

PLANNING COMMITTEE UPDATE SHEET

COMMITTEE DATE: 11th May 2016

APPLICATION NO.	TEAM LEADER	ITEM NO.	PAGE NOS.
15/00805/OUT	Lyndsey Hayes	03	64-74

THE PROPOSAL

Outline application for the erection of one dwelling (all matters reserved)

CONTACTS WITH APPLICANT/AGENT

Following the publication of the Committee Agenda the applicant has E-mailed a revised site location plan demonstrating a reduced red edge and other land within the applicant's ownership has been identified edged blue. Please refer to amended site location plan to accompany this update sheet which supersedes the current plan shown on page 74 of the Committee Agenda.

The applicant has circulated a letter to the members of the Planning Committee setting out a number of points the response to which is set out below:

Para 1.

- The curtilage shown on the revised location plan measures approximately 15m X 28m = 420sqm which is approx 0.1acre not 0.034 as set out.
- The site contains the slab/floor of the original permitted stable block – It is not considered that this on its own makes the site brownfield land as the definition of brownfield land (called previously developed land in the NPPF) is "land which is or was occupied by a permanent structure..". In this case the structure was never built/completed.
- The NPPF asks local authorities to have planning policies which **encourage** the effective use of land by re-using previously developed land. There is nothing in the NPPF that says that because the development is on brownfield land that it "should be approved".

Para 2.

- Mr Plummer was informed that the caravan did not need permission and could be occupied whilst he was carrying out operations on the land (i.e. building the stable block). Despite the fact that those operations ceased after the base was constructed, the caravan has remained on the land and is therefore unauthorised. It is, however, not relevant in any way to the consideration of this application.

Para 3.

- There is no attempt to mislead the Committee. Whilst there is a planning permission for a dwelling on land adjoining the applicants land (although not adjacent to the application site) only some weight can be given to this as it has not yet been implemented. The application should be considered giving more weight to the circumstances that presently exist.

Para 4.

- The application is an outline application with all matters reserved. It cannot, therefore be stated that the development will be single storey as the scale or design of the dwelling is not being considered under this application.

Conclusion

- Mr Plummer was never given permission to live in the caravan on the site
- The application cannot be considered on the basis that the dwelling will be single storey because all matters are reserved.
- Mr Plummer has not been treated any differently to any other applicant and officers do not give treat developers differently.
- Mr Plummer's housing need is not a material planning consideration.

- Sustainability is not a matter that can be measured or assessed via a simple checklist. Lancashire County Council do use an accessibility questionnaire which provides a score on the level of accessibility but that is not the same as sustainability.
- Mr Thow has never told Mr Plummer that the NPPF is simply a guideline that we do not have to use. Mr Plummer referred to the NPPF as "legislation" and Mr Thow corrected him by stating that "It is not legislation, it is simply a document setting out the Government's planning policies".

AMENDMENT/ADDITIONAL INFORMATION

To reflect the submission of the revised site location plan received on the 3/5/2016 a number of amendments to the Case Officer's report are considered necessary.

Paragraph 2.1 which sets out the site description and location states that the application site is approximately 0.559 hectares (1.3 acres). This site area is now approximately 0.04 hectares / 0.1 acres (420sqm).

Paragraph 9.10 which sets out the impacts upon the character and appearance of the area states *"The extent of the identified domestic curtilage (0.559 Ha) is also seen to be excessive and out of keeping with the area and the cultivation of such a large area as garden land together with the introduction of domestic paraphernalia within the whole site would also have a substantial and harmful visual impact upon the countryside area"*. This sentence is now to be omitted from the report to reflect the smaller curtilage proposed.

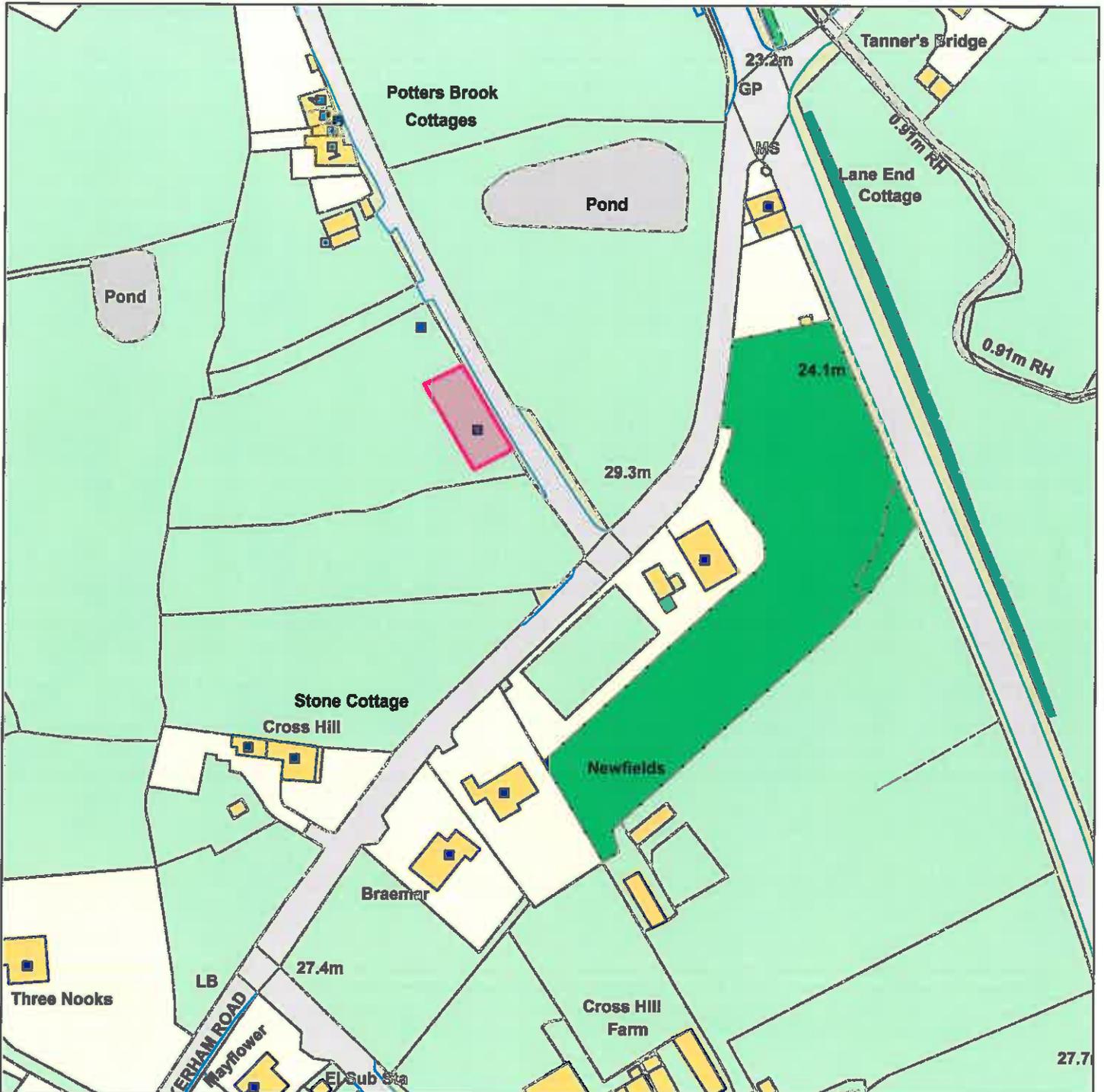
CHANGES TO CONDITIONS/REASONS

To reflect the submission of the revised site location plan the following text in the second sentence of Refusal Reason 2 is to be removed:

"along with an excessive domestic curtilage (which could be littered with domestic paraphernalia)"

Refusal Reason 2 is to now read:

The application site is located in a detached and elevated countryside location and can be viewed within the same visual frame from many of the surrounding public vantage points. The proposed development, by reason of its detached location, scale and domestic nature would be visually intrusive and detrimental to the character of this open countryside area. It would not therefore comply with the requirements of Paragraph 17 and Section 7 of the National Planning Policy Framework which seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings and paragraph 64 of the NPPF, which states that permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area. It is also contrary to (saved) Policy SP13 and SP14 of the Adopted Wyre Borough Local Plan (July 1999) which requires development to be compatible with other land uses and acceptable within the local landscape.



Scale : 1:1481

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