

APPLICATION NO	PA/2009/1082
APPLICANT	Mr M Sparling
DEVELOPMENT	Planning permission to retain the change of use of land to garden and retain a fence
LOCATION	54 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: Views awaited.
TOWN COUNCIL	No objection.
PUBLICITY	Neighbouring properties have been notified. No representations have been received.
ASSESSMENT	Permission is being sought to retain the use of agricultural land as garden. The land was not in agricultural production when the applicant incorporated it into his garden. The existing house and its original garden boundary are within the settlement boundary, however the land that has recently been incorporated into the residential curtilage is in open countryside.

The main issue to be considered when determining this application is whether the use of this land as garden has an adverse impact on the character and appearance of the open countryside.

A recent appeal decision on an adjacent site on Bigby High Road for the retention of a similar area of garden land was allowed and, in total, four dwellings in this road have now been given permission to extend their garden beyond the development limit (44, 46, 50 and 52 Bigby High Road). A similar application at 48 Bigby High Road is currently under consideration and appears elsewhere on this agenda.

The current proposal lies between other 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

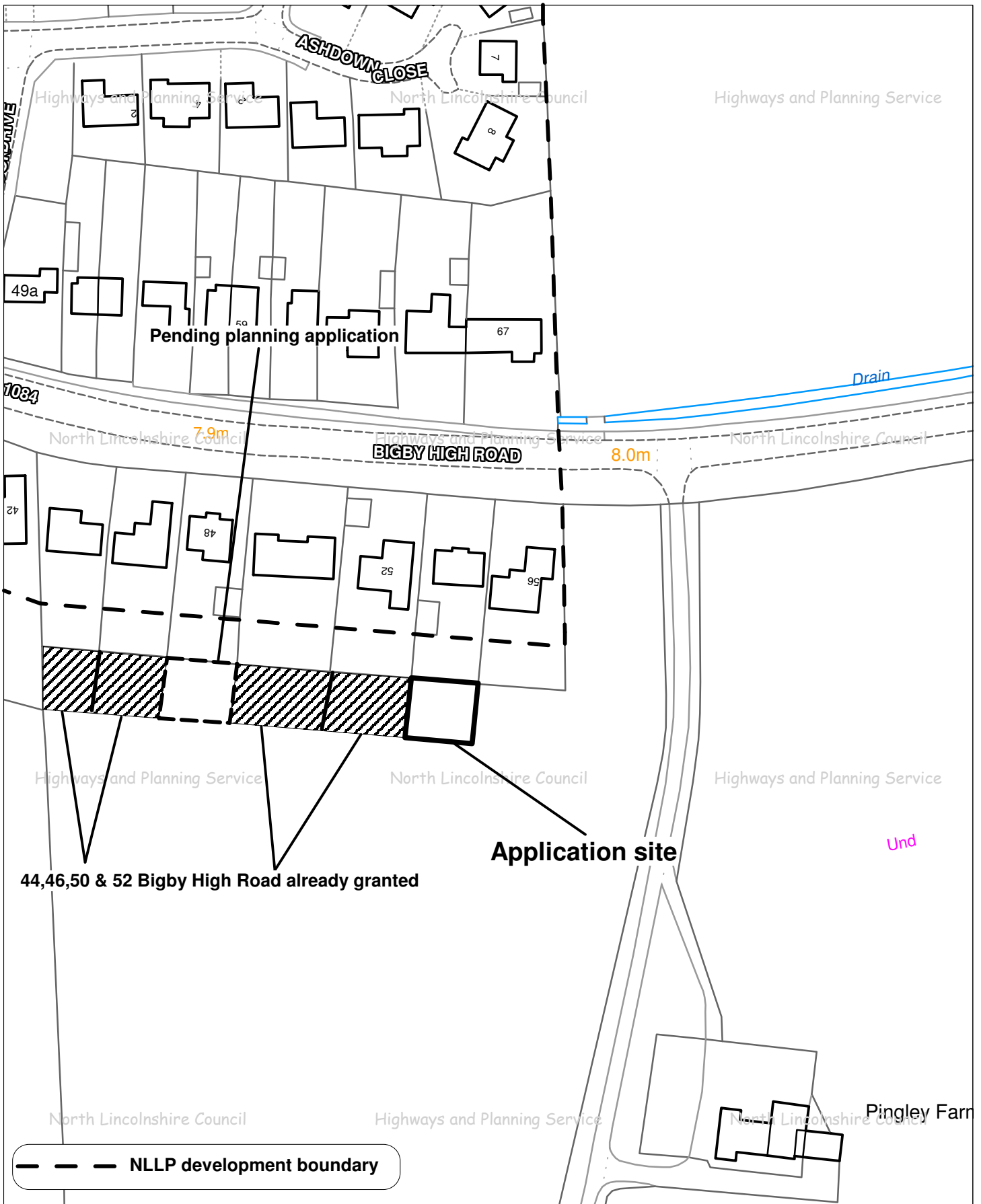
In the interests of the character and appearance of the area in accordance with policy RD2 of the North Lincolnshire Local Plan.

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. Details of the proposed boundary treatment shall be submitted to and approved in writing by the local planning authority within two months of the date of this permission. The scheme so approved shall be implemented in the earliest available planting season after the date of this decision and thereafter retained.


Reason


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



Drawing Title: 2009/1082

OS Grid Ref: TA01440693 Drawn by: KC Scale: 1:1250 Date: 28/09/2009


 Based upon the Ordnance Survey mapping with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright.
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
 NORTH LINCOLNSHIRE COUNCIL 0100023560 2009


Highways and Planning Service
 Service Director,
 G Pople

The Ordnance Survey map data included within this publication is provided by North Lincolnshire Council under license from Ordnance Survey in order to fulfil its public function to act as a highways and planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to license Ordnance Survey map data for their own use.