

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 April 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/3017/14/FL

Parish(es): Fowlmere

Proposal: Siting of a Static Mobile Home in rear garden and a single storey rear extension to existing dwelling

Site address: 22 Pipers Close

Applicant(s): James and Janice Roberts

Recommendation: Approval

Key material considerations: Principle
Adjacent Green Belt / Character of the Area
Neighbour Amenity
Parking Provision
Permitted Development Rights

Committee Site Visit: Yes

Departure Application: No

Presenting Officer: Michael Sexton

Application brought to Committee because: The recommendation of Fowlmere Parish Council conflicts with the Officers recommendation of approval.

Date by which decision due: 17 March 2015

Planning History

1. S/0019/12/FL – Enlargement of single storey extension to the rear of the property – Approved.
2. S/0968/01/F – Extension – Approved

Planning Policies

3. National Planning Policy Framework

National Planning Policy Framework (NPPF)

4. **Local Development Framework Core Strategy 2007**

ST/6 Group Village

5. **South Cambridgeshire Local Development Framework Development Control Policies DPD, 2007:**

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/4 Infrastructure and New Developments

DP/7 Development Frameworks

HG/1 Housing Density

GB/3 Mitigating the Impact of Development Adjoining the Green Belt

TR/2 Car and Cycle Parking Standards

6. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

District Design Guide SPD – adopted March 2010

7. **Proposed Submission Local Plan July 2013**

S/1 Vision

S/2 Objectives of the Local Plan

S/7 Development Frameworks

S/10 Group Villages

HQ/1 Design Principles

NH/8 Mitigating the Impact of Development in and adjoining the Green Belt

H/7 Housing Density

H/15 Development of Residential Gardens

TI/3 Parking Provision

Consultations

8. **Fowlmere Parish Council** – Recommends refusal for the following reasons; detrimental to neighbouring properties and sets a precedent which would be dangerous and inappropriate, the Green Belt is right against the boundary of the site, no parking on site even though it is clearly a separate dwelling from no. 22, the extension is an over-development of the site and potentially impacts on neighbours.

The Parish Council also make reference to the site not having any 'right of access' to the Village Hall site to their knowledge.

Representations

9. **Fowlmere Village Hall Committee** – Raise objection to the application for the following reasons; were not approached for permission to deliver the Static Mobile Home using Village Hall access routes infringing the standing SCDC approved access and exit routes, boundary dispute – no right of access to between the property of 22 Pipers Close and the Recreation Ground through the gate installed in a new rear fence.

Planning Comments

Site and Proposal

10. The application site is located in the Parish of Fowlmere within the village development framework boundary. The site lies within a residential area characterised by two storey semi-detached dwellings with large elongated gardens. The site is neither in the Conservation Area nor in close proximity to any Listed Buildings. The site is bounded to the east by the Green Belt which covers the land of Fowlmere Recreation Ground and Fowlmere Village Hall. Access to the site is direct from Pipers Close with parking within the front driveway of 22 Pipers Close, Fowlmere.
11. The proposal comprises of two elements, the siting of a static mobile home in the rear garden located in the curtilage of 22 Pipers Close and a single storey rear extension to the existing dwelling. The static mobile home has already been placed on site, therefore this element of the application is retrospective. No works have begun on site in regards to the proposed extension.
12. The applicants have presented what they consider to be special circumstances for the siting of the mobile home in the rear garden. A letter accompanying the application explains that the applicants' daughter was widowed in January 2014 and unable financially to continue living away from home. The caravan was placed on site to provide additional storage space for their daughter's possessions which could not be accommodated within the main house and to provide some additional space. The letter also states that the house would be used as the primary living accommodation and that the refuse disposal and parking facilities of the main house would be used.
13. The applicants informed the Council of their intention to place a mobile home in their rear garden for storage use. Through an exchange of letters and emails it was stated that planning permission was not required as the mobile home was not intended for primary living accommodation, therefore falling within permitted development rights.
14. Following the siting of the mobile home on site a request to investigate was raised with the Council and subsequently the Council's Enforcement Team visited the site. Following an enforcement report it was deemed that a planning application should be submitted for the mobile home.
15. The application seeks planning permission to fully utilise the mobile home as residential accommodation. The applicants have also used the application as an opportunity to seek planning permission for a single storey rear extension.

Principle of Development

16. A caravan is defined in section 29 of the Caravan Sites & Control of Development Act 1960 as 'any structure designed or adapted for human habitation which is capable of being moved from one place to another'. The applicants have provided a covering letter which sets out a need / justification statement for the placement of the mobile caravan on the site.
17. Fowlmere is classified as a Group Village within the adopted Core Strategy. The site is located within the defined village framework of Fowlmere and adjacent to the Green Belt which borders the eastern residential boundaries along Pipers Close,

Fowlmere. The siting of the static mobile home is located within the residential curtilage of 22 Pipers Close.

18. The principle of additional dwellings and extensions to existing dwellings within the development framework is acceptable in principle, subject to the consideration of matters addressed in this report.

Static Mobile Home

Impact on the adjacent Green Belt / Character of the Area

19. The site of the proposed development is bounded to the east by the Green Belt which covers Fowlmere Recreation Ground and Fowlmere Village Hall. The eastern boundary of the site has a 1.8 metre close boarded fence bounding the rear garden from the Village Hall Access Road. The presence of the boundary fence helps screen the mobile home from views from the Recreation Ground, although parts of the mobile home are visible above the fence line.
20. Other sheds and outbuildings are present in the rear gardens of properties along Pipers Road located in close proximity to the Village Hall access road and are visible above the fence line. As a result the mobile home is not the only structure located close to the Village Hall access road. Therefore the mobile home is not considered to have a significantly detrimental impact on the adjacent Green Belt or a significant negative impact on the character and appearance of the area.
21. The mobile home is not visible from the public street scene of Pipers Close, nor would views of the proposed extension be available from this public view point.

Impact on Residential Amenity

22. The mobile home is not considered to adversely affect the amenities of neighbours through being unduly overbearing in mass, through a loss of light or through overlooking. The mobile home is single storey and situated 2.2 metres from the rear boundary fence of 22 Pipers Close, located over 20 metres from the nearest residential dwelling. The mobile home is positioned over 2 metres from the boundary fence which separates nos. 22 and 23 Pipers Close and is screened from the view of no. 23 by a row of tall conifers. Views of the mobile home from 23 Pipers Close are also obscured by existing sheds in the rear garden of no. 22 Pipers Close. In regards to 21 Pipers Close the impact of the mobile home is considered to be limited as it is not sited close to the boundary of this neighbour is largely screened from view by a fence.
23. It is recommended that the occupation of the mobile home be restricted to the purpose of providing accommodation ancillary to the residential use of the 22 Pipers Close to ensure that it would not harm the amenities of that property.
24. Approval for the residential use of the mobile home could be conditioned for a limited period only and removed from when no longer required for purposes ancillary to No.22 Pipers Close.

Parking Provision

25. Fowlmere Parish Council state in their objection that the static mobile home does not have any way of providing parking on site as a separate dwelling. 22 Pipers Close is served by a gravel drive which is large enough to provide sufficient off-road parking

for both residential units. As part of any consent issued, it has been recommended that a condition be added that all parking is provided on the existing driveway. This would retain an ancillary link between the use of the mobile unit as additional residential accommodation and the existing residential dwelling of 22 Pipers Close.

Permitted Development

26. A caravan can be placed within the curtilage of a domestic property without requiring planning permission, unless there are existing limiting conditions on the site. A caravan may be used in a manner ancillary to the residential property, that is, in addition to the use of the house, but not as a separate dwelling.
27. As noted above, prior to the static mobile home being placed on site, correspondence between the applicant and the Council took place. The use presented to the Council during early discussions was one of additional storage space and casual use, incidental to the enjoyment of the dwelling-house of 22 Pipers Close and not one of primary living accommodation.
28. Therefore the refusal of the current application for residential use would not directly result in the requirement for the mobile home to be removed from the site.

Other Matters

29. Fowlmere Parish Council raised concerns regarding the static mobile home setting a precedent. Each application should be determined on its own merits and there is no reason to suppose that if this application is allowed that it would generate further applications of this nature. It has also been recommended that a number of conditions be imposed to restrict the use of the mobile home to be ancillary to No.22 Pipers Close and for off-road parking to be provided for, and retained, on the existing driveway of the site. As noted above a caravan can be placed within the curtilage of a domestic property under permitted development rights, subject to any existing limiting conditions on the site.
30. Objection has been raised by Fowlmere Parish Council and by the Fowlmere Village Hall Committee in regards to an access gate which has been installed in a new fence on the eastern boundary of the site between 22 Pipers Close and Fowlmere Recreation Ground. The access gate within the fence is less than 2 metres in height and is not considered to be a planning matter and therefore not a material planning consideration in determining the application. It is considered that the access gate is a boundary dispute between landowners.

Single Storey Rear Extension

Impact on the adjacent Green Belt / Character of the Area

31. The proposed single storey rear extension is not considered to have an adverse impact on the adjacent Green Belt or the character and appearance of the area. As stated above, the boundary treatment on the eastern edge of the site is a 1.8 metre close boarded fence. As a result, views of the proposed extension from land in the Green Belt on Fowlmere Recreation Ground, would be extremely limited.
32. The materials to be used in the construction of the proposed extension would match the materials of the existing dwelling. It is therefore not considered that the proposed extension would have a detrimental impact on the setting, character, visual amenity or appearance of the Green Belt or the existing character of the area.

Impact on Residential Amenity

33. The materials for the single storey rear extension are to match the existing dwelling. Fowlmere Parish Council objects to the extension, stating that it is an over-development of the site and potentially impacts on neighbours.
34. The existing dwelling has been previously extended under planning consent S/0019/12/FL (enlargement of single storey extension to the rear of the property). Given the size of the application site, the current proposal is not considered to be of an inappropriate scale or design for the site and would not be out of keeping with the character of the existing dwelling.
35. In terms of impact on neighbouring amenity, the proposed extension is located on the southern side of the existing house towards the boundary of 23 Pipers Close. The proposed extension is not considered to adversely affect the amenities of no. 23 Pipers Close through being unduly overbearing in mass, through a loss of light or through overlooking, being single storey in nature. The proposed extension is considered to have no detrimental impact to no. 21 Pipers Close given its location. No letters of objection have been received by neighbours in respect of the application.

Recommendation

36. Approval, subject to:

Conditions

- (a) 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.)
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing numbers 0115/09 and 0115/10 date stamped received 20 January 2015.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall either match those used for the exiting building, or shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Where materials are approved by the Local Planning Authority, the development shall be carried out in accordance with the approved details.
(Reason – To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (d) The static mobile home, hereby permitted, shall not be occupied other than for the purpose of providing accommodation ancillary to the residential use of the 22 Pipers Close, Fowlmere.
(Reason – To safeguard the amenities of the occupiers of No.22 Pipers Close, Fowlmere.)

- (e) The static mobile home, hereby permitted, shall be removed from the site when it is no longer required for ancillary use to 22 Piper Close, Fowlmere.
(Reason – To safeguard the amenities of the occupiers of No.22 Pipers Close, Fowlmere.)
- (f) Two on-site car parking spaces for the mobile home shall be provided and thereafter retained on the existing driveway of 22 Pipers Close, Fowlmere.
(Reason – To safeguard the amenities of the occupiers of No.22 Pipers Close, Fowlmere.)

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Draft Local Plan 2013
- National Planning Policy Framework 2012
- Planning File Reference: S/0019/12/FL & S/0968/01/F

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