DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0464-22**	**Applicant:**	**Miss S Raw**
Proposal:	Siting of Menage		
Location:	Raw Equine The Gallops, Dozens Bank West Pinchbeck		
Terminal Date:	1st July 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019
National Guidance **National Planning Policy Framework 2021**

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This is a Section 191 certificate of lawful existing development for the siting of a menage.

Site Description

The site is located on the west side of Dozen's Bank and forms part of the Raw Equine site which operates as an equestrian centre. The menage in question is located along the eastern boundary that abuts Crown Hill Farm, Dozens Bank, West Pinchbeck.

Planning History

Raw Equine, The Gallops, Dozens Bank, West Pinchbeck
There is no relevant planning history on the site.

Crown Hill Farm, Dozens Bank, West Pinchbeck
H14-0290-18 - New vehicular access - Permitted 16th May 2018.

Consultation Responses

No representations received.

Material Considerations

This is a legal determination and planning policy is not relevant to the determination as to whether

the claimed development is indeed lawful. The decision is based upon the case officer's judgement as to whether the case being proven on the balance of probabilities.

The application has submitted a site plan that was submitted in relation to a formal planning application (H14-0290-18) on the neighbouring land (Crown Hall Farm, Dozens Bank) and the applicant states that the menage in question was built prior to the purchase of the land.

The aforementioned site plan was submitted under planning application H14-0290-18 on 27th March 2018 and shows the menage in question at the time of when the drawing was made - which is dated March 18. Aerial photography shows the menage in question was constructed between 30th August 2016 and 24th September 2018. On the balance of probability, therefore, it has been satisfactorily demonstrated that the menage was substantially completed more than four years before the date of this application. There is no substantive evidence held by the Council to dispute this.

Planning Balance

On the balance of probabilities, it is considered that the menage was substantially completed more than four years before the date of this application and therefore a certificate of lawfulness can be issued.