

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 October 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/2009/15/FL

Parish(es): Shudy Camps

Proposal: Proposed replacement dwelling

Site address: Mill Green Meadow, Mill Green, Shudy Camps

Applicant(s): Mr and Mrs E Sprules

Recommendation: Approve

Key material considerations: Principle of development; Landscape impact and highway safety

Committee Site Visit: 06 October 2015

Departure Application: No

Presenting Officer: Andrew Fillmore, Principal Planning Officer

Application brought to Committee because: The views of the Parish Council are contrary to the officer recommendation.

Date by which decision due: 20 August 2015

Planning History

1. S/0236/98/O Dwelling (Agricultural link)
S/1323/98/RM Dwelling (Agricultural link)
S/1401/11. Removal of condition 3 (agricultural occupancy condition) from planning permission S/0236/98/O. Approved
S/0176/14/LD Lawful Development Certificate Mobile Home - Refused. Four/ten years not demonstrated.
S/1673/14/LD Certificate of lawful use or development. Approved.
S/0831/15/PB Prior Approval for proposed change of use from agricultural barn to dwelling and associated operational development. Approved.

Planning Policies

2. *National Planning Policy Framework*
3. *South Cambridgeshire LDF Development Control Policies, adopted July 2007*

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
HG/7 Replacement dwellings in the countryside
NE/1 Energy Efficiency
NE/2 Renewable energy
NE/6 Biodiversity
TR/1 Planning for more Sustainable Travel
TR/2 Car and Cycle Parking Standards

4. *South Cambridgeshire LDF Supplementary Planning Documents (SPD)*

District Design Guide SPD – Adopted March 2010
Biodiversity SPD – Adopted 2009
Landscape in New Developments SPD – Adopted March 2010

5. *Draft Local Plan*

H/13 Replacement dwellings in the countryside
HQ/1 Design Principles

Consultation

6. Parish Council – Recommend refusal. The Council recommend strongly and unanimously that the above planning application for a replacement dwelling at Mill Green Meadow should be refused. The Council considers that the development would be contrary to the established planning policy for non-agricultural development in the countryside. The reasons for recommending refusal are:
 1. The proposed new building is outside the footprint of the existing mobile home that it is proposed to replace.
 2. The proposed new building is substantially larger in both floor area and height than the building it is proposed to replace.
 3. The proposed new building will therefore present a significant different visual aspect from the road and surrounding area.
 4. The Parish Council also took into consideration the proposed barn conversion on the same site which has recently received prior approval (Planning ref: S/0813/15/PB)
 5. If the proposed replacement dwelling (S/2009/15/FL) and the proposed barn conversion (S/0813/15/PB) are permitted, this will effectively convert what was until recently an agricultural field into a small estate of three separate and independent dwellings.
 6. Building a new dwelling on this site will, alongside the proposed barn conversion that has been approved, triple the number of vehicle movements from the site which is served by a rural lane in very poor condition.
 7. The Council also noted that services in Mill Green are limited, with no mains sewer and low capacity electrical supply. Full details are required of the sewerage disposal arrangements in order to ensure that facilities comply

with current government legislation.

8. The Council noted the development history of the site which has seen it change from a field outside the village envelope to potentially, a site for three independent homes in their own curtilages. We doubt that such a development would be permitted within the village envelope itself where infill development is restricted.
7. Local Highways Authority – Recommend a condition requiring a traffic management plan controlling movements of much away lorries, contactor parking, movements and control of deliveries and the control of dust, mud and debris.

Representations

8. A single letter of representation has been received from the occupiers of Grange Farm opposing the application on grounds the increase in size, scale and volume exceeds that which is permissible. Saved Local Plan policy HG/7 allows for replacement dwellings in the countryside subject to a maximum 15% increase in volume. The proposed 43% increase in volume is significant and not 'in scale with the dwelling it is intended to replace'. The application states the existing dwelling can be enlarged under permitted development rights, however this fails to take into account the restrictions on permitted development. Furthermore the proposed dwelling will have a materially greater impact on the countryside compared than the existing building, with the re-positioning of the replacement dwelling not supported by planning policy and is not considered to be a one-for-one replacement. The polytunnels are agricultural buildings so should not be material considerations in determination of the application.

Planning Appraisal

9. The application site is located, outside the village framework, to the edge of the hamlet of Shudy Camps and comprises an existing single storey building and polytunnels, which lie adjacent and north-west of the larger dwelling 'Mill Green Meadow'. To the other side of the dwelling an agricultural building has consent to be converted (S/0831/15/PB) into a residential dwelling. All three properties are in the same ownership and share a single point of vehicular access. The building to which this application relates benefits from a certificate of lawful use establishing the 'lawful residential use' of the site.
10. The history of this building can be summarised as follows;
11. 'In 1998 an agricultural dwelling house was approved on the site for Mr and Mrs Sprules (ref S/1323/14/98/RM). Prior to starting construction works, a mobile unit was placed on the site to allow Mr and Mrs Sprules to live on the site whilst the dwelling house was being built (receipt for the mobile home demonstrates this). The mobile unit was not given formal planning consent and there are no references to it on the historic files.
12. Following the mobile home unit being placed on site, it was extended and altered in 1998 to suit the needs of the occupants. At this stage the mobile home became a more permanent structure. A 'Completion of Work Certificate' provides evidence that the main dwelling was complete on the 26th February 2004.
13. From a period of February 2004 to 2009 the mobile home was used for domestic purposes for various short term agricultural employees (each employee listed).

14. Once the four year immunity period for a single dwelling has been reached "lawfulness" is established and a certificate of lawful development (S/1673/14/LD) was issued by SCDC.
15. The application proposal seeks to replace the lawful dwelling and polytunnel with a 1½ storey dwelling. The proposed new property measures 10.5m (length) x 6.2m (width) x 8m (ridge height) and is to be constructed from a red brick plinth, black weather boarding walls and a slate roof with black stained timber joinery. The property is to be served by two bedrooms and bathroom at first floor level, with a lounge, kitchen, utility room and WC on the ground floor.
16. The key issues identified in consideration of this application relate to;
 - principle of development;
 - impact upon the character of the countryside;
 - highway safety; and
 - other material considerations

Principle of Development and landscape impact

17. The Development Plan comprises the Core Strategy Development Plan Document (adopted January 2007) and Development Control Policies Development Plan (adopted January 2007). The Council is in the process of replacing both these policy documents with the new style Local Plan.
18. Policy HG/7 of the adopted Development Control Policies DPD allows for the 'one-for-one' replacement of dwellings in the countryside subject to a maximum 15% enlargement of volume, subject to;
 - The dwelling has not been abandoned
 - The replacement dwelling being in scale with the dwelling it is intended to replace and in character with its surroundings
 - No material increased impact results on the surrounding countryside
19. Emerging Local Plan policy H/13 also allows for the replacement of dwellings in the countryside, but without a defined restriction as to the maximum size of the replacement building. Instead the supporting text to this policy advises the assessment of the design quality, scale, countryside impact and effect on local character will be considered against other policies within the plan. The relevant policy in this case is 'HQ/1 Design Principles' which advises new development must be of high quality, with a clear vision as to the positive contribution the development will make to its local and wider context, including;
 - preserving or enhancing the character of the local rural area and responding to its context in the wider landscape
 - creating a positive sense of place and identity whilst also responding to the local context and respecting local distinctiveness
 - being compatible in its location and appropriate in terms of scale, mass, form, siting and design
20. Nationally the NPPF sets out the Governments planning policies for England and how these are expected to be applied. Section 7 relates to 'Good Design' advising good design is a key aspect of sustainable development. Paragraph 58 advises that new developments should respond to local character and history, and reflect the identity of local surroundings, whilst not preventing or discouraging innovation. Paragraph 64

advises permission should be refused for development of poor design that fails to take the opportunities available for improving the character of the area.

21. The site benefits from a Certificate of Lawful Development (S/1673/14/LD) which has established the building has been used as a residential dwelling. Given this the principle of replacing the dwelling with a new unit of residential accommodation is supported subject to other land use considerations.
22. Turning to the merits of the replacement building, the footprint of the existing mobile home is very small extending to circa 50m² and along with this structures single storey height, the impact on the landscape is modest. The proposed replaced building is notably larger (footprint of circa 66m² with accommodation in the roof space and a height to the ridge of 7.4m), substantially exceeding the 15% volume guidance in conflict with adopted policy. However the new building remains of a small scale, only providing the level of accommodation reasonably necessary for a modern property (two bedrooms and bathroom at first floor, with lounge, kitchen and utility at ground level). Externally the building is finished with black weatherboarding to the walls, red brick plinth and black stained timber joinery set below a slate roof. Emerging Local Plan policy H/13 also allows for the replacement of dwellings in the countryside, without a defined restriction as to the maximum size of the replacement building but subject to, amongst other things, the impact on the landscape character..
23. As such it is considered, given the emerging policy position and limited size of the existing house, there is sufficient justification to allow a larger replacement building. Officers are of the view the replacement dwelling will not materially harm the landscape character. Given the increase in scale it is necessary to remove permitted development rights relating to alterations and extension as well as the construction of outbuildings to prevent an uncontrolled increase in the size of the development.

Highway safety

24. The development will not result in an intensification of use, with the single point of vehicular access which serves the site remaining unaltered. The highways authority does not raise any concerns recommending a condition requiring a construction traffic management plan.

Other material considerations

25. No concerns of overlooking, overshadowing or loss of outlook are identified.
26. The proposal seeks the redevelopment of an existing dwelling on a like for like basis and it is necessary to condition the mobile home be removed from site prior to the first occupation of the replacement dwelling.
27. The application proposal does not raise any specific concerns with regards to Crime and Disorder.
28. The Parish Council oppose the development for a number of reasons, including the cumulative impact of recent development on the site. Shudy Camps is a small hamlet which is not a sustainable location, however the development does not seek to increase the number of residential units as there is an established lawful residential use.

Recommendation

29. Officers recommend that the Committee approve the application, subject to the following conditions:

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: 'Site Location' Drawing number '100' and 'Plans & Elevations as Proposed' Drawing number '101'
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) Prior to the commencement of any development, a scheme for the provision and implementation of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)

The development hereby permitted shall not be occupied until the dwelling identified as 'Existing dwelling to be demolished on completion' on the Site Layout plan has been demolished in full with all material removed from the site.

(Reason: To prevent a new dwelling in the countryside in accordance with policy HG/7 of the adopted Local Development Framework 2007 Development Control Policies DPD)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C and 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 landscape character in accordance with Policy HG/7 of the adopted Local Development Framework 2007.)

No demolition or construction works shall commence on site until a traffic management plan has been submitted to and approved in writing by the Local Planning Authority. This management plan shall include details of the movements and control of muck away lorries, contractor parking, movements and control of deliveries and measures to control dust, mud and debris.

(Reason: In the interests of highway safety)

Background Papers:

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 (adopted January 2007)
- South Cambridgeshire Local Plan 2004 (Delete as appropriate)
- Cambridgeshire and Peterborough Structure Plan 2003 (Delete as appropriate)
- Planning File Ref: (These documents need to be available for public inspection.)
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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