

APPLICATION NO	PA/2010/1464
APPLICANT	Mr S Watson
DEVELOPMENT	Planning permission for change of use from grass field to garden
LOCATION	Ashdene, Low Hall Road, East Lound, Haxey
PARISH	HAXEY
WARD	Axholme South
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Support by Haxey Parish Council

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.

North Lincolnshire Local Plan: Policy ST3 (Development Limits) states that development outside development limits will be considered as development in the open countryside and will only be permitted if it is essential for agriculture, forestry or to meet a special countryside need.

Policy RD2 (Development in the Open Countryside) only allows proposals for development in the open countryside which are essential to the efficient operation of agriculture or forestry; employment-related development related to the open countryside; affordable housing; outdoor sport or countryside recreation provision; re-use and adaptation of existing rural buildings; farm diversification; replacement, alteration or extension of existing dwellings; or essential for the provision of roadside or utility services; provided that the open countryside is the only appropriate location and development cannot be accommodated within defined development boundaries; the proposal accords with other specific requirements of this chapter of the local plan; it would not be detrimental to the character or appearance of the open countryside or nearby settlement in terms of siting, scale, massing, design or materials; it would not adversely affect residential amenity or highway safety; the proposal must be capable of being served by public transport; and make the best use of existing and new landscaping.

Policy DS1 (General Requirements) requires a high standard of design in all developments and poorly designed developments will be refused. The following criteria will be used to assess each proposal:

- (i) the design and external appearance should reflect or enhance the character, appearance, and setting of the immediate area;
- (ii) the design and layout should respect and, where possible, retain or enhance the existing landform;

- (iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, including overlooking or overshadowing;
- (iv) amenity open space should be retained where possible;
- (v) no pollution of water, air or land should result.

CONSULTATIONS

Highways: No comments or objections.

PARISH COUNCIL

Support the application.

PUBLICITY

Neighbouring properties have been notified by letter. No representations have been received.

ASSESSMENT

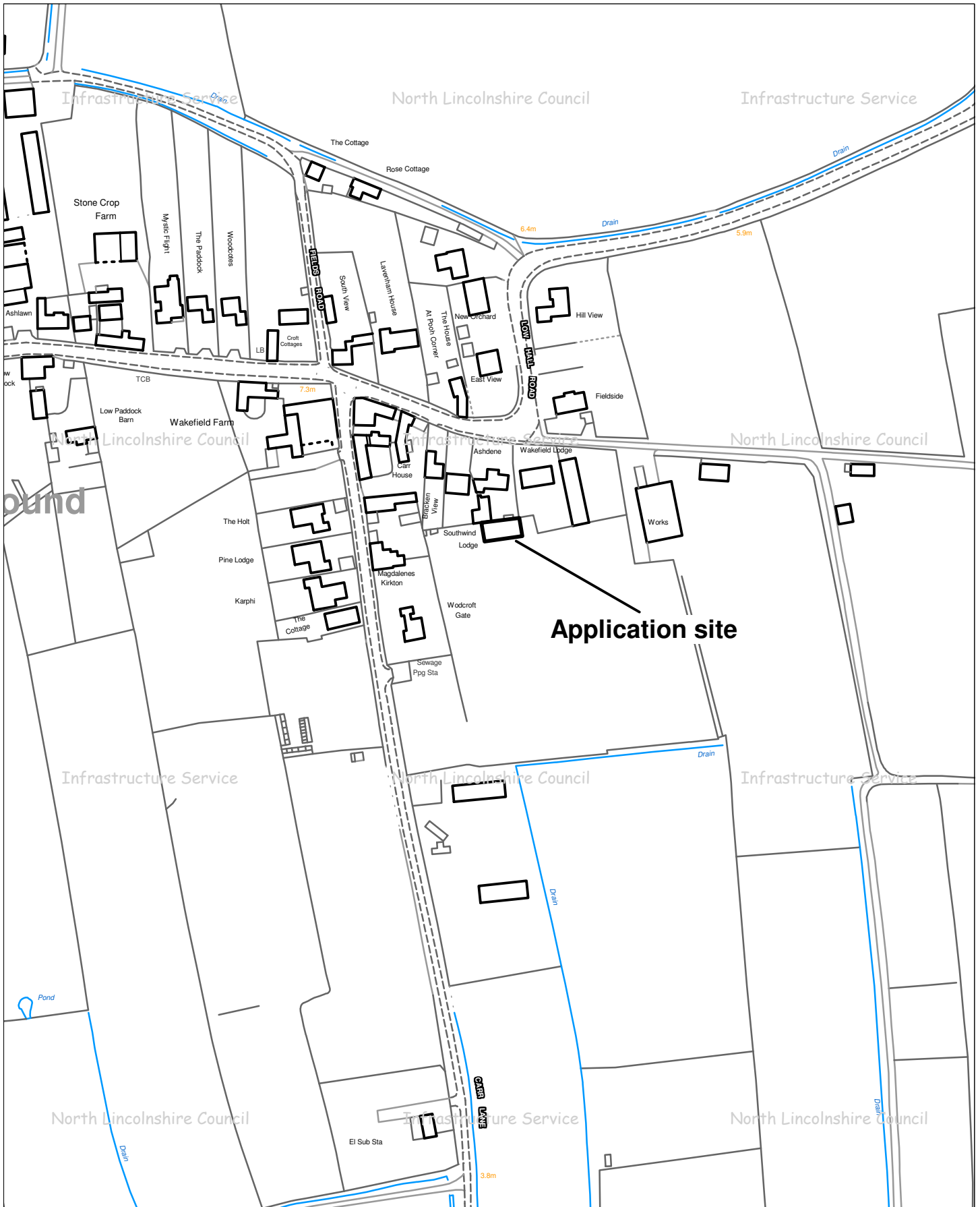
The application site is part of an agricultural field located to the rear of Ashdene, Low Hall Road, East Lound. East Lound is a rural hamlet and as such the application site is located within the open countryside. There are residential properties to the north and west of the site, an old piggery that is being converted to a residential property to the east of the site and open fields to the south. This application seeks planning permission for the change of use of a piece of agricultural land to domestic garden, to be incorporated with the existing rear garden of Ashdene. Another application (PA/2010/1463) for the same development on land adjacent to (west of) the application site is currently being considered.

The main issue in the determination of this planning application is whether the proposed change of use complies with the policies ST3 and RD2 of the North Lincolnshire Local Plan.

Policy ST3 (Development Limits) of the North Lincolnshire Local Plan states that development in the open countryside will only be permitted if it is essential for agriculture, forestry, or to meet a special countryside need. Similarly policy RD2 (Development in the Open Countryside) makes it clear that the only circumstances in which development will be allowed in the open countryside is if it is essential to the efficient operation of agriculture or forestry, employment-related development, to provide affordable housing, for the provision of outdoor sport, countryside recreation or to provide local community facilities. The proposed change of use does not meet any of the above criteria and is therefore contrary to policies ST3 and RD2 of the North Lincolnshire Local Plan. The use of land as domestic curtilage is not considered to be appropriate development on this site: it constitutes encroachment into the open countryside that would be detrimental to the rural character of the area. There are no material considerations that justify granting planning permission contrary to policies ST3 and RD2. Whilst it is understandable that the applicant may wish to have a larger garden area, this is not in itself a material planning consideration and is not sufficient justification to approve the proposed development.

RECOMMENDATION Refuse permission for the following reasons:

The site lies within the open countryside. The use of land as domestic curtilage is not considered to be appropriate development within the open countryside and it is not essential for the purposes of agriculture, forestry or to meet a special need associated with the countryside. Accordingly the proposal is contrary to policies ST3 and RD2 of the North Lincolnshire Local Plan.



Drawing Title: 2010/1464

OS Grid Ref: SK78909966

Drawn by: KC

Scale: 1:2500

Date: 22/02/2011



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NORTH LINCOLNSHIRE COUNCIL 0100023560 2011



Infrastructure Service

Director,

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