan (2003) – RD2: Development in the open countryside, H5: New Housing Development (Part Saved), H8: Housing Design and Housing Mix, DS1: General Requirements, DS3: Planning Out Crime, DS7: Contaminated Land, DS14: Foul Sewage and Surface Water Drainage, DS16: Flood Risk, T2 – Access to Development, T19: Car Parking Provision and Standards and Appendix 2

Core Strategy (2011) – CS1: Spatial Strategy for North Lincolnshire, CS2: Delivering More Sustainable Development, CS3: Development Limits, CS5: Delivering Quality Design in North Lincolnshire, CS7: Overall Housing Provision, CS8: Spatial Distribution of Housing Sites, CS17: Biodiversity, CS19: Flood Risk

Housing and Employment Land Allocations DPD (2016) - The site lies within the open countryside outside the development limits as shown on the proposals map.

CONSULTATIONS

Environmental Protection: No objections subject to a watching condition being applied, however, this largely relates to a separate application for the office building which is to be erected.

In order to protect residential amenity an occupation condition is recommended to limit occupation to a person in agriculture.

LLFA Drainage: The LLFA requested a surface water design and drainage strategy to be submitted to ensure the site could be adequately drained. The applicant prepared and submitted the required information and the LLFA have since reviewed and

consider the submitted information to be acceptable. The agent has also confirmed that the soakaway is within the applicant's ownership as was questioned by the LLFA through discussions.

Highways: No objection subject to condition HT3 being applied.

PARISH/TOWN COUNCIL

Messingham Parish Council has no objections to planning application PA/2025/777 subject to an agricultural occupancy condition being placed on the dwelling.

PUBLICITY

A site notice was displayed on 25/06/2025 in accordance with article 15 of the DMPO 2015.

Comments

One comment received:

- Six swift nesting bricks to be installed

MATERIAL CONSIDERATIONS

Planning History

- PA/2019/1860 - Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline application PA/2019/547 dated 31/07/2019 to erect an agricultural workers dwelling - Approve with Conditions - 24/12/2019
- PA/2019/547 - Outline planning permission to erect agricultural workers dwelling with all matters reserved - Approve with Conditions - 31/07/2019
- 7/1977/0776 - Planning permission to make alterations to a dwelling to erect a two storey extension comprising kitchen, dining and bedroom accommodation and to erect a detached domestic garage - Approve with Conditions - 11/11/1977
- PA/2025/405 - Application to determine if prior approval is required for a proposed small single storey office building - withdrawn
- PA/2025/548 - Planning permission to erect single-storey farm office building - withdrawn

Planning Designations / Considerations

The site lies within the open countryside outside the development limits.

The site is not located within a Conservation Area and there are no TPO's or Listed Buildings within the site. Two TPO trees are located east of the site outside the redline boundary east of the access track to the wider farm.

The site is located within SFRA Flood Zone 1 which is considered to be low risk of flooding.

THE SITE / PROPOSED DEVELOPMENT

Planning permission is sought for the erection of an agricultural workers dwelling. A dwelling was originally granted permission on the site under outline application PA/2019/547 and subsequent reserved matters application PA/2019/1860, however, the dwelling was built in a different location within the site to the approved plans (approximately 4.5m further north than the approved plans, in addition, the owner has laid out the garden to include an area further north to the red line application area. Thus, occupying a small area between the dwelling and an existing agricultural shed.). As such permission is sought retrospectively for the dwelling in its current location.

The site is part of a wider farming business. The unit consists of 638 acres of arable land around Home, Scawby and Sturton, together with an additional 2000 acres of crop harvesting and baling in the north Lincolnshire area. The business has been in operation for almost thirty years and can support up to 5 full time workers. The applicant was living in a rented property near Sturton, but the tenancy was coming to an end and the applicant wanted to build a dwelling to serve the agricultural unit on land that is in his ownership. There is no other dwelling on the unit, and no nearby dwellings available for sale or rent. The site at Mendle Farm is a small but established complex of farm buildings with existing access on to Holme Lane. It is set back from the main road and is difficult to see from most public views. The dwelling is completed and occupied.

PRINCIPLE OF DEVELOPMENT

The development plan for North Lincolnshire comprises three parts: those policies of the North Lincolnshire Local Plan (2003) (LP) which were saved by a direction of the Secretary of State in September 2007, the North Lincolnshire Core Strategy DPD (2011) (CS), and the Housing and Employment Land Allocations DPD (2016) (HELAP).

The combined effect of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 is that a planning application should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Due to its location outside of any defined development boundary, the application site is considered to be in the open countryside for the purposes of planning. Residential development is only permitted in the open countryside by policy RD2 of the North Lincolnshire Local Plan where, amongst other policy requirements, the dwelling is demonstrated to be essential for the efficient operation of agriculture or forestry. National planning policy and planning case law has directed that essential need is normally only justified by the submission of functional and financial tests. 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 the essential need for a rural worker to live permanently at or near their place of work in the countryside.

Paragraph 010, reference ID 67-010-20190722, of the PPG (Housing Needs for different types of housing) offers considerations which may be relevant to take into account when assessing applications for rural workers' dwellings.

The application is made retrospectively after previously being granted planning permission after being constructed in a different position to the approved plans. The need for the dwelling was assessed and considered acceptable at that time. The applicant has provided an appraisal of need as part of this new application.

The appraisal confirms that the business has been operating for nearly thirty years and since those early days, the business has continued to be a profitable and growing business. Operating from the farmyard at Station Farm, Sturton Mr Richardson has operated as a sole trader. He has now been joined by his daughter Emily who has recently gained a degree in agriculture. Emily is now a partner in the business with her father. This gives opportunity for the business to grow. The business supports three employees in addition to Mr Richardson. The work force has grown over the years from 1 to 5 and the applicant seeks for this to continue to increase as the business grows. There is no house associated with the premises and land at Mendle Farm which belongs to the applicant.

The supporting appraisal sets out a clear functional need for the dwelling with daily requirements for someone to be on site at all times to carry out work beyond the normal working day.

The information submitted with the application demonstrates that the business is long established, viable and that there is an essential need for an agricultural worker to live on the unit. The large machinery used for cropping will be relocated to the buildings at Mendle Farm, which will be the base to serve the surrounding land that belongs to the agricultural unit. It is considered that the site is the best location for a dwelling within the unit, as it is adjacent to existing buildings and well positioned to serve the land that is farmed by the applicant.

Planning policy, both local and national seeks to limit development in the open countryside to that which is essential for the functioning of the open countryside. It is considered that the applicant has demonstrated that a dwelling is essential in order for the agricultural unit to function.

Residential Amenity

Part Saved Policy H5 and Policy DS1 refer to residential amenity. They discuss the need to ensure development does not result in overlooking or a loss of privacy to existing developments, or any other loss of amenity to existing dwellings. Policy H5 states adjacent land uses will not result in annoyance or detract from the residential amenity which residents of the proposed dwelling should expect to enjoy. Policy DS1 states there should be no unacceptable loss of over shadowing.

The position of the proposed dwelling is also considered to be acceptable as it will be located against the backdrop of the existing farm buildings farm buildings, and well related to the small farm complex. There are no other properties which will be impacted by the development. Existing properties are located south west of the

property but there is sufficient space between the properties for there not to be any concerns in relation to amenity impact.

In relation to future occupiers, the proposed development is located on a working farm. Noise and odour from farmyard activities has the potential to impact on residential amenity. Therefore, in order to prevent the introduction of sensitive receptors who are not associated with the farm business, it is recommended the inclusion of an occupancy condition.

It is therefore considered that the proposal accords with policies RD2, DS1, DS5 and H5 of the Local Plan.

Layout / Scale / Appearance and Design

It is considered that the siting of the proposed development is acceptable, the dwelling has been sited further north in the plot than was previously permitted, this increases the distance between existing properties to the south west, moving the property closer to existing farming buildings.

The proposed dwelling is modest in size and also in terms of the internal accommodation it provides. On the ground floor there is a kitchen diner, lounge, office, shower room and boot room. The first floor provides three bedrooms with the master having an en-suite, and separate family bathroom. The internal layout is considered to be relatively modest and commensurate with the size of the agricultural unit and appropriate to serve as an agricultural workers dwelling, both now and in the future. The external appearance is relatively simple and unfussy, with no elaborate design details that would be out of keeping in the open countryside. The property is also set back from the public highway adjacent to existing agricultural buildings and is well related to the farmyard.

It is considered that the proposal reflects the permissions granted on the site, and does not harm the character or appearance of the open countryside.

The development includes the following materials:

- Brickwork – Heritage blend or similar brickwork
- Roof Tiles – marley Edgemere grey slate or similar
- Windows – off white UPVC foil wrapped
- Rainwater goods – Black upvc

A landscaping plan has also been provided which details the proposed boundary treatments and finishes. Boundary treatments include a mix of post and rail fencing and native hedging which is suitable for this location.

The previous permission included a condition to remove the permitted development rights preventing the erection of buildings or extensions on site without the expressed consent of the LPA. It is considered reasonable to apply this same condition in order to ensure unrestricted development within the open countryside.

It is considered that the development would accord with the relevant development plan policies and the NPPF.

HIGHWAYS / ACCESS

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

The site is accessed via the existing track which serves the wider farm. The dwelling includes sufficient off-street parking to serve the dwelling and highways have no objections subject to the inclusion of a condition requiring the access, parking and manoeuvring facilities serving the dwelling being in place prior to occupation. The application is made retrospectively and is occupied. The vehicle parking was in place at the time of site visit.

It is considered that a safe access can be achieved at the site.

It is considered that the recommended condition on this occasion is not required as it is not necessary or can be enforced as the dwelling is already occupied. The proposed scheme is considered to be acceptable and accords with the relevant policies of the development plan.

Contamination

The planning application is retrospective to rectify errors made in the implementation of an 'Outline' (PA/2019/547) and 'Reserved Matters' (PA/2019/1860) Application. The developer has constructed the dwelling approximately 4.5m further north than the plans agreed. The Environmental Protection department commented on the discharge of conditions application (PA/2020/828) where remediation was required and condition 10 relating to contamination was discharged, however the new proposed office building has now changed the requirements of the previously agreed soft landscaped areas that required remediation. A watching condition is recommended to address potential for contamination at the site during the development period.

The dwelling has been completed and is occupied by the applicant. The recommended condition is considered unnecessary and as such would fail the tests for planning conditions as set out within the NPPF.

It is considered that the proposed scheme would be acceptable and accords with the relevant policies of the development plan.

Drainage

The LLFA Drainage have reviewed the proposals along with the drainage information and consider the information is acceptable and provides an appropriate drainage solution for the site. The applicant has also provided the relevant plans that were submitted for the Building Regs Application (subsequently approved by Building Control) and confirmed that the drainage system does work. The applicant has

confirmed in writing that the proposed soakaway will be located within land which whilst outside the redline boundary is within the applicant's ownership.

It is therefore considered that the information provided is sufficient to demonstrate that there are no concerns in relation to flood risk or drainage at the site.

Ecology

Policy CS17 of the North Lincolnshire Core Strategy is concerned with biodiversity. It seeks to achieve a net gain for habitat wildlife networks and general biodiversity improvements. It is reinforced by paragraph 170 of the NPPF which is also relevant.

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) provides that every grant of planning permission shall be subject to the condition that the biodiversity gain objective is met, further subject to exemptions. This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

The planning application is made retrospectively. BNG does not yet apply to retrospective planning permissions made under section 73A. There are provisions within Schedule 7A of the Town and Country Planning Act 1990 which allow for modifications to the statutory framework in respect of planning permissions granted under section 73A, and regulations would need to be brought forward to apply BNG requirements apply to these circumstances.

Other Matters

The Building Regulation Completion certificate for the dwelling is dated 04/07/2023. This confirms that Full Plans were deposited under the Building Regulations made under Section 1 (3) of the Building Act 1984 on 02/12/2020 and the certificate is evidence that the requirements specified in the certificate have been complied with.

Conclusion

The principle of residential development on the site is acceptable. The applicant has justified the functional need for a dwelling on site and the LPA is satisfied that the development accords with the statutory development plan at this time.

It is considered that the development has been designed to a high standard and quality and there are no technical reasons to refuse development. It is therefore recommended that this planning application is approved, subject to the recommended conditions.

RECOMMENDATION: Grant Planning Permission subject to the following conditions: