

APPLICATION NO	PA/2011/1412
APPLICANT	Epworth Equestrian Ltd
DEVELOPMENT	Planning permission to retain a temporary residential dwelling for a further period of three years
LOCATION	The Bungalow, Scawcett Lane, Epworth
PARISH	EPWORTH
WARD	Axholme Central
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Statutory consultee objection (Environment Agency)

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.

North Lincolnshire Local Plan: Policy RD2 provides guidance on the type of development that is considered to be acceptable within the open countryside subject to strict criteria being fulfilled.

Policy DS16 – development is not permitted within floodplains where it would increase the number of people or buildings at risk, impede the flow of floodwater, impede access for the future maintenance of watercourses, reduce the storage capacity of the floodplain, increase the risk of flooding elsewhere or undermine the integrity of existing flood defences unless adequate protection or mitigation measures are undertaken.

Policy DS1 provides general design guidance for all new development.

Policy T2 requires all new development to have a satisfactory access.

North Lincolnshire Core Strategy: Policy CS1 – in the countryside support will be given to development that promotes rural economic diversification and small-scale employment opportunities, particularly on previously used land or in existing rural buildings.

Policy CS2 – only development which is essential to the functioning of the countryside will be allowed to take place. This might 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 tourism industry. A ‘sequential approach’ will be applied, to ensure development is, where possible, directed to those areas that have the lowest probability of flooding, taking into account the vulnerability of the type of development proposed, its contribution to creating sustainable communities and achieving the sustainable development objectives of the plan. Where development does take place in the flood plain, mitigation measures should be applied to ensure that the development is safe.

Policy CS3 – development outside defined settlement boundaries will be restricted to that those related to agriculture, forestry or other uses which require a countryside location or that will contribute to the sustainable development of the tourist industry.

Policy CS19 – development in areas of high flood risk will only be permitted where it can be demonstrated that the development provides wider sustainability benefits to the community and the area that outweigh flood risk, and the development should be on previously used land. If not, there must be no reasonable alternative developable sites on previously developed land. A flood risk assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere, by integrating water management methods into the development.

Other Relevant Guidance: PPS7 – Sustainable development in rural areas and PPS25 – Development and Flood Risk.

CONSULTATIONS

Highways: No objections.

Severn Trent Water Ltd: No objection.

Environment Agency: The Environment Agency is aware that this proposal was originally given outline planning permission under ref PA/2006/0756 initially for three years and this was subsequently renewed for a further two years under reference PA/2009/0870. However, we have concerns in relation to flood risk, both to people and property, and wish to advise the council of the flood risk associated with development on this site. The site lies within Flood Zone 3 ‘high probability’ as detailed on the Flood Zone maps, and if this development did not benefit from previous planning consents we would object to the proposal. This is because we deem the development to be ‘highly vulnerable’ in accordance with Table D2 of PPS25. The development therefore falls into a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. PPS25 Table D3 advises that such development proposal should not be permitted. We therefore recommend that the application should be refused planning permission on this basis.

TOWN COUNCIL

No observations.

PUBLICITY

Neighbouring properties have been notified and a site notice has been displayed on the site. No responses have been received.

ASSESSMENT

This proposal is to retain a temporary residential dwelling being used in connection with the existing equine business being carried out from the site for a further period of three years. Permission was granted on an adjacent site on 29 July 2010 (PA/2010/0598) to provide a permanent dwelling in connection with the equine business. This permission is currently being implemented on the site. The temporary dwelling is required to remain on site for a further three years to allow the approved permanent dwelling to be built and to ensure a

continuous residence on the site in order to manage the existing equine business being carried out from the site.

The building used as a temporary dwelling is located within the existing equestrian centre. It is located close to the existing stables and barns located on the site. The building is screened in part by a hedge but is visible from Scawcett Lane. The design of the building is a single-storey modular building that is cream in colour.

The main issues associated with this case are whether, in planning policy terms, a dwelling in this location is acceptable, and if so, whether its impact on the floodplain, the amenity of neighbours, and the highway network and its visual impact on the open countryside are also acceptable.

In this case it is accepted that there is a need for a dwelling on the site in connection with the equine business. This is demonstrated by the granting of a permanent dwelling on the site in 2010 which the applicant is currently implementing. The permission for the temporary dwelling on the site has lapsed and therefore if permission is not granted the owner cannot continue to reside on the site until the approved dwelling is constructed. The applicant has been expanding the business and due to the current economic climate has only recently commenced work on the approved dwelling. In terms of policies CS1, CS2 and CS3 of the Core Strategy and policy RD2 of the North Lincolnshire Local Plan, this type of development is considered acceptable in the open countryside. The applicant has previously demonstrated a need to be on the site at all times in order to carry out his equine business. It is therefore considered appropriate to grant temporary permission for another three years in order for the approved dwelling to be completed to ensure that the applicant can continue to effectively carry out his business from the site.

The site is located within Flood Zone 3. New dwellings are not normally permitted in this flood zone. However, there is an extant permission for a dwelling on the site required in connection with the equine business. This permission was granted because there was a need for a full-time worker to reside on the site in connection with the equine business which overrode the flood risk on the site as the dwelling could only be located on this site. The circumstances of the applicant, his business and the site have remained unchanged. The applicant still needs to reside in the temporary building until the permanent building is completed. The construction of the permanent building has commenced. The temporary dwelling cannot be located on another site at a lesser risk of flooding. The business provides socio-economic benefits to the rural area which outweigh the flood risk to the development and therefore the application should be supported.

In terms of impact on neighbours and on the visual amenity of the open countryside, the nearest residential property is over 80 metres from the application site. The building is single-storey and located close to other equine buildings in the vicinity. The proposal will therefore have a minimal impact on the amenity of neighbours. The building will have a minimal impact on the countryside and will not be a permanent feature in the area. In terms of the highway network, the proposal is also considered to be acceptable. The proposal therefore accords with policies DS1, RD2 and T2 of the North Lincolnshire Local Plan.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The use as temporary accommodation shall be discontinued on or before 8 February 2015 and the land shall be restored to its former condition in accordance with details to be

submitted to and agreed in writing by the local planning authority before restoration is commenced.

Reason

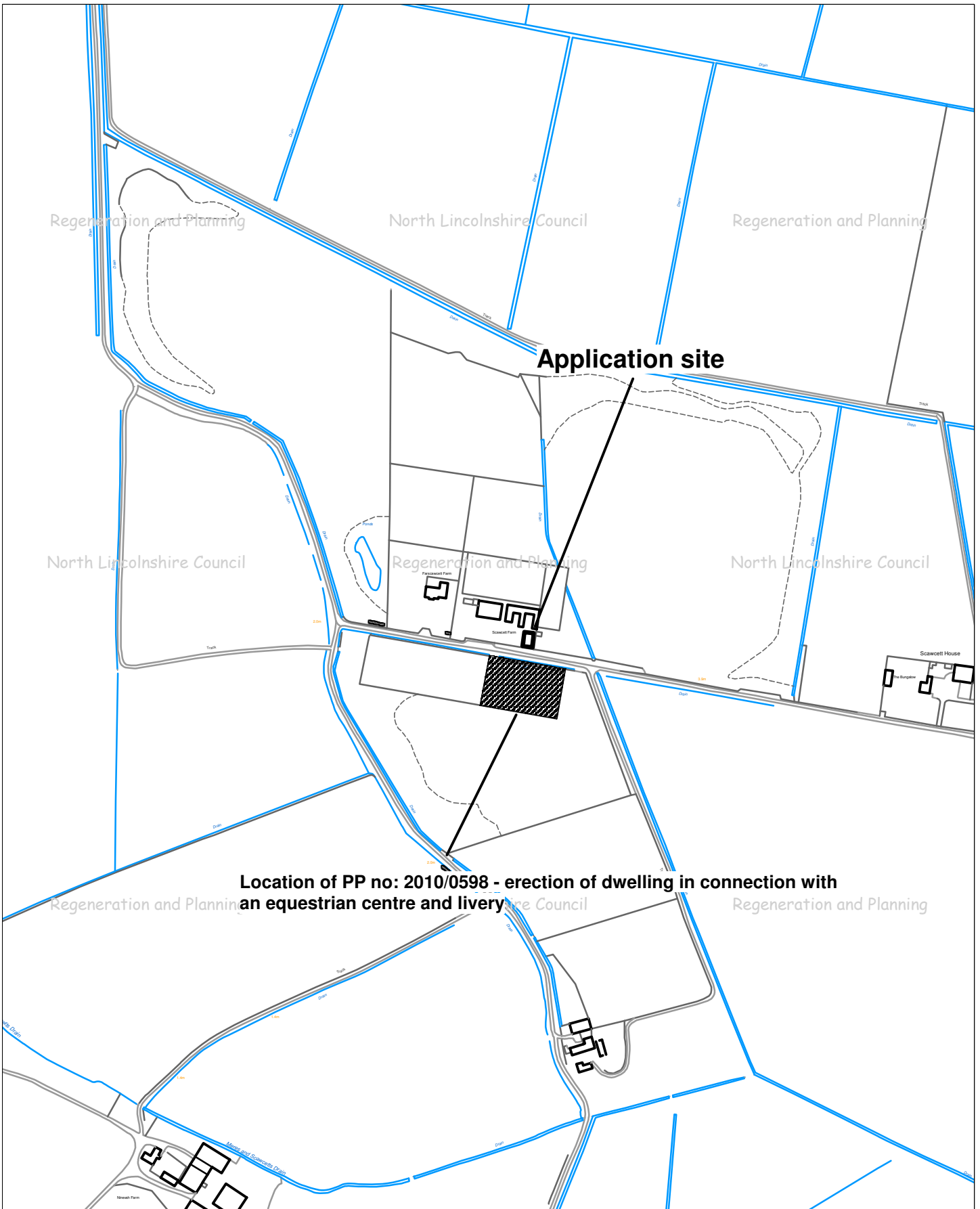
The application is made for a temporary period only as a permanent dwelling has already been approved on the adjacent site.

2.

The occupation of the temporary dwelling hereby permitted 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

In order to regulate and control the development as the site is located within the open countryside where new dwellings are not normally permitted. Planning permission has only been granted for the temporary dwelling based on the functional need of the equine business being run from the site in accordance with policy RD2 of the North Lincolnshire Local Plan and policies CS1, CS2 and CS3 of the North Lincolnshire Core Strategy.



Drawing Title: 2011/1412

OS Grid Ref: SE74610544

Drawn by: KC

Scale: 1:5000

Date: 20/01/2012



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NORTH LINCOLNSHIRE COUNCIL 0100023560 2011



Regeneration and Planning

Head,

Marcus Walker BA (Hons), Dip URP, MA, MRTPI

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