

APPLICATION NO	PA/2009/1180
APPLICANT	Mr K Peart
DEVELOPMENT	Planning permission to retain the change of use of agricultural land to domestic garden and the erection of a fence
LOCATION	56 Bigby High Road, Brigg
PARISH	BRIGG
WARD	Brigg and Wolds
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Contrary to policy
POLICIES	<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 limits will only be permitted if it essential for the purposes of agriculture or to meet a special need associated with the countryside.</p> <p>Policy RD2 (Development in the Open Countryside) states that development in the open countryside will be strictly controlled. Only development that is essential or cannot reasonably be accommodated within the development boundary should be permitted.</p>
CONSULTATIONS	Highways: No objections or comments.
TOWN COUNCIL	No objections or comments.
PUBLICITY	Neighbouring properties have been notified. No representations have been received.
ASSESSMENT	<p>Permission is sought to retain the use of agricultural land as garden. The existing house and its original garden are within the settlement boundary, however the land that has recently been incorporated into the residential curtilage is in open countryside.</p> <p>The main issue to be considered when determining this application is whether the use of this land as</p>

garden has an adverse impact on the character and appearance of the open countryside.

It should be noted that this site has no previous planning history for extending the rear garden into the open countryside. However, an appeal decision on an adjacent site for the retention of a similar area of garden land was allowed and, in total, six dwellings in this road have now been given permission to extend their garden beyond the development limit (44, 46, 48, 50, 52 and 54 Bigby High Road).

The current proposal lies at the end of the row of detached dwellings which already have extended gardens. It is therefore considered that, although the extension of garden land into open countryside is contrary to policy and not to be encouraged, in this particular case, due to other permissions on adjacent land, in isolation this change of use is not harmful to the character of the area. Conditions are needed, however, to ensure that no buildings are erected on the land to preserve its open character.

RECOMMENDATION

Grant permission subject to the following conditions:

1.

The land shall be laid to grass only and no buildings, permanent structures or other domestic features or paraphernalia shall be erected, installed or otherwise located there.

Reason

In the interests of the character and appearance of the area in accordance with policy RD2 of the North Lincolnshire Local Plan.

2.

Notwithstanding the provisions of Class E, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 or any order revoking and re-enacting that order, with or without modification, no development usually allowed by that order shall be carried out without a further permission being granted.

Reason

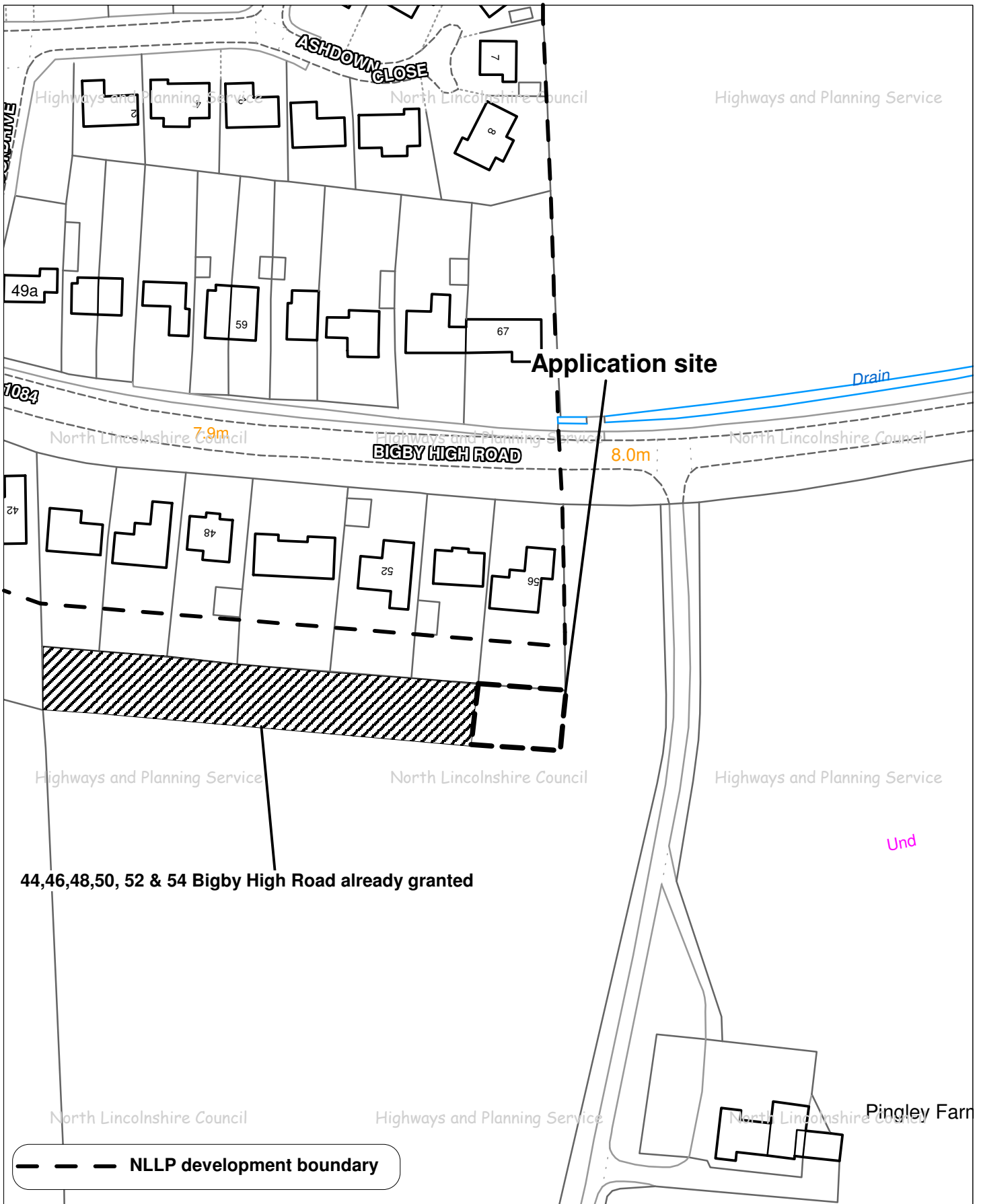
In the interests of the character and appearance of the area in accordance with policy RD2 of the North Lincolnshire Local Plan.

3.

The boundary treatment shall not exceed 1 metre in height and shall comprise hedging of indigenous species and/or fencing of traditional Lincolnshire style.

Reason


In the interests of the character and appearance of the area in accordance with policy RD2 of the North Lincolnshire Local Plan.




44,46,48,50, 52 & 54 Bigby High Road already granted

--- NLLP development boundary

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Highways and Planning Service
Service Director,
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