

RETROSPECTIVE FENCE AND INCORPORATED LAND WITHIN CURTILAGE OF DWELLINGHOUSE – 99 GREEN LANE, LEIGH-ON-SEA

1 SUMMARY

- 1.1 Notification of an application has been received from Southend on Sea Borough Council requesting the views of this authority. This matter is designated as a schedule item and is reported to the Committee for response.
- 1.2 The application concerns the change of use of land to form an extension to an existing residential garden.

2 INTRODUCTION

- 2.1 The change of use of land concerns a small area 3.5m x 11.0m adjoining the Rochford District boundary: this is connected with a continuation of land that falls within the Rochford District and extends to border Flemmings Farm Road to the North.

3 Current Application

- 3.1 The change of use of land within the Rochford District is covered by current application reference number 02/00341/COU; currently undergoing a statutory consultation period. This application was requested in connection with a current enforcement investigation with respect to the same issue.

4 Land Designation.

- 4.1 The land subject of this application is designated as residential within the adopted Southend on Sea proposals map. The adjoining land within Rochford District is designated Metropolitan Green Belt.
- 4.2 In accordance with the above designations, within the Southend on Sea Local Plan Map the most appropriate use of the land is for residential purposes and thus any residential use, fence and/or associated garden development would be anticipated following General Permitted Development Regulations.
- 4.3 The land within Rochford District currently subject of the planning application, in Local Plan terms, will not be supported for residential development due to the Green Belt designation. Accordingly, the application has been advertised as a departure from the adopted Rochford District Local Plan. A recommendation on this matter will be forwarded for Members' attention in due course.

5 Site Development.

- 5.1 An officer's visit to the site has established that the land in question (both within SOS & RDC) has been enclosed in a 1.8m close boarded fence and maintained as residential curtilage. An adjoining site at Flemmings Farm Road has been fenced to keep horses, and is viewed as an appropriate use for Green Belt land in comparison to extending residential curtilage.

6 CONCLUSION

- 6.1 Following the land designation within the Southend Local Plan, the use of the site in policy terms is established as appropriate. This conflicts with the adjoining land use within the Rochford District which seeks to maintain the land as Metropolitan Green Belt.
- 6.2 The alteration of the land within the Southend Borough for use as residential garden will allow further development within permitted development rights. This, in turn, will impact on the appearance and relationship with the adjoining Green Belt. The use in this location is in accordance with the designated land use for the Southend Proposals Map.

7 RECOMMENDATION

- 7.1 It is proposed that the Committee **RESOLVES**

That no objection is raised to the use of the land within Southend Borough for residential purposes. (HPS)

Shaun Scrutton

Head of Planning Services

Background Papers: Consultation letter from Southend Borough Council dated 26 April 2002.

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