



RED LINE LOCATION PLAN 1:1250



2009



2020



2013



2017

Site History

The application site has historically always been used and maintained as forming a garden area serving the Forest Cottage estate. This is clear from the prestined mowed 'lawns' and the abundance of residential garden paraphernalia which is pictured in these historic aerial views dating back as far as 2009.

in view of the above it is clear whilst designated as open countryside for the purposes of the adopted Local Development Plan and the Unitary Development Plan before it, that the land has never been maintained as a countryside or agricultural parcel of land in either its use or visual appearance.

The applicant has always maintained the intention to formally change the use of the land to residential/ garden curtilage, my client however was prevented from pursuing the planning application process by virtue of a restrictive covenant on the land preventing such actions. This covenant however has now been lifted and as a result this application has subsequently be submitted.

Planning Policy

Policy SC1
Settlment Limits

Development within settlment limits that is proportionate in scale and form to the role and function of the settlment as set out in the Settlment Heirachy will be acceptable in principle.

A case can be made that the inclusion of the application site as part of the residential unit is not only acceptable in terms of proportion and scale, but function too.

The literature also says;

Outside Settlment limits, development will only be permitted under the following circumstances:

The plan goes on to de-limit a number of criterions which permitt an accetpable form of development. The criterions relevant to this submission are 10.2 which says:

it constitutes the provision of open space and small scale ancillary facilities adjoining the settlement limits.

With regard to this criterion, the parcel of land not only serves as an open space which would provide a garden area ancillary to the enjoyment of a pre-existing residential unit, it is IMMEDIATELY adjoining the settlement limit.



Site Photos

When assessing the visual impact of the proposal on the open countryside, it must be considered that the pre-existing visual appearance of the land is very much domestic/residential in character. Furthermore given its location, immediately adjoining a residenital property, it is argued that the land has served as a garden in all but name for a least 13 years and the applicant may have the potential to explore the Lawful Development Certificate route if this application is unsuccessful (Especially in the absence of any 'formal' Planning Enforcement).

