

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

6th July 2005

AUTHOR/S: Director of Development Services

**S/0916/05/O - Little Gransden
Bungalow at The Drift, Primrose Hill for Mr and Mrs E. Smith**

**Recommendation: Refusal
Date for Determination: 5th July 2005**

Site and Proposal

1. The 0.07 ha site comprises a mobile home used for residential purposes that falls outside of the Little Gransden village framework. The access to the site is from a track that runs adjacent to properties in Primrose Hill and Windmill Close. Mature trees define the northwest and southwest boundaries of the site, whilst the southeast boundary of the site abuts an area of land to the south under the same ownership.
2. This outline planning application, received on the 10th May 2005 proposes to replace the existing mobile home with a bungalow. The only reserved matter that is included in this application is the means of access. The density equates to 14 dph.

Planning History

3. Planning consent for the residential use of the land was originally granted in 1979 (**S/1111/79/F**) with a condition limiting the use of the land to Mr A. C. Hibbitt for a limited period of time only, expiring on 31st December 1981. The second condition of this consent required that the caravan and ancillary buildings and works be removed and the use of the land for such purposes discontinued on the expiration of the limited period, unless an extension of this period were granted by the Local Planning Authority.
4. The limited time period was extended in 1982 (**S/0162/82/F**), with the same occupancy condition requiring that the land be used for a limited time by Mr Hibbitt only.
5. Consent was granted at appeal for the retention of the existing caravan after an application that was refused by the District Council in 1982 (**S/1256/82/F**). The inspector took into consideration the personal circumstances of the applicant, Mr Smith, when allowing the appeal. Various conditions were attached to the approval, one of which required that the use of the land be for the sole benefit of the appellant, Mr Smith, his wife and their children. As with the previous application consent was only granted for a limited period of time, which was three years from the date of approval.
6. In 1987 permission was granted by the District Council for the use of the site by Mr Smith, his wife and their children for residential purposes (**S/0542/87/F**). Unlike the previous consents no condition was used to limit the period in which Mr Smith could use the land or to remove the caravan from the land.

7. Planning consent was refused in 1999 for the use of the land for the stationing of a twin unit mobile home (**S/1650/99/F**). The reasons for refusal of this application were based on the fact that the land falls outside of the Little Gransden village framework, and insufficient justification was put forward to allow a mobile home on the site contrary to the then District and County Council policies.

Planning Policy

8. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.
9. **Policy SE8** of the South Cambridgeshire Local Plan 2004 states that residential development outside of village frameworks will not be permitted.
10. **Policy HG14** of the South Cambridgeshire Local Plan 2004 states that the replacement of a caravan or other mobile home in the countryside with a permanent dwelling will not be permitted.

Consultation

11. **Little Gransden Parish Council** has recommended that the application be refused, as the site is outside of the village framework and there is no case for an extension of permission from a temporary to a permanent structure.
12. **Chief Environmental Health Officer** has no objection after considering the implications of the proposal in terms of noise and environmental pollution.

Representations

13. Two letters of objection have been received from residents of Little Gransden. The first, from the occupants of number 4 Windmill Close objects to the proposal as it would breach those planning permissions and conditions which apply to the existing temporary dwelling. The objectors also believe that by permitting a new permanent building outside the village 'envelope' an immense precedent for the further development of the adjacent land will be created. A development that would change forever the nature of Little Gransden and be in full view of their bungalow.
14. The second letter of objection came from the occupant of number 1 Windmill Close. The objection is based on the fact that the land falls outside of the village envelope and that by granting planning permission the use of the land would be materially altered, a move that would seem illogical based on the special conditions under which the mobile home was granted. The objector also fears that should a new bungalow be built the removal of the existing mobile unit might not easily be achieved. As with the other objectors the occupant of number 1 Windmill Close is also concerned that the land between the proposed bungalow and the village framework will come under pressure for development.
15. **Councillor Elsby's comments** "I attended the planning meeting of that Parish Council (Little Gransden) where the application for a bungalow to replace a mobile home was made. This is on land outside the village framework called "The Drift". Seven members of the public were present, four councillors and myself and the Parish Clerk. The majority of those present were against the build, three supported it myself included.

16. It is outside the village framework and it was felt that as half the village is outside the framework and they can't get permission this one certainly should not either. Mr Smith had not been notified of the meeting was taking place so could not attend. I spoke with the applicant last year and said as he was outside the village framework he had little chance of success. Last month after a further phone call when he had been advised by planning to contact his local member he phoned again and I went to visit. Mr Smith is a traveller in origin and bought the site in 1982 from someone else. He had the permission changed to his name then and has lived on that site since. He does not appear to have means for being on the road. He has worked locally and is much older than his wife. She works in a care home in St Neots. He wants to make provision for her.
17. I am supporting him because he has been on that site for more than the ten years that applies to mobile homes and also as his wife could be termed to be in key work and needs to live fairly locally. I believe if what I was hearing they did before 1982 try a council house and could not settle but that may be because it was an estate and not open countryside where he is at present."

Planning Comments - Key Issues

Development outside of village frameworks

18. The policies of the Local Plan and Structure Plan seek to limit new residential development in the countryside to that which is essential for the efficient operation of local agriculture, horticulture etc. Although Mr Smith and his wife are employed locally no justification has been put forward to permit a permanent dwelling in the countryside. It is not relevant whether Mrs Smith's profession is classed as 'key worker' as no provision for a departure from Local or Structure Plan policies exists for such workers.
19. Mr Smith's agent refers to a recent application for a mobile home in the countryside that was granted permission to be replaced with a permanent dwelling. It is believed that the agent is referring to S/0145/04/F (Fountain Farm, Park Lane, Gamlingay), which was approved by members contrary to the officer recommendation at the Development and Conservation Committee Meeting of the 3rd June 2004.
20. In terms of the proposed development itself a bungalow in the same location as the existing mobile home would have no greater visual impact upon the countryside, depending on its height, and have no greater impact upon neighbour amenity. The site is set well behind the existing line of dwellings in Primrose Hill and the existing site access is bordered on each side by rows of mature trees.

Planning conditions for the site

21. Unlike the earlier planning consents relating to Mr Hibbitt's use of the land there is no condition requiring that the existing caravan be removed once Mr Smith's use of the land has ceased. Though if another person did want to use the land and caravan for residential purposes then the specific consent of the District Council would be required. Such an application would then be judged on its merits and determined in accordance with the planning policies of the time. Mr Smith's agent has stated that the applicants would be willing to accept a condition requiring the removal of the mobile home as a result of planning consent being granted.
22. It would appear that the reason behind this application is that Mr Smith would like to provide some future security for his wife. Based on the conditions placed on the site

Mrs Smith would not be in breach of any planning consent if she were to occupy the site without Mr Smith.

23. Notwithstanding the fact that there is no mechanism by which the existing unit can be removed there are no material considerations that would warrant the replacement of a temporary dwelling with a permanent one in an area of land where such development is to be resisted. Moreover the approval of this application would set a precedent for other such sites in the District making further applications for permanent dwellings in the countryside more difficult to refuse.

Recommendation

24. Refusal

Reasons for Approval

1. The proposed bungalow would be contrary to Policy HG14 of the South Cambridgeshire Local Plan 2004, as it would result in the replacement of mobile home, which is restricted by an occupant specific condition, with a permanent dwelling in the countryside. Permanent residential development in such a location is restricted by Policy SE8 of the aforementioned Local Plan and Policy P1/2 of the Cambridgeshire and Peterborough Structure plan 2003 without sufficient justification being put forward to allow a development that would be contrary to the above policies.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough structure Plan 2003
- Planning File Ref: S/0916/05/F; and related history files S/1111/79/F, S/0162/82/F, S/1256/82/F, S/0542/87/F and S/1650/99/F.

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