

APPLICATION NO	PA/2019/1726
APPLICANT	Mr Geoffery Buckley
DEVELOPMENT	Planning permission to erect a detached dwelling with integral garage and carport
LOCATION	Land adjacent to The Old Vicarage, 26 Main Street, Thornton Curtis, DN39 6XW
PARISH	Thornton Curtis
WARD	Ferry
CASE OFFICER	Emma Carrington
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Richard Hannigan – significant public interest)

POLICIES

National Planning Policy Framework: Paragraphs 8, 11, 12 and 79 are the most relevant.

North Lincolnshire Local Plan:

Policy DS1 – General Requirements

Policy RD2 – Development in the Open Countryside

Policy LC11 – Areas of Amenity Importance

Policy HE9 – Archaeological Evaluation

North Lincolnshire Core Strategy:

Policy CS1 – Spatial Strategy for North Lincolnshire

Policy CS2 – Delivering More Sustainable Development

Policy CS3 – Development Limits

Policy CS5 – Delivering Quality Design in North Lincolnshire

Policy CS6 – Historic Environment

Policy CS7 – Overall Housing Provision

Policy CS8 – Spatial Distribution of Housing sites

CONSULTATIONS

Highways: No objections subject to conditions and an informative.

Drainage (Lead Local Flood Authority): No objections subject to conditions.

Anglian Water: No comments to make.

Environmental Protection: No objections subject to conditions.

Historic Environment Record: No objections subject to conditions.

Conservation: No objections subject to conditions.

Spatial Planning: This proposal for a new dwelling is within the open countryside, an Area of Amenity Importance and contrary to the council's adopted development plans.

PARISH COUNCIL

No objections.

PUBLICITY

The application has been advertised by site notice and in the press as a departure from the local plan.

No comments have been received as a result of the publicity carried out, but the applicant has received a number of letters of support from local residents who consider that the proposal will make a positive contribution to the village.

ASSESSMENT

Planning permission is sought to erect a detached dwelling in the side garden of an existing detached dwelling outside the settlement boundary for Thornton Curtis. This is a resubmission of a previous application (PA/2019/1234), which was refused on the grounds that the site is in the open countryside in planning policy terms, and the application failed to demonstrate that the proposal would bring any benefit to the locality, that outweighed the policies in the adopted development plan, or the advice contained in the National Planning Policy Framework.

The main issue in the determination of this application is whether sufficient justification has been provided to demonstrate that there is a proven need to build a dwelling in the open countryside, which outweighs the harm that would be created by extending the built form of the settlement beyond the defined settlement boundary.

The application site is on land currently used as garden in association with The Old Vicarage, 26 Main Street, Thornton Curtis. The site is also part of an LC11 allocation in the adopted local plan, Area of Amenity Importance, which extends east from the application site towards and including the existing vicarage and listed St Lawrence's Church. The area of land proposed to be given over to the new dwelling is considered to be sufficient to accommodate the property, and associated garden, access and turning facilities. The general design of the property is relatively modern, and is not considered to be out of

keeping with the character of other dwellings in the area. However, there are side-facing first floor windows in the western elevation close to the boundary with The Old Vicarage, which are considered to have an impact through overlooking of the private rear garden, as they serve a landing and study. In addition, a number of rooflights face The Old Vicarage that are relatively low in the roof plane (1.3 metres) and would also result in overlooking of the rear garden area.

No objections have been received as a result of the publicity carried out, and the applicant has generated a number of letters of support from local residents, who have stated that they consider the development would make a positive contribution to the village. However, the site is outside the development limit for Thornton Curtis and is therefore located in the open countryside in planning policy terms. Policies in the local plan, core strategy and guidance in the National Planning Policy Framework (NPPF) all seek to limit development outside defined settlement boundaries to that which is essential for the functioning of the open countryside. Paragraph 12 of the NPPF states:

'Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

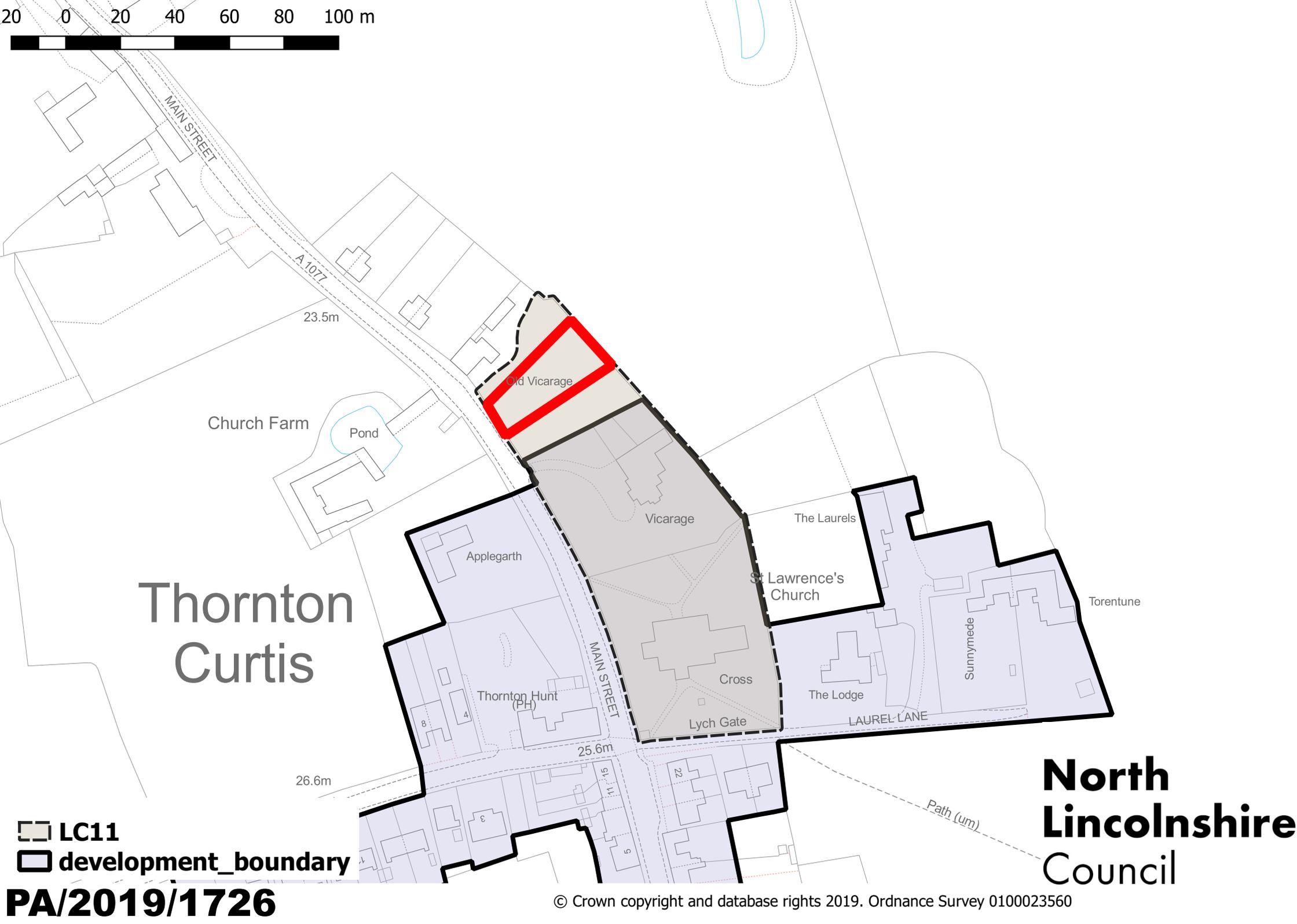
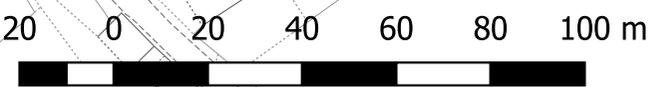
No evidence has been provided by the applicant to demonstrate that there is a need for a dwelling in this location, in relation to the functioning of the open countryside. The development of this land would alter the character and appearance of the open countryside by introducing a building that is not essential for the purposes of agriculture, forestry or other need associated with the open countryside. The development of this land for residential purposes is a departure from the adopted development plan, and it is considered that there are no material planning considerations which demonstrate that the proposal should not be determined in accordance with this plan.

Although no objections have been received in relation to this application, this is not considered to outweigh the long-term harm that would be created by introducing new development beyond the settlement boundary.

It is considered that the proposal is unacceptable and contrary to the provisions of the adopted policies in the North Lincolnshire Local Plan and Core Strategy, and guidance in the NPPF. The application is therefore recommended for refusal.

RECOMMENDATION Refuse permission for the following reasons:

The siting of the proposed development outside of any defined development boundary has not been adequately justified and it is not considered that any benefits of a single dwelling in this rural location would outweigh the harm to the character of the area. Additionally, no evidence has been submitted to justify a special need for a dwelling in this location. The proposed development is therefore contrary to policies RD2 of the North Lincolnshire Local Plan; CS2, CS3 and CS8 of the Core Strategy; and paragraphs 11 and 79 of the National Planning Policy Framework.



Thornton Curtis

- LC11
- development_boundary

PA/2019/1726

**North
Lincolnshire
Council**



rev A : 25.10.19 : GENERAL ELEVATION/PLAN UPDATES OF ERRORS

rev : date : notes ARCHITECTS • PROJECT MANAGERS GAP GAP® LTD t: 07785 550522 e: steve@gaplp.co.uk		client MR BUCKLEY	date JULY 2019
job title PROPOSED DWELLING MAIN STREET THORNTON CURTIS		architect SKB	scale 1:200@A3
drawing title PROPOSED SITE LAYOUT		project no. GAP757	drawing no. PD001 revision A

PA/2019/1726 Block plan (not to scale)



rev : date : notes ARCHITECTS • PROJECT MANAGERS GAP GAPe LTD t: 07785 550622 e: steve@gapfp.co.uk		client MR BUCKLEY job title PROPOSED DWELLING MAIN STREET THORNTON CURTIS drawing title BLOCK LAYOUT	date JULY 2019 drawn/checked SKB scale 1:500@A3 drawing no. GAP757 pd no. PD006
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