

APPLICATION NO	2006/0756
APPLICANT	Mr J Gibbons, Epworth Equestrian Ltd
DEVELOPMENT	Planning permission to convert an existing utility block to form a dwelling for a period of three years
LOCATION	Epworth Equestrian Ltd, Scawcett Lane, Epworth
PARISH	EPWORTH
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 S7 applies indicating that residential development in the open countryside will not normally be permitted except where essential for agriculture or forestry.</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 RD13 (Temporary Agricultural and Forestry Dwellings) applies and states that, amongst other criteria, dwellings will be permitted if:</p> <ul style="list-style-type: none"> (i) for an established holding; (ii) for a new enterprise on a sound financial basis; (iii) a justified need for a full-time worker and no other option locally.

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 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 RD11 (New Agricultural or Forestry Dwellings) is not directly applicable as only a temporary farm or accommodation is applied for.

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

CONSULTATIONS

Environment Agency: Advise a condition.

PARISH COUNCIL

No response received.

PUBLICITY

The neighbouring property has been notified and a site notice posted. One letter of objection has been received from a planning agent:

'I am instructed to object to this proposal on the grounds that a previous application for residential use of this building was made (by me) on behalf of Mr Ken Embleton who used the premises for the same purpose as the applicant, this application was refused. I wish to address the planning committee to bring this to their attention.'

ASSESSMENT

Planning permission is sought to convert an existing utility block to a temporary dwelling, at Epworth Equestrian, Scawcett Lane, Epworth.

The key issue in the determination of this planning application is whether it satisfies local plan policy.

The site is located in open countryside outside the development boundary for Epworth. The site comprises paddocks, a menage, a barn, stables, a toilet block and a utility block. It is proposed to convert the utility block to living accommodation for three years.

The objector states that a previous application for the same use was refused permission.

Whilst the local planning authority must be consistent in its decision-making, it is considered that the applicant has proved a functional need to live on site and as this application is only for temporary accommodation a financial test is not required at this stage. It should be noted that when the previous application was refused (2004/0515) on 29 July 2004, the applicant was also the owner of Far Scawcett Farm House and this provided ample accommodation. The present applicants are not connected to Far Scawcett Farm so do not have the option of that accommodation.

The applicant has advised that there are usually 15 horses on site, and the applicants work from 5.30am to 10.00pm caring for the horses. If they are involved in preparing horses for competitions they can work until midnight.

Emergencies, such as needing to call out a vet to treat colic or to deal with weather extremes necessitating moving horses in and out of buildings, means the applicants are required on-site 24 hours a day. A further written statement submitted by the applicants adds further details: a brood mare on site requires 24-hour monitoring as birth approaches.

The applicants have given consideration to the availability of other accommodation in the immediate vicinity and on Scawcett Lane there are no suitable properties. Epworth Road is over three quarters of a mile from the centre so if an emergency arose the applicants would not be aware of such an incident until they returned to the centre and would probably be too late to make a difference. However, if they were on site the noise of the horses would indicate something was wrong and would be investigated immediately.

Additionally, whilst security is not enough on its own to justify dwellings in the open countryside, the applicants state there has been a history of arson attacks on this site and there is great concern on their part that it may happen again.

The applicants were asked what will happen at the end of the three-year period. The applicants hope before then the business would have grown enough to employ more staff and warrant the seeking of full planning permission for a permanent dwelling.

On balance, it is considered that the functional need is proven and permission for a period of three years should be granted.

RECOMMENDATION

Grant permission subject to the following conditions:

1.

The use as temporary residential accommodation shall be discontinued on or before 11 October 2009 (and the land shall be restored to its former condition in accordance with details to be agreed in writing by the Local Planning Authority before restoration is commenced).

Reason

Application was made for a temporary period only.

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.

The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in Epworth Equestrian Ltd or a widow or widower of that person, and any resident dependants.

Reason

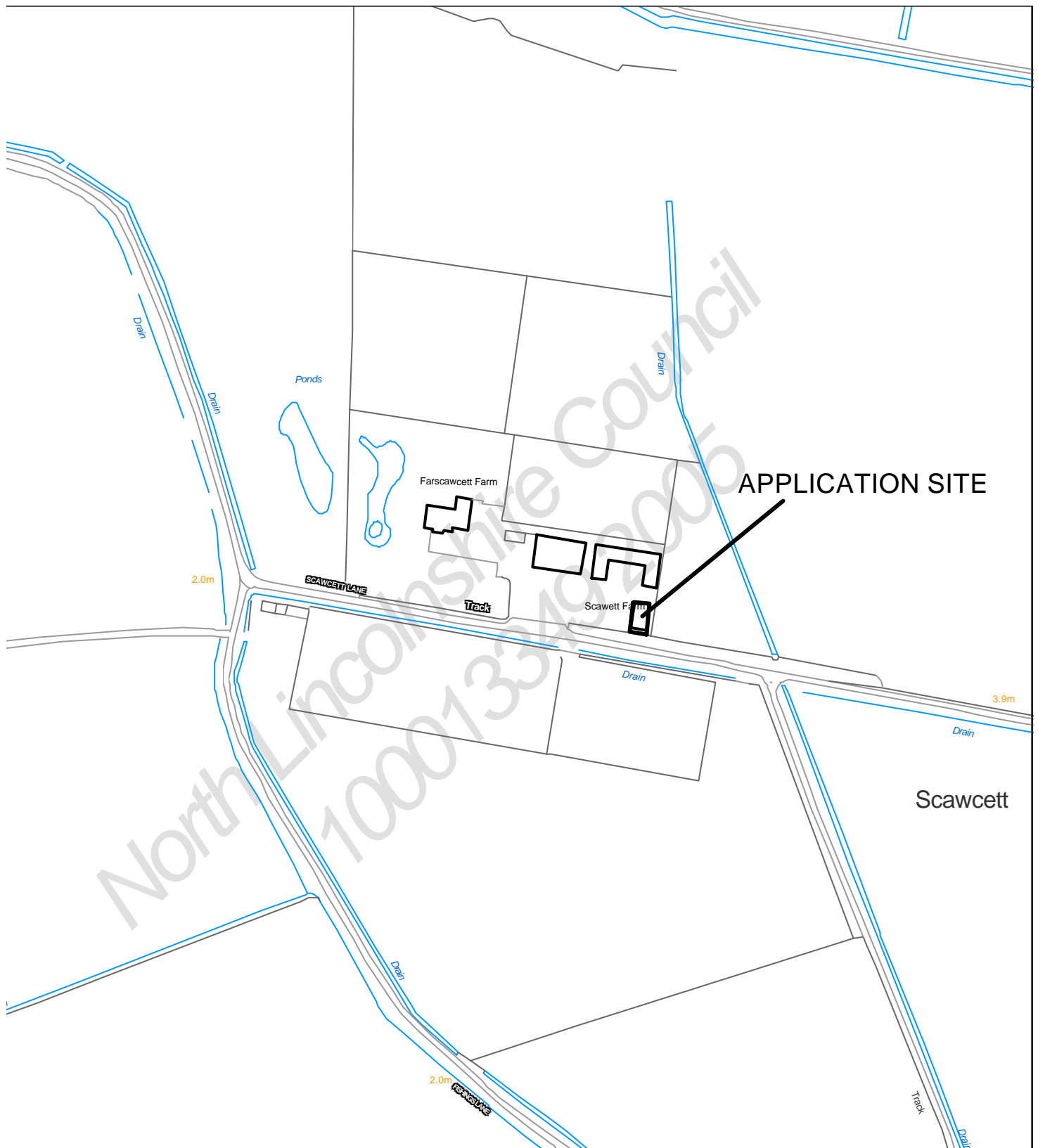
To ensure the dwelling remains available to meet the needs of the business, as permission is granted only in the light of the special justification for the accommodation, in accordance with policy H1 of the North Lincolnshire Local Plan.

4.

The design of the development shall incorporate all the mitigation measures identified in the flood risk assessment as agreed between the applicant and the Environment Agency.

Reason

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



TITLE : 2006/0756

SCALE : 1:2500



North Lincolnshire Council
 Planning and Regeneration Service
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