

APPLICATION NO	PA/2013/1534
APPLICANT	Mr R Raddish
DEVELOPMENT	Planning permission to remove condition 6 of PA/2008/1296 dated 05/12/2013 (No buildings, structures, caravans, jumps or other associated paraphernalia shall be sited on the site unless a specific grant of planning permission in that behalf.)
LOCATION	Hollybank, Scotter Road, Messingham
PARISH	MESSINGHAM
WARD	Ridge
CASE OFFICER	Graeme Moore
SUMMARY RECOMMENDATION	Grant permission
REASONS FOR REFERENCE TO COMMITTEE	Significant public interest Objection by Messingham Parish Council

POLICIES

National Planning Policy Framework: No specific policies apply.

North Lincolnshire Local Plan: Policy RD2 (Development in the Open Countryside) and Policy DS1 (General Requirements).

North Lincolnshire Core Strategy: No specific policies apply.

CONSULTATIONS

Highways: No objections.

PARISH COUNCIL

Object to the proposal on the grounds that the removal of the condition would allow additional structures to be erected without the need for planning permission.

PUBLICITY

Neighbouring properties have been notified. Eighty-nine pro-forma letters have been received, objecting to the proposal on the grounds that the removal of the condition would have a detrimental impact on the character and amenity of surrounding properties and the open countryside; furthermore, that the site has become increasingly used late at night.

ASSESSMENT

Planning permission is sought for the removal of condition 6 of PA/2008/1296 which stated that *'No buildings, structures, caravans, jumps or other associated paraphernalia shall be*

sited on the site unless a specific grant of planning permission in that behalf. on land adjacent to Hollybank, Scotter Road, Messingham. The site is an existing open field located towards the southern end of Messingham, which is bounded to the north by the rear gardens of properties on Eastfield Road and across Scotter Road, and to the west by a number of detached residential properties. Currently the site is set up for equestrian uses, with a number of jumps in place on the field; stables are also provided on the site, some of which were granted under the previous permission (PA/2008/1296). The applicant wants to be able to have a portable shelter for the horses, water containers and a small structure, shed or caravan for equipment and food storage.

The main issue to consider in the determination of this application is whether or not the removal of the condition would have a detrimental impact on the character and amenity of the open countryside.

The previous permission was for the use of the site for the keeping of horses, and the construction of an access and parking area. The reason why the condition was imposed preventing the erection of structures etc on the site was to protect the open countryside in accordance with policy RD2 of the North Lincolnshire Local Plan. It should be noted that whilst the condition prevents the erection of any buildings, structures, caravans, jumps or other paraphernalia, such buildings, structures or caravans would require a separate consent anyway. It is therefore considered that the existing condition is overly restrictive and does not meet all the tests required for planning conditions as laid out in Circular 11/95 and is unnecessary.

The applicant has indicated an intention to site portable shelters on skids for the horses as well as water containers which would not normally be subject to planning controls. If the site became untidy then action could be taken under section 215 of the Town & Country Planning Act in relation to untidy land. If the applicant wishes to erect any further buildings, structures or caravans on the site then these require permission under section 73 of the Town & Country Planning Act and it is considered that there is no need for a condition restricting the ability of the applicant to utilise the site effectively.

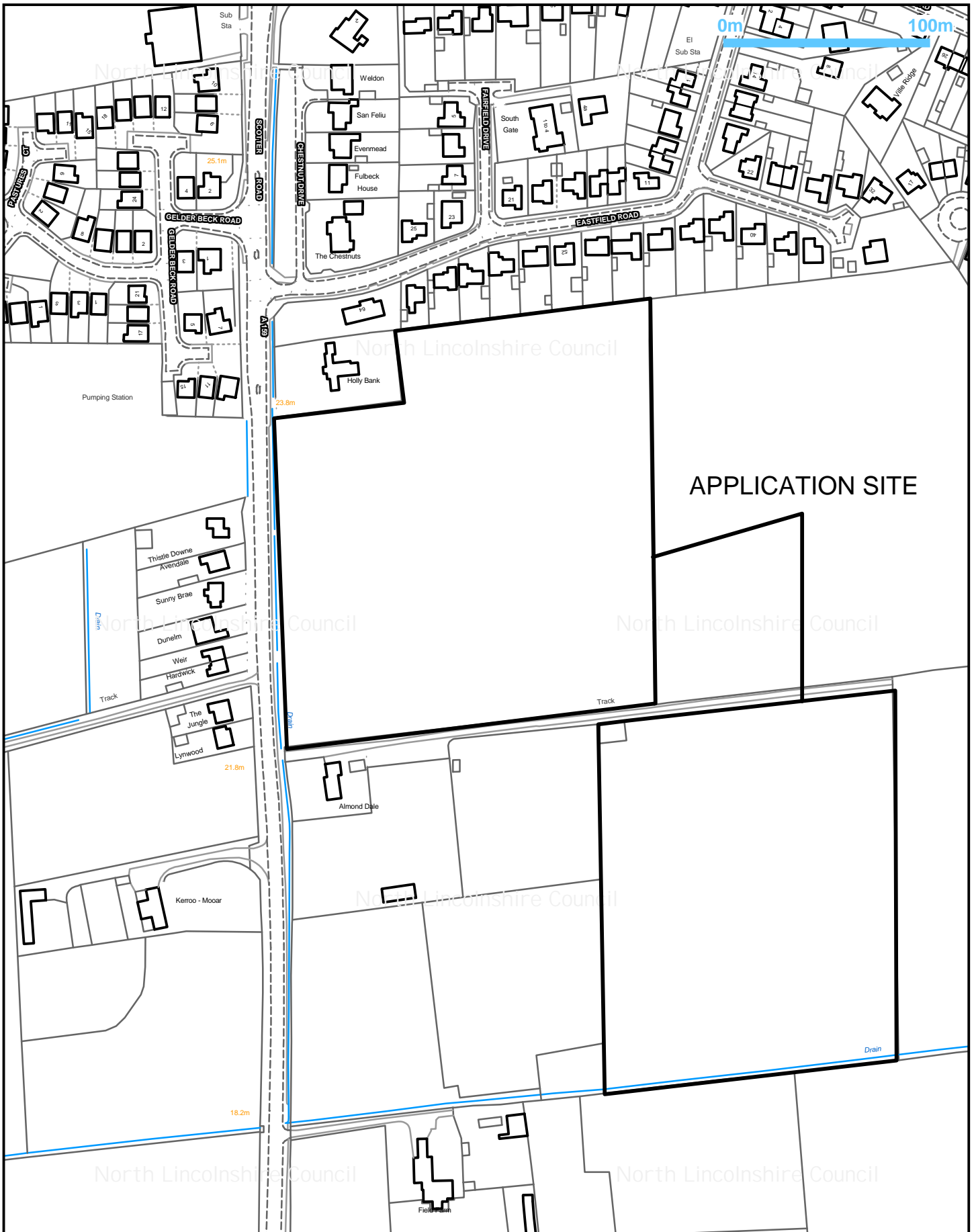
A number of letters have been received objecting to the application on the grounds that the removal of the condition would lead to a detrimental impact on neighbouring properties and the open countryside. However, the use of the site for the keeping and enjoyment of horses is considered to be acceptable in the open countryside and whilst the applicant may hope to establish more stables etc on the site, they would require consent and an assessment of the harm any new building, structures or caravans would have on neighbouring properties or the open countryside can be made upon submission of an application in that regard.

It is therefore considered that condition 6 can be deleted. There are no concerns with the proposal in principle and the application is recommended for approval in accordance with policies DS1 and RD2 of the North Lincolnshire Local Plan.

RECOMMENDATION Grant permission.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



Title: PA/2013/1534

Drawn by: Sue Barden

Date: 25/02/2014

Scale 1:2500



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Director of Places
Peter Williams
BSc,DMS,CEng,MEI,MCMI,AMIMechE