

REPORT SUMMARY

REFERENCE NO - 14/500420/FULL		
APPLICATION PROPOSAL Change of use of land from open space to garden land as shown on site location plan received 5/8/14; and elevation drawings received 17/9/14.		
ADDRESS 4 Three Tees White Horse Lane Otham Kent ME15 8RG		
RECOMMENDATION Permit		
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL The change of use of the land would have no adverse impact on amenity and is considered acceptable.		
REASON FOR REFERRAL TO COMMITTEE The land is owned by this Council.		
WARD Otham	PARISH/TOWN COUNCIL Otham	APPLICANT Mrs Julie Tidy
DECISION DUE DATE 12/11/14	PUBLICITY EXPIRY DATE 12/11/14	OFFICER SITE VISIT DATE 14/10/14
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): None directly relevant		

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site is located in a rural location off the north side of White Horse Lane, Otham. This is a small square of amenity land, owned by the Council, located between a communal car park (to the east) and the side garden of the applicant's dwelling, 4 Three Tees.
- 1.02 The site currently contains low bushes and an ash tree and serves as a small landscaped amenity area to the side of the car park.

2.0 PROPOSAL

- 2.01 The application proposes a change of use to allow the land to be used as domestic garden by No. 4. The land would be bounded by a new low wooden panel fence. A letter submitted with the application indicates that the MBC Property Officer considers the site surplus to Council requirements.

3.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan: ENV6, ENV28

4.0 LOCAL REPRESENTATIONS

4.01 Otham Parish Council has no objection.

5.0 CONSULTATIONS

5.01 The KCC Archaeological Officer has no comment.

5.02 The MBC Landscape Officer has no objection.

6.0 APPRAISAL

6.01 The only significant issue with this application is whether the change of use from communal amenity land to incorporation within a private garden would cause any significant harm to the character of the countryside. This is not 'open countryside'; rather the site is part of the patch of mainly housing development at Three Tees, with significant lines of housing on either side of the site. This small landscaped area plays a minor role in the 'greening' of the built frontage but I do not consider its 'loss' to garden land would be significant and there is no reason to suppose that its future as green open space would not continue to a large degree. Low wooden fencing is appropriate for this location.

6.02 I do not consider there to be significant ecology issues here given that this is a small, managed area. There would be no negative impact on the amenities of neighbours (I note that no objections have been received) and there are no highways issues in an application of this type.

7.0 CONCLUSION

7.01 I do not regard the change applied for represents any significant threat to the character of the area and I recommend that permission be granted. I recommend that a condition be imposed to ensure that development involving sheds, hardstandings, etc. would be within the control of the Council and could not be carried out under 'permitted development rights'.

8.0 RECOMMENDATION – GRANT subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
site location plan received 5/8/14; and elevation drawings received 17/9/14;

Reason: To ensure the quality of the development is maintained.

3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 (as amended), no further development shall take place on the site without the prior written consent of the Local Planning Authority;

Reason: To ensure the appearance and the character of the site is maintained.

Planning Committee Report

Case Officer: Geoff Brown

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.