

V/2019/0019 Land to Rear 18 Grange Farm Close, Sutton In Ashfield



**COMMITTEE DATE**    28/02/2019                      **WARD**        Ashfields

**APP REF**                      V/2019/0019

**APPLICANT**                      Andrew Barber

**PROPOSAL**                      Change of use of land to garden and erection of fencing

**LOCATION**                      Land to the rear of 18 Grange Farm Close, Sutton in Ashfield

**WEB-LINK**                      <https://www.google.com/maps/@53.1166985,-1.2794412,17.96z>

**BACKGROUND PAPERS**    A, C,

App Registered: 15/01/2019                      Expiry Date: 11/03/2019

*Consideration has been given to the Equalities Act 2010 in processing this application.*

*This application has also been referred to Planning Committee by Cllr. Hollis on the grounds to discuss environmental issues.*

### **The Application**

This is an application for the material change of use of open land to the rear of 18 Grange Farm Close to residential curtilage and the erection of fencing. The site is located within the main urban area of Sutton in Ashfield.

### **Consultations**

Site Notices have been posted together with individual notification of surrounding residents.

The following consultation responses have been received:

#### ***Resident Comments:***

6 comments have been received from local residents. 4 comments were in support and 2 objections.

Supporters to the development made the following comments:

- The proposal is not detrimental to any designated rights of way/established walkways
- The proposal does not result in the loss of any protected land of environmental importance.

Objectors to the development raised the following concerns:

- The applicant has already erected fencing and has completed the proposed garden extension.

- The proposal sets a precedent for other neighbouring properties to do the same
- The proposal is detrimental to dog walkers who use the area of woodland to the rear of site.
- The proposal will cause disturbance to existing wildlife

***ADC Landscaping:***

Concerns are raised regarding the cumulative impact of potentially several gardens extending into the landscaping buffer.

The structural landscape area to the north of the Calladine Business Park forms a naturalised buffer to reduce noise and air pollution along with improving the visual amenity and ecological quality of the space between the industrial / employment land and A38 corridor to the south. The space formed part of the minimum requirements for the development of the Calladine Business Park and has formed a semi mature landscape since its construction in the mid-nineties.

In isolation the change of use of a singular plot of the suggested dimensions would not appear to have a great impact on the semi mature landscape buffer although ADC Landscaping would be concerned that the cumulative effect of all neighbouring properties implementing the same would have a significant adverse impact.

It is noted that the employment/business development land (Calladine business Park V/1992/0029) had a development brief which followed the recommendations of the Inspector at the Local Plan Inquiry. The brief identified that 25% of the overall developed area is to be given over to Strategic Landscaping and this site formed part of that strategic area.

***ADC Drainage:***

There are no known drainage issues with the site.

***NCC Highways:***

The proposal will not have a material impact on the highway network.

**Policy**

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

**National Planning Policy Framework (NPPF) 2018:**

Part 2 – Achieving Sustainable Development

Part 8 – Promoting Healthy and Safe Communities

Part 11 – Making Effective Use of Land

Part 12 – Achieving Well Designed Places

Part 15 – Conserving and Enhancing the Natural Environment

## **Ashfield Local Plan Review (ALPR) 2002:**

ST1 – Development

ST2 – Main urban area

## **Supplementary Planning Document 2014:**

Residential Design Guide

### **Relevant Planning History**

#### **V/2013/0105 – 18 Grange Farm Close**

Details: Change of use of land to residential garden (C3)

Decision: Refused because it amounted to inappropriate development having a detrimental impact on the visual amenities of the area, the loss of a landscaped buffer zone and area of open space.

Date: 16/04/2013

#### **V/2018/0577 – 22 Grange Farm Close**

Details: Change of use of land to garden and erection of fencing

Decision: Refused because it amounted to inappropriate development having a detrimental impact on the visual amenities of the area, the loss of a landscaped buffer zone and area of open space.

Date 12/10/2018

### **Comment:**

The application seeks permission for the change of use of land to the rear of 18 Grange Close to residential curtilage (C3), and the erection of fencing. The application site forms part of the landscaped buffer between the general industrial units sited to the south of the site on Calladine Business Park and the residential properties to the north on Grange Farm Close.

The land is part of an area that was identified within application V/1992/0029 as an area of strategic landscaping and formed a key part of the development brief for the construction of Calladine Business Park.

### ***Visual Amenity:***

The proposed garden extension projects approximately 12m into the woodland area to the rear of the existing property, and is proposed to be bound by 1.8m high wooden panel fencing and posts. The proposed extension is approximately 12m wide and amounts to an additional 144m<sup>2</sup> of garden space.

The strategic landscaped area is publically accessible, with footpaths running through it. Representations received from local residents evidence that this parcel of land is valuable open space used by the local community and used regularly by dog walkers.

The application site has been cleared of trees, laid to grass and enclosed by close boarded fencing. It was originally wooded, similar to the surrounding woodland, and it can be assumed this area was likely to have offered a habitat to a variety of wildlife.

The residential boundary line to the rear of the properties on the southern side of Grange Farm Close is well established between the gardens and woodland, as viewed from an aerial perspective and from the open space. The proposal interrupts this pattern and will be detrimental to the visual amenities of the wider character and appearance of the area.

Furthermore, the site forms part of land that has been designed to be a buffer and screen to protect residential properties from the general industrial units at Calladine Business Park, and it is considered that the erosion of this landscaped area for residential purposes would undermine the purpose of the open area in separating incompatible land uses. No evidence has been submitted to demonstrate that the open space is surplus to requirement.

The buffer zone was recommended as a strategic landscaping area which supported the original planning permission of the Calladine Business Park (V/1992/0029). This area of landscaping has since matured over approximately 20 years and forms an established corridor and habitat area for local wildlife. Consequently, if the proposed garden extension was to be granted consent this would set a precedent for potential future garden extensions that could amount to the cumulative erosion of the wildlife and habitats in this landscaping buffer, south of properties of Grange Farm Close.

### **Conclusion:**

It is considered that whilst the enlargement of the garden area would provide additional amenity space to the occupants of the property, it is considered that the detriment to the visual amenities of the locality; the loss of valuable open space; wildlife habitat and intrusion into the buffer zone between residential and commercial uses is not outweighed by the benefits of the proposal. It is therefore recommended that planning permission be refused for the following reason.

### **Recommendation: Refusal**

#### **REASON**

- 1. The proposal represents an inappropriate form of development by virtue of its detrimental impact upon the visual amenity offered by the wider locality, through the interruption in the pattern of existing development. Furthermore, the erosion of an established landscape buffer between the residential properties on Grange Farm Close and Calladine Business**

**Park is considered to result in the loss of valuable open space used by the local community and wildlife, to the detriment of their health and well-being. The proposal is as such contrary to saved policy ST1 (b and E) of the Ashfield Local Plan Review 2002 which seeks to protect the visual amenity of an area, and minimize conflict between adjoining land uses, and also conflicts with Part 8 – Promoting Healthy and Safe Communities and Part 15 – Conserving and Enhancing the Natural Environment of the NPPF 2018.**