

Report to Planning Committee

Planning Enforcement Ref: 0033/2016 – Appeal Ref: APP/N3020/W/17/3187895
Location: Seven Acres 15 Mansfield Road, Papplewick.

Breach: Without planning permission, the material change of use of the Land from a residential use to a mixed use of residential and the keeping or storage of caravans and a material change of use of Land from agriculture to a mixed use of agriculture and the keeping or storage of caravans.

Case Officer: Christine James

Reasons given for issuing the enforcement notice;

It appears to the Council that the above breach of planning control concerning the material change of use of the Land has occurred within the last ten years.

The lawful use of part of the Land is residential garden and the lawful use of the rest of the Land is agricultural. All the Land is within the Nottingham Green Belt. The fundamental aim of Green Belt policies is to prevent urban sprawl by keeping land permanently open; the essential characteristics of the Green Belt are their openness and their permanence. In this case, the unauthorised use of storing or keeping caravans on this Land is detrimental to the openness of the Green Belt and no special circumstances have been given as to why planning permission should be granted for this use. The use is therefore contrary to the Green Belt principles of the National Planning Policy Framework. (NPPF)

The caravan storage can be seen from the neighbouring properties and on the approach from the A60 at certain times of the year when the trees are not in leaf. The light colour and metallic view of the caravans is an incongruous and alien feature in the countryside and is detrimental to the visual amenities of local residents and visitors to the area and affects the openness of the countryside.

In addition, the traffic generated by the unauthorised caravan storage would be likely to result in an unacceptable increase in danger to the users of the highway due to increased use of the existing access which is geometrically substandard in that, it is of inadequate width to allow two vehicles to pass and will result in an increase in the likelihood of unacceptable danger to users of the highway, which may result in the driver having to reverse back or wait on A60.

As a result the use of the Land for the storage of caravans is contrary to Policy ENV1 (Development Criteria) of the Gedling Borough Council Replacement Local Plan (GCRP) (Certain Policies Saved) 2008.

The Council does not consider that planning permission should be given, because planning conditions could not overcome these objections.

An appeal against this decision was subsequently lodged with the Planning Inspectorate.

This appeal has been **dismissed**. The Inspector concluded that the caravan storage represents encroachment into the countryside and conflicts with the fundamental aim of Green Belt policy and it is inappropriate development in the Green Belt. It has significant adverse effect upon the rural character of the locality and has the potential to increase the risk to highway users. There are no other material considerations that warrant determining the appeal otherwise. The inspector increased the time for compliance of the notice from 1 month to 3 months. The land must therefore be cleared of caravans and the use ceased by the 8th November 2018.

Recommendation: To note the information.