

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

3<sup>rd</sup> December 2008

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

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### **S/0812/08/F – STAPLEFORD**

**Extensions Following Part Demolition of Existing House at Keepers Cottage, Haverhill Road for Mr J Culbert**

**Recommendation: Delegated Approval**

**Date for Determination: 17<sup>th</sup> July 2008**

#### **Notes:**

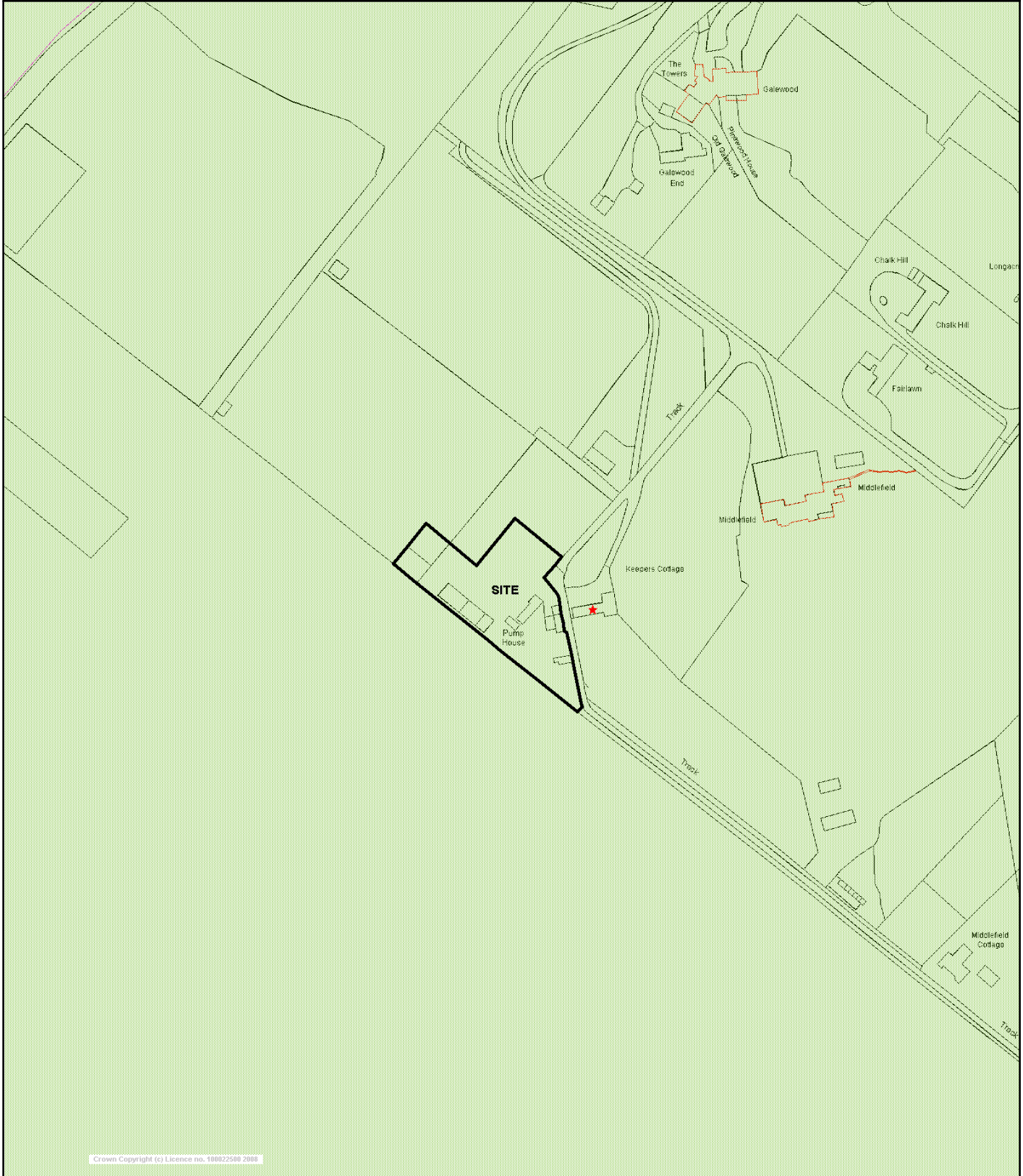
**This Application has been reported to the Planning Committee for determination because the application is a Departure from the Development Plan.**

#### **Departure Application**

#### **Site and Proposal**

1. Keepers Cottage is one of an isolated group of dwellings located on the brow of a hill in the countryside and Green Belt to the north of the village of Stapleford. The site is occupied by Keepers Cottage, an early twentieth century brick and tile bungalow designed by Edwin Lutyens that has been significantly extended, predominantly over the last 10 years, together with a range of outbuildings along the south-western boundary of the site. To the east, across the access track, is a two storey property known as The House on the Hill, whilst further to the north-east is Middlefield, a Grade II\* Listed house.
2. The full application, submitted on 22<sup>nd</sup> May 2008, and amended on 20<sup>th</sup> June and 15<sup>th</sup> September 2008, proposes to retain the original dwelling, to demolish the existing extensions, pump house and all outbuildings, and to extend the original dwelling on its north-western side. The extensions would comprise two single storey 3.2 metre high flat roofed wings, linked to the original dwelling with lightweight glazed structures. The ground floor of the western wing would comprise 6 bedrooms and a kitchen, whilst the eastern wing would provide dining and drawing room accommodation, with the existing/original cottage being used as a lounge and study. The proposal also seeks to provide non-habitable accommodation (including a pool, sauna, changing room, gym and plant/storage area) at basement level. The development would enclose an internal courtyard area and, within this courtyard, the ground levels would be cut away to provide a basement garden and to expose the basement accommodation. The change in ground levels would be achieved through terracing arranged on 5 levels leading from the existing ground level to the basement swimming pool. The extensions would be constructed from soft red handmade bricks with a sedum green roof to the eastern wing and a part sedum roof/part roof garden and terrace to the western wing, with the latter element accessed via a glass walled sun room. An existing rooflight in the roof space of the original cottage would be removed.





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Scale 1/2500 Date 17/11/2008

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December Planning Committee



3. The initial scheme has been amended to ensure the building would be sited within the defined residential curtilage of the property. This has involved the following:
  - a. East wing – length reduced by 3.5m to 17.8m and width reduced by 2.5m from 9.5m to 7m;
  - b. West wing – length increased by 3m to 24.2m;
  - c. Windows in west wing lowered to 1.6m above ground level;
  - d. Number of openings in south-east/front elevation reduced and glazing bars removed.

### **Planning History**

4. The site has a long recent planning history. In 1993, the property consisted of the original bungalow, a flat roof extension to one side, a pump house building to the other side, a long range of outbuildings along the western boundary and a range of detached outbuildings on the south side of the dwelling.
5. Under planning ref: **S/1928/93/F**, an application to erect a 1<sup>1</sup>/<sub>2</sub> storey extension on the rear/north side of the dwelling together with the addition of a first floor to the existing bungalow was refused on the grounds that the extension would be out of scale with the existing house and the resultant building would be visually prominent on this elevated site.
6. **S/0524/95/F** – An application for a temporary flat roof extension to the rear of the dwelling was refused on the basis that the design and materials of the extension would be out of keeping with the scale and character of the original dwelling.
7. **S/0658/96/F** – A proposal to add a single storey flat roof extension to the rear of the dwelling together with the change of use of paddock land on the north side of the dwelling to garden land was withdrawn.
8. **S/1483/96/F** – Consent granted for flat roof rear extension. Within this application, the residential curtilage on the north side of the property was shown as an L-shape, wrapping around the north-western side of the long range of outbuildings and including the area currently used as car parking.
9. **S/1940/00/F** - An application to add a chimney to the dwelling was submitted. Whilst this application was being considered, the outbuildings at the front/south of the property were being substantially rebuilt and converted to habitable accommodation and a single storey link constructed between the dwelling and outbuildings. This Authority took the view that the conversion works did not require consent but that the link did. As such, the application was amended and permission was granted for both the chimney and link structure.
10. **S/1819/03/F** – An application to add first floor extensions to the side, rear and front of the dwelling was withdrawn. Officers intended to refuse the application on the basis that the original dwelling has already been significantly extended (by well in excess of 50%) and any further additions would contravene policies relating to the extension of dwellings in the countryside.
11. **S/1203/04/F** – An application to demolish the existing property and outbuildings and to erect a replacement dwelling (approximately 15% larger than the combined volume of the existing dwelling and outbuildings on the site) slightly to the north-west of the existing property was refused at Committee in January 2005, contrary to Officer recommendation, for the following reasons:

- a. The size, height and position of the dwelling, together with the extension of the residential curtilage, was considered to be out of scale and character with the existing dwelling, to materially increase the impact of the site on its surroundings and to harm the openness of the Green Belt. The application was considered to represent inappropriate development in the Green Belt, with no very special circumstances demonstrated to justify the development;
- b. Keepers Cottage forms part of the Lutyens designed Middlefield estate. The size and siting of the proposed replacement dwelling was considered to result in the loss of hierarchy between Middlefield, The House on the Hill and Keepers Cottage, and to detract from the setting of the Grade II\* Listed Middlefield.

The application was subsequently dismissed at appeal. The Inspector did not consider Keepers Cottage to form part of the visual setting of Middlefield but did state that the property forms an important part of the historical setting of the listed building. Its demolition would remove part of the original estate structures and its rebuilding on land that was an open field in 1910 would further detract from the original estate layout. On this basis, the Inspector concluded that the proposal neither preserved nor enhanced historical setting of Middlefield. With regards to the impact of the development on the Green Belt, the Inspector stated that the existing buildings on the site are predominantly simple, single storey structures that are not generally visible in any public views. The proposal was considered to dramatically increase the perceived bulk and reduce the apparent openness compared to the existing buildings. It was deemed to be out of character with the existing dwelling and to have a greater impact on the surrounding countryside. The change of use of former open land to garden was also considered to constitute inappropriate development in the Green Belt.

12. **S/1854/05/LDC** – Application for certificate of lawfulness for use of land outside the defined residential curtilage as garden land was refused.

### **Planning Policy**

13. **Planning Policy Guidance Note 2 (Green Belts)** states that there is a general presumption against inappropriate development within the Green Belt, and that such development should not be approved except in very special circumstances. Development is classed as inappropriate unless, amongst other factors, it includes the limited extension or alteration of existing dwellings and does not result in disproportionate additions over and above the size of the original building.

### **East of England Plan, Regional Spatial Strategy 2008**

14. **Policy ENV6** requires local authorities to protect the historic environment of the area.
15. **Policy ENV7** states that new development should be of a high quality which complements the distinctiveness, character and best qualities of the local area and promotes urban renaissance and regeneration.

### **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**

16. **Policy DP/1** states that development will only be permitted where it can be demonstrated that it is consistent with the principles of sustainable development.

17. **Policy DP/2** requires all new development to be of high quality design and to: preserve or enhance the character of the local area; conserve or enhance important environmental assets; include variety and interest within a coherent design; and include high quality landscaping compatible with the scale and character of the development and its surroundings.
18. **Policy DP/3** states that permission will not be granted for proposals that would have an unacceptable adverse impact on (amongst other issues): residential amenity; from traffic generated; on village character; on the countryside and landscape character; from undue environmental disturbance; on ecological, wildlife and archaeological interests; and on flooding and flood risk.
19. **Policy GB/1** states that there is a presumption against inappropriate development in the Green Belt. The supporting text to the policy states that the main purpose of a Green Belt is to keep land open by placing a permanent and severe restriction on inappropriate development. As a result, most types of development can only be permitted in exceptional circumstances. Such exceptional circumstances will be regarded as Departures from the Development Plan and will only be permitted where other considerations outweigh the harm to the Green Belt.
20. **Policy GB/2** states that any development considered to be appropriate in the Green Belt must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt.
21. **Policy HG/6** states that extensions to dwellings in the countryside will only be permitted where (amongst other issues): the extension does not lead to a 50% increase or more in volume or gross internal floor area of the original dwelling; and the proposed extension is in scale and character with the existing dwelling and would not materially change the impact of the dwelling on its surroundings. In exceptional circumstances, material considerations may justify an exception to the 50% criteria – eg – dwellings with a very small original footprint which do not meet modern living standards. Limited extension of existing buildings in the Green Belt is regarded as appropriate development providing it does not result in disproportionate additions over and above the original building.
22. **Policy NE/4** states that development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the Landscape Character Area in which it is located.
23. **Policy CH/4** states that permission will not be granted for development which would adversely affect the curtilage or wider setting of a Listed Building.

### **Consultations**

24. **Stapleford Parish Council** recommends approval “but with stringent conditions:
  - a. That there are no future permitted development rights;
  - b. That the use of the premises be restricted to domestic/residential purposes within the designated curtilage;
  - c. That strict conditions be in place to limit the disturbance and access during the works;
  - d. That on completion all surplus buildings should be removed;
  - e. That suitable tree screens be introduced to avoid any overlooking or invasion of privacy, especially with regard to the House on the Hill;

- f. That the approval by the professional officers must include English Heritage, Historic Buildings Trust, the Conservation Officer and the Chief Planning Officer of SCDC.

#### Points

- a. That it was a large development but now was not a total demolition;
- b. Aspects of the local plan are relevant in consideration;
- c. E76 with reference to enhancement and protection;
- d. P1/2 which restricted development unless essential;
- e. HG13 that the development should not exceed 50 per cent of existing;
- f. HG15 referring to total demolition;
- g. GB2 impact with reference to the green belt;
- h. EN28 the setting of the building.

In addition D Cllr Nightingale expressed the view that this will go before the conservation officer and that all buildings are demolished on completion. He also inferred that with the strength of objections from neighbours the matter could be referred to the Chairman's Committee."

With respect to the amended plans, the Parish Council states:

"Approval is subject to the agreement of the District Council's Ecology Officer that no damage would be caused to the chalk surface and no damage would result from surface water run-off. The normal site working conditions should be applied."

25. **The Conservation Manager** commented in respect of the original drawings, stating that Keepers Cottage was originally constructed as a small outbuilding as part of the Middlefield estate, built by Sir Edwin Lutyens in 1908. The main house is now a listed building but Keepers Cottage has been separated off from the main estate and is now an independent dwelling. The building has been heavily altered over the years, with a significant number of extensions and outbuildings that combine to obscure the original structure and erode its character. However, the original is of some architectural and historic interest and should be retained, forming the focus to a revised dwelling on the site. The scheme removes all the latter additions, replacing them with new structures that seek to enhance the original building. The new build elements should not 'swamp' the original building. The applicant has adopted an approach whereby the new elements may be considered from the outside as a 'walled garden' with the original building forming a structure attached to the enclosing wall. This is a valid approach and one that has the potential to ensure that the new elements do not dominate the original structure. The success of the approach will be down to the detailing of the scheme. With regards to the submitted design, the north-east elevation has the greatest resemblance to a walled garden, with the new accommodation contained behind a plain brick wall with only a single break to define the new front door. The suggestion of a walled garden is reinforced by the roof being set behind a brick parapet and this should be detailed to reflect the coping on a traditional brick garden wall (ie – possibly with a splayed plinth stretcher brick topped by a half round brick coping). In contrast, the south-west elevation is pierced by 8 openings which weaken the overall concept of the walled garden but in long views these openings will be masked by the hedge. Could the scheme be developed further to reduce the impact of these openings? Eg – it might be possible to develop this wall into a traditional 'crinkle-crankle' wall with openings set into returns in the curving brick wall. The south-east elevation is also compromised by the number of new openings in the 'enclosing' wall and the scheme would be architecturally much stronger if the openings were restricted to the two glazed elements that provide

articulation between the original building and the new elements, though this may not be functionally acceptable. A glass lantern could be introduced over the kitchen that might then allow the removal of openings in the south east wall. The new openings should have a 'crisper' form than the multipaned windows suggested on the drawings. Glazing bars should be confined to the windows on the restored original structure only. Within the walled garden, the design steps down to a lowered basement garden. Drawings are unclear as to the northern extent of the basement and it would be more successful if stepped up in a series of terraces rather than a single retaining wall. The proximity of the excavations in relation to the retained original structure could cause a problem and, before works commence, a method statement and structural engineers report is required to set out how this work is to be undertaken and how the structural integrity of the retained structure is to be ensured during the course of the works. Also, the scheme will require the removal of a significant quantity of sub-soil/chalk from the site. Further information should be sought regarding the quantity of material to be removed, method of removal and final destination for excavated material.

The basic concept behind the proposal is supported but it needs further design development. The scheme has the potential to significantly enhance the setting of the original building and to return it to something approaching its former glory. A number of large scale details would need to be agreed before works commence on site if the scheme is to be approved:

- a. Coping to the parapets;
- b. Jamb, cill and head details of any openings in the outer brick wall;
- c. Method of removing rainwater from the sedum roof areas;
- d. Glass 'lantern' on the western wing;
- e. Zinc and glass roofs;
- f. Bond pattern for the enclosing external wall.

26. **The Landscape Design Officer** states, in respect of the proposal for disposal of spoil, that the drawings will need to be amended to reflect what has been agreed. To achieve the lower levels and more gentle slopes, the area of spoil will have to extend to approximately the edge of the tree line to the north west, ie – around 30m to the right of the turkey oak. The plan should be redrawn at 1:500 scale and a north point included. The dished area around the turkey oak is too small – the spreading of spoil should start a minimum of 4m from the stem. If feature mounding is desired near the entrance gate and adjacent to the picnic area, these areas should be marked with a brief description or cross sections at a suitable scale. The Ecology Officer should be contacted to agree the amount of topsoil included within the spread, vegetation management and seed specifications.
27. Comments from the **Ecology Officer** will be reported verbally at the Committee meeting.
28. **The Environmental Health Officer** raises no objections subject to conditions to protect neighbours from noise disturbance during the construction period.
29. **The Building Inspector** advises that the method statement should meet Officer's requirements to safely retain the existing building whilst enabling a basement to be built in close proximity to it.
30. **English Heritage** stated, in respect of the initial drawings, that the original, modest, single-storey structure has been extended with flat roofs abutting on two sides and a link to a further, sizeable pitched roof annex structure with a free standing blockwork structure adjacent. These, plus a range of outbuildings, do not enhance or preserve

the character of the original building. The proposal will remove all these later structures and consolidate the new accommodation into wings contained behind an enclosing wall. This attempt to suggest that the cottage is attached to a walled garden may be a valid approach to the problem of providing significant accommodation, but it will require great care in its detailing if it is to succeed. However, in terms of the impact on the setting of Middlefield the overall tidying up of the site and opening up of the original structure will be an enhancement. The design needs to be refined and English Heritage would support the Council in resolving details of the scheme. Two issues of concern remain: structural implications for the cottage if excavations are undertaken beside it and the disposal of the excavated material. In a letter from the applicant (sent direct to English Heritage) the applicant appears to suggest that the excavated material will be disposed on site. Since there will be a significant volume of excavated material, details of the ground level and landscaping should be provided at this stage, since this also has the potential to adversely impact on the open countryside and the setting of Middlefield. Given the sensitivity of the site and the potential for harm to the setting of Middlefield, further development to the design should be undertaken and more information on the steps to safeguard the well-being of the existing structure if the excavations are undertaken and proposals for the disposal of the excavated material should be sought.

No objections were raised by English Heritage to the impact of the proposed landscaping/spoil distribution works on the setting of the house or to the method statement/basement excavation works.

31. **The Environment Agency** states that the application falls within Cell F2 of the Flood Risk Matrix and that the Council would therefore be required to respond in respect of flood risk and surface water drainage issues. No objections are therefore raised, but no details in respect of surface and foul water drainage have been submitted. The applicant should be advised of his responsibility to ensure that adequate residual capacity exists within the surface and foul water drainage systems to accept any additional discharge from the development without detriment to either the land drainage regime or water environment.
32. **Natural England** raises no objections in respect of legally protected sites or species.

### **Representations**

30. Letters of objection have been received from the occupiers of Hillstead, The House on the Hill, Galewood House, Galewood End, Middlefield Cottage, and South Hill House. The main points raised are:
  - a. The extension is over 50% of the size of the original dwelling and therefore disproportionate in size to the original. If a departure from the plan, what is the justification for supporting the development in the Green Belt?
  - b. There is a presumption against inappropriate development in the Green Belt;
  - c. The proposal would have a significantly increased impact on the surrounding countryside;
  - d. The perceived bulk and reduction in openness are greater than in the previous refusal;
  - e. The existing buildings are rural and domestic in character. The proposed development is very modern, inappropriate in design and not compatible with the existing or with the historical setting of the Listed Building;
  - f. The building resembles a Travelodge rather than a walled garden;
  - g. The glass sun room would be highly visible and the roof garden would have a substantial impact;



- h. Details of the glass turret, landscaping and scheme for the removal of spoil should be provided before the application is considered;
- i. Any chimneys, flues and air vents required should be shown on the drawings;
- j. By allowing development up to the permitted curtilage, domestic paraphernalia will spread into the countryside beyond the garden;
- k. The application fails to address fundamental objections identified by the Inspector;
- l. In the previous appeal, the Inspector did not accept that the existing accommodation is so sub-standard as to require rebuilding;
- m. The historical setting of Middlefield and original estate layout referred to by the Inspector have not been taken into account in the current application;
- n. Actual elevation heights have been misrepresented;
- o. There should be no business use of the premises. A health and beauty business is registered at the premises;
- p. Chalk to be spread around the site would not support the natural vegetation and would damage the contours of the hill;
- q. Disruption to neighbours during the construction period should be kept to a minimum;
- r. Plans have not been developed in accordance with the Conservation Officer's comments.

Comments relating to the amendments (ie – the method statement and details for the disposal of spoil) are as follows:

- a. Development extends beyond the curtilage with harmful impact on landscape;
- b. Raised level of land will lead to overlooking of adjoining orchard and property;
- c. Unclear where all the spoil will go and where all demolition material will go;
- d. All spoil should be removed from the site;
- e. Spoil proposal would result in loss of natural chalk grassland contrary to Policy CSF/5;
- f. Spoil to be removed is greater than claimed by the applicant. Where will all this spoil go and where will demolition material go?

### **Representation by the applicant**

- 33. The application has been accompanied by a design and access statement as well as a statement setting out the very special circumstances considered to exist to outweigh the harm by reason of inappropriateness. The latter is attached in full as an appendix to this report:
  - a. The proposal represents an enhancement to the setting of the Grade II\* Listed Middlefield;
  - b. Removal of the existing extensions and other clutter from around the original cottage will return it to something approaching its former glory;
  - c. The net volume of buildings above ground will be less than at present (by approximately 200 cubic metres) and located in a way that improves the openness of the countryside;
  - d. The spread of the buildings is reduced by 7m east to west and 28m north to south;
  - e. The scheme enables the authority to more easily control future development. The proposed volume is much less intrusive than would be allowed by the present permitted development regulations.

### **Planning Comments – Key Issues**

- 34. The key issues to consider in the determination of this application are:

- a. Whether there are any very special circumstances to set aside the presumption against inappropriate development in the Green Belt;
  - b. The design and impact of the development upon the openness and rural character of the countryside and Green Belt;
  - c. Impact on setting of Listed Building;
  - d. Neighbour amenity.
35. Planning Policy Guidance Note 2 makes it clear that disproportionate additions to the original property represent inappropriate development in the Green Belt whilst Local Development Framework 2007 Policy HG/6 only supports a 50% increase in the volume or gross internal floor area of the original dwelling. The volume/floor space of the original cottage element amounts to approximately 165m<sup>3</sup>/42m<sup>2</sup> respectively. The proposed extensions (excluding the basement area) would increase the above ground volume/floor space figures to about 1350m<sup>3</sup>/405m<sup>2</sup>. (A further 220m<sup>2</sup> of ancillary/non-habitable floorspace would be provided within the basement area). The proposal clearly results in a disproportionate addition to the original, constitutes inappropriate development in the Green Belt by definition and contravenes the requirements of Policy HG/6 of the LDF. It is therefore necessary to consider whether there are any very special circumstances in this instance to outweigh the harm to the Green Belt by reason of inappropriateness.
36. The original dwelling is a single storey brick and tile structure that stands approximately 5.8 metres high to the ridge. The converted outbuildings on the south side of the dwelling have a total ridge height of around 4 metres. To the side and rear of the dwelling are 2.6 metre high flat roof timber extensions whilst on the west side of the property is a 4.2 metre high brick pump house building. Adjacent to the western boundary of the site are a range of timber and tin predominantly open-sided outbuildings. These outbuildings are around 31.5 metres long, 7 metres deep and range in height from 2.8 metres to 3.1 metres. The original dwelling has a floorspace of around 42m<sup>2</sup>. The subsequent additions to the dwelling bring the total floorspace of the habitable/primary accommodation to around 240m<sup>2</sup>. The long range of outbuildings add a further 220m<sup>2</sup> of ancillary accommodation, bringing the total floorspace of existing above-ground development on the site to approximately 460m<sup>2</sup>/1470m<sup>3</sup>. The applicant also has Building Regulations consent to convert the roofspace of the original cottage to habitable accommodation and this has been partially implemented through the insertion of rooflights in the roof space of the dwelling. The proposal seeks to demolish all existing extensions and outbuildings, retaining just the original cottage and a further structure used for garaging. The proposed development would reduce the above ground floorspace and volume of development on the site to around 405m<sup>2</sup>/1350m<sup>3</sup>, a reduction of in excess of 10% of the existing (or more if the converted roof space of the main dwelling is taken into account). (It is worth noting that the floorspace of habitable accommodation on the site would be increased by around 70% and that, if the basement accommodation is included in the total calculations, the proposal would represent in an approximately 35% increase in the combined floorspace of existing habitable and non-habitable accommodation).

***Impact on character of cottage and setting of Middlefield***

37. Following the refusal of the previous application for a replacement dwelling and the subsequent appeal decision, the applicant met with Planning and Conservation Officers in order to explore how the site could be developed. Based on the Inspectors decision, Officers considered it to be essential that the original Keepers Cottage building be retained, rather than demolished, and advised that any application should therefore involve extensions to the original rather than a replacement dwelling. In

these discussions, the Conservation Officer strongly encouraged the applicant to adopt the approach taken in the current application. The approach suggested involved the demolition of all existing unsightly additions to the original and the erection of extensions designed to look like a traditional walled garden, linked to the original cottage with lightweight glazed structures. The Conservation Officer and English Heritage have both commented that the proposal removes extensions that obscure views of the original structure and that are not considered to preserve or enhance the character of the original building. The proposed development, if properly detailed, is considered to result in an enhancement to the character of Keepers Cottage (returning it to something approaching its former glory) and, hence, to the historic setting of Middlefield.

38. In response to concerns raised by the Conservation Officer and English Heritage relating to the detailed design of the extension, the plans have been amended to reduce the number of openings in the south-west and south-east elevations, to lower the window openings in the south-west elevation and to introduce crisper window openings. These alterations, together with conditions requiring the submission of large-scale details as recommended by the Conservation Officer, are considered to overcome these concerns.
39. In addition, a method statement has been submitted for the basement excavation and details for the disposal of spoil submitted. As a result of the method statement, the shape of the basement has been altered to move the walls away from the existing buildings that are to be retained. The Building Inspector is satisfied that the excavation works can be undertaken without compromising/resulting in the loss of the original dwelling. It would be essential, as part of any permission, to ensure the works are carried out in accordance with the method statement. With regards to proposals for the spoil, the applicant has proposed that this be spread over the adjoining land to the north across an area measuring around 100m x 35m, reaching a maximum height of 0.6m above the existing ground level. The top soil would be dragged off, the spoil deposited to form the profile shown in the submitted drawing and the top soil spread back over the area, compacted and returned to a meadow. The Landscape Design Officer is generally supportive of this approach but has requested some minor amendments to the proposal. I am presently awaiting the formal comments of the Ecology Officer. However, I am aware that both the applicant and Landscape Design Officer have spoken to the Ecology Officer and that it is considered the proposals for the spoil represent an opportunity to enhance the ecological value of the land.
40. Based on the strong support received to the proposal from the Conservation Officer and English Heritage, it is considered that the enhancement to the character of the cottage and to the setting of the Grade II\* Listed dwelling at Middlefield represents a very special circumstance required to support the proposal.
41. Given that the proposal has been supported on the basis that the walled garden extension approach is considered to enhance the cottage and the setting of Middlefield, it is essential that the development be completed and carried out in accordance with the approved plans and that all existing extensions and outbuildings be removed, and the rooflights removed from the existing cottage. It would be completely unreasonable to require all buildings to be demolished before works commence on the site as the family intend to remain living in the property whilst the development is taking place. A phased approach to the demolition and new build would therefore be necessary. Planning permissions only normally require developers to commence works within a specified timescale but normally have no mechanism in place to ensure works are completed as per the plans. In this instance, without any controls over the demolition, phasing and completion of the development, the

development could be partially carried out potentially resulting in a development that would be more harmful than the existing structures on site. This scenario needs to be avoided. Officers therefore recommend that a condition requiring details of the phasing and timescales for the progressive demolition of the existing buildings and construction/occupation of the new extensions be agreed before any development starts and the proposals subsequently completed in accordance with the approved schedule.

### ***Impact upon the openness of the Green Belt***

42. The applicant contends that, by reducing the spread of buildings across the site and by reducing the net volume/floor space of buildings above ground, that the proposal would improve the openness of the countryside and Green Belt. Officers do not, however, concur with this view. Admittedly, the proposal, by removing the existing pitched roof outbuildings on the south side of the dwelling would improve the appearance of the site when viewed from the access track. However, the building would be more prominent when viewed from the land to the north, so it could be concluded that visual harm would be removed from one part of the site but replaced on another part of the site. The development is not considered by Officers to result in *harm* to the character of the countryside or openness of the Green Belt. It is considered to have a neutral impact, rather than to result in an enhancement to the countryside and Green Belt.

### ***Future control of the site***

43. In pre-application discussions relating to the site, Officers have taken into account the development that could be carried out on site if the applicant were to utilise his permitted development rights. During the consideration of the current application, the permitted development regulations have changed and become far more generous. Under the previous legislation, there were strict controls on the volume/size of extensions that could be added to the original dwelling, meaning that the applicant would not have been able to further extend his property without planning permission but could have constructed 4 metre high pitched roof outbuildings within the curtilage of the property as well as adding rooflights to the dwelling and constructing hardstandings etc.
44. The volume constraints for extensions to dwellings have now been removed within the revised legislation. The most harmful aspect of the new regulations is that (in addition to rights to erect outbuildings/hardstandings etc) it would now be theoretically possible to erect an extension, the same height as the original cottage and with no limit on its length, on its south/front side providing no more than 50% of the curtilage (other than the house) was covered in buildings, as well as to erect further extensions of restricted depth on the other sides of the dwelling. If the permitted development rights that now exist for the property were even to be partially carried out, there is scope for enormous harm to be caused to the character of the countryside and openness of the Green Belt. The applicant has stated that he would be agreeable to householder permitted development rights being removed on the property, thereby enabling the Authority to retain control over any future development on the site. Officers consider this to be an additional very special reason for supporting the proposal. If Members are minded to grant permission for the development, Officers consider it essential, in the interests of protecting the countryside and Green Belt, to remove all household permitted development rights (this would mean that any future flues/chimneys would require permission), as well as rights relating to the construction of means of enclosure and solar panels.

### ***Neighbour amenity***

45. The proposed development would be a single storey structure set well away from the immediate neighbouring property. Ground floor windows would face into the site and would not result in overlooking of neighbouring properties. The occupiers of The House on the Hill have expressed concern that, by removing the outbuildings on the south side of the dwelling, views from windows in the south elevation of the property would be opened up into their garden area. The applicant has offered to plug-up this gap with additional landscaping and this can be secured by way of a standard landscaping condition.
46. Much concern has also been expressed regarding disturbance during the construction period. In accordance with comments made by the Environmental Health Officer, it is recommended that a condition be added to any permission restricting the hours of use of power operated machinery.
47. Concern has also been raised on the basis that the premises could be used for business purposes. If the premises were to be used for business purposes in the future, and the degree of the business use were such that a material change of use had occurred, planning permission would be required and the implications would then be considered as part of any future application.

### **Conclusion**

48. The proposal represents inappropriate development in the Green Belt, by reason of its scale relative to the size of the original dwelling. No other harm, which could not be resolved by the imposition of conditions, has been identified. The enhancement to the character of the cottage and to the setting of the Grade II \* Listed Building at Middlefield is considered to represent very special circumstances to justify inappropriate development.
49. The proposal does not involve the construction of a building with a floorspace of more than 1,000 sq m requiring referral to the Secretary of State under The Town and Country Planning (Green Belt) Direction 2005. However, the Direction indicates that an application to extend an existing building should be referred if it would be inappropriate development which, by reason of its scale, nature or location would significantly impact on the openness of the Green Belt, regardless of whether or not the proposed extension exceeded the above - mentioned threshold. I have concluded in para 42 above that there would not be a significant impact on the openness of the Green Belt. For these reasons I do not consider that the application needs to be referred to the Secretary of State.

### **Recommendation**

50. Subject to the receipt of an amended plan to resolve concerns raised by the Landscape Design Officer and to no objections being received from the Ecology Officer, delegated powers are sought to approve the application, as amended by drawings date stamped 20<sup>th</sup> June and 15<sup>th</sup> September 2008:

Conditions:

1. Standard Condition 1 - Time Limited Permission (Reason 1)
2. No development shall commence until details of the phased demolition of the existing buildings, the removal of the rooflights in the original dwelling and



construction of the extensions, hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. This must clearly set out the phasing/timescales for the progressive demolition and occupation of the development, and the development should thereafter not be carried out and completed other than in accordance with the approved schedule (Reason – The application has been approved on the basis that the development in its entirety results in an enhancement to the historic setting of Middlefield, thereby representing the very special circumstances required to support inappropriate development in the Green Belt. If the development is only partially completed, this would seriously compromise the success of the walled garden design approach, contrary to the aims of Policies DP/2, DP/3, CH/4, HG/6 and GB/2 of the adopted Local Development Framework 2007)

3. Sc5 – Landscape (Rc5)
4. 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 ten 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.  
(Rc6)
5. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development, hereby permitted, has been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details (Rc13)
6. No development shall commence until large-scale details (minimum scale 1:20) of the following have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details:
  - a. The coping to the parapets;
  - b. Jamb, sill and head details of any openings in the outer brick wall;
  - c. Method of removing rainwater from the sedum roof areas;
  - d. Joinery;
  - e. The glass lantern on the eastern wing;
  - f. The zinc and glass roofs;
  - g. The bond pattern for the enclosing external wall.(Reason – To ensure that the development results in an enhancement to the historic setting of Middlefield, in accordance with Policies DP/2, DP/3 and CH/4 of the adopted Local Development Framework 2007)
7. Sc23 – Foul water drainage (Rc23)
8. Sc24 – Surface water drainage (Rc24)
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended 2008) (or any order revoking and re-enacting that Order with or without modification), no development within the following Classes of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:

- a. All Classes of Part 1 (Development within the Curtilage of a Dwellinghouse);
- b. Class A (Erection of means of enclosure) of Part 2;
- c. Classes A and B of Part 40 (Installation of Domestic Microgeneration Equipment)

(Reason – In the interests of protecting the openness of the Green Belt, the character of the countryside and preserving the historic setting of Middlefield in accordance with Policies GB/2, HG/6 and CH/4 of the adopted Local Development Framework 2007)

10. 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 windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the outer side walls of the extensions, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (Reason – To protect the walled garden appearance of the development, in accordance with Policies DP/2, DP/3 and CH/4 of the adopted Local Development Framework 2007.)
11. During the period of demolition and construction, no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions (Rc40)
12. The basement excavation works shall be carried out in accordance with the method statement dated 7<sup>th</sup> August 2008 unless otherwise agreed in writing by the Local Planning Authority (Reason – To ensure the basement excavation works would not undermine the original dwelling, in the interests of preserving the historic setting of Middlefield, in accordance with Policies DP/3 and CH/4 of the adopted Local Development Framework 2007)

### **Informatives**

1. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled;
2. During construction, there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.
3. Before the demolition of any of the existing buildings, a Demolition Notice will be required from the Environmental Health Department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation.

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

Planning Policy Guidance Note No.2 (Green Belts)  
East of England Plan, Regional Spatial Strategy 2008;  
South Cambridgeshire Local Development Framework (LDF) 2007;  
Planning application references S/0812/08/F, S/1854/05/LDC, S/1203/04/F, S/1819/03/F,  
S/1940/00/F, S/1483/96/F, S/0658/96/F, S/0524/95/F and S/1928/93/F.

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