

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5th August 2009

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0368/09/F - LANDBEACH

Extensions, re-site entrance with gates, walls and fence at Nebi - Tari, Ely Road for Mr and Mrs Smith

Recommendation: Refusal

Date for Determination: 27th May 2009

Notes:

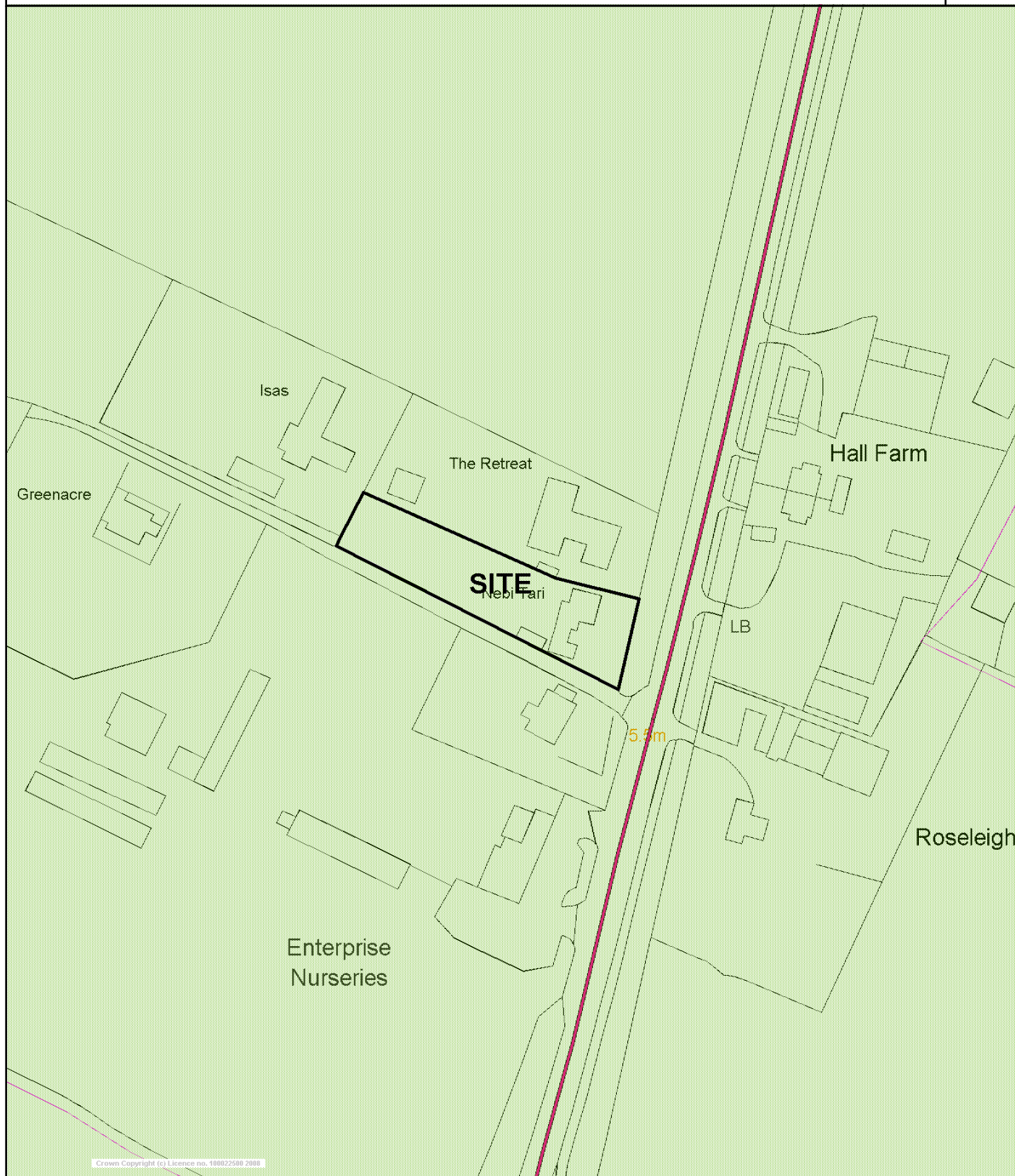
This Application has been reported to the Planning Committee for determination because the Local Member requested that the application be considered at a Chairman's Delegation Meeting where it was referred to the Planning Committee.

Site and Proposal

1. Nebi-Tari is an early 20th century dwelling originally single storey but extended to two storey in the mid 90's (S/0073/93/F). A single storey flat roofed garage serves the dwelling, This been extended to the rear and linked to the main dwelling through the south (side) elevation to form a residential annexe for which there is no history of permission having been granted.
2. The site is an area of approximately 0.12 hectares and is to the south east of the settlement of Landbeach sited within the open countryside and the Green Belt.
3. The dwelling is set back from the highway (A10) by approximately 15m behind a grass verge and low hedging. Land to the front of the dwelling is a gravelled driveway.
4. Surrounding development is sparse, but comprises a mix of commercial and residential development and sporadically lines the edges of the A10. A small single storey residential care home lies adjacent to the dwelling to the north.

Planning History

5. The full application, dated 16th March 2009, seeks an extension to the dwelling comprising two storey rear extension to the existing rear range, single storey rear extension, front extension to the link between the annexe and principal dwelling, rear and side extension to the annexe and the addition of a single storey front porch. Also proposed is a re-positioning of the vehicular access and a 1.8m boundary wall and gates. Amended layout plan received 9th July showing access and car parking details
6. Planning application **S/0073/93/F** for the first floor extension of the original dwelling was approved.



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Scale 1/1250 Date 21/7/2009

Centre = 548584 E 264203 N

August Planning Committee 2009

Planning Policy

Planning Policy Guidance 2: Green Belts

East of England Plan 2008:

SS1 Achieving Sustainable Development

CSR3 - Green Belt

South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007:

ST/1 Green Belt

South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted January 2007:

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/7 Development Frameworks

GB/1 Development in the Green Belt

GB/2 Mitigating the Impact of Development in the Green Belt

HG/6 Extensions to Dwellings in the Countryside

Consultation

7. **Landbeach Parish Council** – Makes no recommendation
8. **Local Highways Authority** – Following submission of the amended site plan dated 9th July 2009 the Local Highways Authority have no objections to the proposals.

Representations

9. None received

Planning Comments – Key Issues

10. The key issues to consider in this instance are the impact upon the character and openness of the countryside and whether the development falls within the scope of acceptable development within the Green Belt as defined by PPG:2.

Green Belt

14. PPG 2: Green Belts defines inappropriate development within Green Belts. PPG 2 provides scope for extension to existing residential dwellings within the Green Belt providing they do not result in disproportionate additions over and above the size of the *original* dwelling. Nabi Tari was originally single storey with a detached single garage and has been added to substantially over time (as discussed below). The proposals further increase the cumulative additions to the dwelling, which are considered to be disproportionate to the original dwelling. The proposals are inappropriate by definition and thus harmful to the Green Belt.
15. The change in character proposed by the new boundary treatment is not only incongruous to the character of other frontages along the highway but also materially harms the openness and appearance of the Green Belt.

16. No very special circumstances considered to outweigh this harm have been submitted.
Countryside
17. Policy HG/6 of the Local Development Framework, Development Control Policies DPD, 2007 allows extensions to dwellings within the countryside where the proposed development would not create a separate dwelling or be capable of separation from the existing, where the proposed development would not lead to an increase of 50% or more in volume or gross internal floor area of the original dwelling and where the proposed extension is in scale and character with the existing dwelling and would not materially change the impact of the dwelling upon its surroundings. One of the key objectives of this policy HG/6 is to retain the stock of small and medium size housing within the countryside in accordance with housing needs in the district.
18. By virtue of the fact that the existing annexe is unauthorised, in this instance approval of the application would result in the creation of a residential unit that would be capable of separation of the principal dwelling. However this could be controlled through a section 106 agreement or occupancy condition, thus is not a material reason for refusal in this instance.
19. Supporting information submitted with the application suggests that the original volume of the dwelling (263m³) and garage (131m³) was 394m³. It goes on to suggest that historic extensions to the dwelling comprise a total internal volume of 113.5m³ and that the internal volume of the proposed extension is 267m³. Thus cumulative extensions represent an increase in volume of approx 96.5% over and above the original dwelling. The proposed works represent a cumulative increase in gross internal volume of substantially more than 50% of the original and hence proposals are contrary to Policy HG/6 1c.
20. The proposals represent substantial cumulative additions to the dwelling thus having a materially greater impact upon the surrounding countryside. Additionally, the proposals increase the size, of the dwelling beyond what could be reasonably described as small or medium size and are thus contrary to one of the main aims of policy HG/6, prevention of the reduction in small the medium housing stock within the District.
21. The proposed front boundary treatment is set back by approximately 8m from the edge of the carriageway. A solid brick wall up to 0.9m in height with timber or wrought iron panelling for a further 0.9m on top of this is proposed. The introduction of a hard imposing boundary treatment such as that proposed categorically changes the character of this frontage. The change in character is not only incongruous to the character of other frontages along the highway, but more importantly materially harms the appearance and openness of the countryside
22. Amended site plan received on the 9th July 2009 shows that planting will be in front of the boundary treatment. This could be controlled by condition, but only justifiably for a period of 5 years, after which it could be removed without planning permission.
23. The agent has informally enquired as to whether the proposal fall within the scope of permitted development. It is officer opinion that none of the works proposed fall within the scope of Part 1, Class A of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

Other Matters

I have considered the possible impact of the development upon neighbouring amenity, our high highway safety, and I consider that the proposals are acceptable in both of these aspects.

Recommendation

Refuse

25. Reasons for refusal

1. The proposed extensions represent cumulative additions that are disproportionate to the original dwelling. The proposals are considered to be inappropriate development within the Cambridge Green Belt, which are contrary to Policies CSR 3 of the East of England Plans 2008, ST/1 of the South Cambridgeshire LDF Core Strategy 2007 are contrary to policy GB/1 of the South Cambridgeshire Local Development Framework, Development Control Policies DPD, 2007 which seek to prevent inappropriate development in the Green Belt as defined in Planning Policy Guidance:2. Green Belts
2. The extensions by virtue of scale, mass and proportions, represent cumulative additions to the original dwelling that exceed 50% of volume and gross internal floor area and materially change the impact of the dwelling upon the surrounding countryside. Furthermore the extensions proposed would enlarge the dwelling beyond the scope of a small or medium sized dwelling. The proposals are contrary to Policy HG/6 of the South Cambridgeshire Local Development Framework, Development Control Policies DPD, 2007 which seeks to ensure that extensions to dwellings outside development frameworks do not have a harmful impact upon the landscape of the open countryside and to prevent the gradual reduction of small and medium sized dwellings within the countryside.
3. The proposed boundary treatment to the east boundary of the site would have a distinctly hard urban character which is incongruous to the character of frontages in this part of the countryside and Green Belt, which are generally formed by soft landscaping, as such would have a harmful impact upon the countryside and Green Belt. The proposals are contrary to Policies DP/2 and GB/2 of the South Cambridgeshire Local Development Framework, Development Control Policies DPD, 2007 which seek to ensure that any appropriate development within the Green Belt be located and designed so as not to have an adverse impact upon its surroundings or the rural character and openness of the greenbelt.

Conditions (in the event of approval) - In the event of a recommendation of approval please note that the application would have to be advertised as a departure and would need to be referred to the Secretary of State for consideration.

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. **No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed**

trees, hedges and shrub planting, which shall include details of species, density and size of stock.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2, GB/2, HG/6 and NE/6 of the adopted Local Development Framework 2007.)

3. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2, GB/2, HG/6 and NE/6 of the adopted Local Development Framework 2007.)
4. **No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected.**
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
5. **The annexe hereby permitted, shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Nebi Tari, Ely Road, Landbeach.**
(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A - E of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**
(Reason - In the interests of the countryside and Green Belt in accordance with Policies HG/6 and GB/1 of the adopted Local Development Framework 2007.)

Informatives

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- East of England Plan 2008
- Planning Policy Guidance 2: Green Belts
- Planning Application Ref: S/0368/09/F, S/0073/93/F

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