

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 July 2011

AUTHOR/S: Executive Director (Operational Services)/
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S/0772/11 – GAMLINGAY

**Erection of Replacement Dwelling following Demolition of Existing
Robsie, Potton Road, Mill Hill, Gamlingay
for Mr & Mrs Squance**

Recommendation: Refuse

Date for Determination: 13 June 2011

**The application has been referred to the Planning Committee at the request
of the local District Councillors Kindersley and Smith.**

Committee Members will visit the site on the morning of 6 July 2011.

Site and Proposal

1. The application site is a single storey, pitched roof, detached bungalow situated on a parcel of land historically associated with Mill Farm. The property was granted outline planning permission in 1978 and was subject to an agricultural occupancy condition. In 2010 a Lawful Development Certificate was granted for the removal of that condition, as it had been successfully demonstrated that the property had been continuously used in breach of that condition for a period of not less than 10 years. The property is located to the South of Gamlingay, outside of the Development Framework of the village in the countryside. The front boundary of the site is enclosed by 3.5 metre high dense hedging and the site is open to the rear, facing onto land within the ownership of Mill Farm. The Northern boundary behind the line of the bungalow is largely enclosed by trees and at the time of the site visit, a close-boarded fence was being erected in the only existing gap in the boundary treatment adjacent to the bungalow. The Southern boundary is largely open to the other farm buildings on the wider site including the other dwelling. The bungalow itself is situated with its front elevation facing South, meaning the property is side on to the main road to the West. The site is not within a Conservation Area.

The proposed development is the erection of a replacement dwelling.

Relevant Planning History

2. S/1364/77/O – Planning permission granted for the erection of a detached bungalow subject to an agricultural occupancy condition.
3. S/1379/10 – Lawful Development Certificate for the use of the dwelling without the agricultural occupancy condition was granted.

4. S/0658/11 – An application for a Lawful Development Certificate for proposed extensions comprising separate single storey extensions to the front (South), side (East) and rear (North) of the bungalow was issued on 16 June 2011.

Planning Policies

5. **Local Development Framework Development Control Policies DPD (LDF DCP)** adopted July 2007:
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks
HG/7 Replacement Dwellings in the Countryside
NE/1 Energy Efficiency
6. **District Design Guide SPD** adopted March 2010
7. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultation Responses

8. Gamlingay Parish Council – has recommended approval commenting that it has no concerns about the application. It notes its view that the site is screened by a tall hedge to the front of the site and suggests that it would not be prominent from the road. It suggests that the dwelling would have less impact than the development proposed under the granted Lawful Development Certificate application and states that it prefers this application on design grounds and footprint and its ability to improve the energy efficiency of the building.

Representations

9. Four representations have been received in respect of the above application.
10. The owner/occupier of 89 Orchard Close, Warboys supports the application noting that it adds to the village's ongoing development plan.
11. The owner occupier of 14 Brockwood Close, Gamlingay supports the application, noting that the replacement dwelling would be of great benefit to the plot and to the village.
12. The owner occupier of 14 Dolphins Way, Sandy supports the application, as it will allow the rejuvenation of an ageing dwelling into a modern family home that will be in keeping with the village and neighbouring properties.
13. The owner occupier of Fordhams Mill Cottage, Fen Road, Diss supports the application, noting that they have lived in the area for many years and have young children and want to build a family home that will sit perfectly within its surroundings.

Planning Comments

14. The main planning considerations in this case are the principle of the replacement, the impact on the countryside parking and highway safety, residential amenity and flood risk.
15. Principle of the development and impact on the Countryside – The application site is not located within a Development Framework and is in the countryside. As defined by policy DP/7, there is a general presumption against the erection of dwellings outside of Development Frameworks in the countryside. As an exception to this general presumption, policy HG/7 allows the replacement of an existing dwelling with a new dwelling, provided the proposed dwelling is in scale with the dwelling it is intended to replace, in character with its surroundings and would not materially increase the impact of the site on the surrounding countryside.
16. As regards the scale of the replacement dwelling compared to the existing bungalow, the replacement dwelling proposed in this application is 7.8 metres to its ridge, and increase in overall height of 3.5 metres above the ridge of the existing bungalow which is 4.3 metres in height. The footprint of the proposed dwelling would represent a 38% increase over the existing bungalow (141 sqm compared to 102 sqm) and, because the proposed dwelling has a first floor, the internal floor area of the proposed dwelling is approximately 200 sqm as opposed to approximately 93 sqm of existing floor space in the bungalow, an increase of approximately 115%. The volume of the proposed dwelling, discounting the dormers, would be approximately 770 cubic metres as opposed to approximately 360 cubic metres for the existing dwelling; an increase of approximately 114%. By any of these measures, the proposed dwelling is considerably larger than the dwelling it replaces. In particular the height and volume, which largely determine the overall scale and mass of the proposed dwelling, are very significantly greater than the existing bungalow. As such it cannot be considered that the proposed dwelling is in scale with the bungalow it replaces and is therefore contrary to policy HG/7, whose supporting text specifically states that “replacements should be similar in size and height to the original structure”.
17. The increase to the overall height of the dwelling would take it well above the tree and hedge line at the front of the site and, although no photomontages of proposed views of the dwelling have been submitted with the application, it is considered that the significantly increased scale and mass of the proposed dwelling would result in the dwelling being more prominent in views from the road and pavement to the front of the site, from the public right of way to the rear of the site and in longer distance views from the North of the site. The increased perception of a dwelling on the site would materially increase the impact of the site on the countryside, causing incremental harm to openness of the countryside and its rural and generally undeveloped character, which is contrary to the aims of policy HG/7, DP/2 and DP/3.
18. The supporting information submitted with the application asserts that the option of considerably extending the existing dwelling under Permitted Development rights, as demonstrated by the Lawful Development Certificate (LDC) now granted should be given material weight. Whilst it is accepted that extensions could be made to the existing property under the LDC which would be greater than the footprint of the proposed replacement, they could not increase the height of the existing dwelling. As the main impact on the countryside from the proposed replacement comes from the

combination of height and additional bulk at first floor level, which would be above the level of the existing boundary screening, it is not considered that the single storey development allowed by the LDC provides any significant justification or precedent for the proposed replacement. As the scheme granted in the LDC would be screened to a similar extent as the existing dwelling by the boundary planting, whereas the proposed replacement would be significantly larger and higher, given the additional prominence above the height of boundary planting, it is considered that the replacement dwelling causes a significantly greater increase in the impact of the site on its surroundings than the scheme which benefits from the LDC.

19. The issue of the increased energy efficiency of a two storey dwelling over a single storey dwelling has also been raised as a consideration, however it is not considered that this is sufficient to outweigh the harm caused by the additional height and bulk of the replacement dwelling. In addition, given the age of the existing bungalow it is considered that its energy efficiency could be considerably improved, without its replacement. A replacement dwelling more in keeping with the scale of the dwelling it replaces could also be designed to be significantly more energy efficient than the existing 1970s bungalow.
20. Consideration has also been given to the applicants' longstanding connection to the site, and their desire to return to the site and build a family home. However, it is considered that this could be achieved through the replacement of the existing dwelling with a modern, single storey, family home, which would have a significantly lesser impact on the surrounding countryside or by the scheme granted in the LDC.
21. Parking and Highway Safety – The proposed dwelling would provide similar parking and turning facilities as the existing dwelling, allowing vehicles to turn on site and exist onto the road in a forward gear. The proposed dwelling is considered acceptable in terms of its impact on parking and highway safety.
22. Residential amenity – The proposed dwelling is considered to be far enough from the neighbouring property on site that it would not cause any significant loss of privacy or residential amenity.
23. There is potential for the North facing roof windows in the proposed dwelling to provide some opportunities for overlooking of the garden area to the front of the adjacent care home, however it is not considered that this would cause any significant harm to the privacy of residents.
24. The proposed dwelling is therefore considered to be acceptable in terms of its impact on neighbouring residential amenity.

Recommendation

25. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that the application be refused Planning Permission, for the following reason(s):
 1. The proposed replacement dwelling, by virtue of its height and mass, which are significantly greater than the existing dwelling, would not be in scale or character with the dwelling it is intended to replace or with its surroundings and would materially increase the impact of the site on the surrounding countryside causing harm to the generally rural and undeveloped character of

the wider countryside. The proposal is therefore contrary to policies DP/2, DP/3 and HG/7 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007.

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

- **Local Development Framework Development Control Policies 2007**
- **District Design Guide SPD** adopted March 2010
- **Circular 11/95 – The Use of Conditions in Planning Permissions**
- **Planning File ref: S/0772/11**

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