

Item No. 11

SCHEDULE A

APPLICATION NUMBER	CB/10/04204/FULL
LOCATION	The Old Thatch, Woburn Lane, Aspley Guise, Milton Keynes, MK17 8JR
PROPOSAL	Full: Demolition of existing dwelling and erection of new dwelling and detached garage.
PARISH	Aspley Guise
WARD	Woburn & Harlington
WARD COUNCILLORS	Cllr Fiona Chapman & Cllr Budge Wells
CASE OFFICER	Sarah Fortune
DATE REGISTERED	12 November 2010
EXPIRY DATE	07 January 2011
APPLICANT	Mr & Mrs Dance
AGENT	Sidey Design Architecture
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor
RECOMMENDED DECISION	Full Application - Refused

Site Location

The site lies at the edge of the built up area of the village of Aspley Guise in an open countryside within the South Bedfordshire Green Belt and outside of the Green Belt infill boundary for Aspley Guise (as defined in the Core Strategy and Development Management Policy Document dated November 2009).

The Application:

The application in respect of the erection of a replacement two and a half storey dwelling with three floors of accommodation above ground (and an attached pool building) as well as a basement floor. There is also to be a double garage and store sited to the north west of the house. This proposal involves the demolition of the non listed, existing 'cottage style' house - known as 'The Old Thatch' - as well as the removal of the old tennis court. The existing house lies in the rear corner of the site, well back from the road.

There are large houses in substantial grounds to the north and north west of the site and open land in agricultural use to the south, east and south west.

A recent application for the same replacement house - but with the garage in a slightly different position - was recently withdrawn (ref; 10/03323).

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 Delivering Sustainable Development
PPG3 Housing

PPG2 Green Belt
PPS7 The Countryside

Core Strategy and Development Management Policy Document dated November 2009.

DM3 Amenity
DM6 Green Belt infill boundaries
CS15 Historic Environment

Supplementary Planning Guidance

Design Guide for Residential Development Central Bedfordshire.

Planning History - relevant

74/00203	Conversion of store to sun lounge and games room Granted: 4/06/1974
74/00475	Extensions Granted: 9/08/1974
80/00684	Change of use of two rooms to offices. Refused: 22/07/1980
90/00489	Two storey rear extension, single storey extensions, detached single storey garage and swimming pool building and new point of access to site. Granted: 9/10/1990
10/03323/FULL	Demolition of existing dwelling and erection of new dwelling and detached garage. Withdrawn: 10/11/2010

**Representations:
(Parish & Neighbours)**

Aspley Guise Parish Council	Hope that the proposed planting will continue to shield the property from view and want to see a quality building in keeping with its surroundings in this prominent location.
Neighbours	1. Support. Positive effect on the amenities of houses in the area. Will reduce overlooking, loss of light and the potential for noise and disturbance. Will be in a better location away from neighbours. This is a great improvement to the previous consent for extensions some years ago.

Consultations/Publicity responses

Highways officer No objections

Tree Officer No objections subject to conditions and comments to be attached to any consent .

NATS No safeguarding objections

Determining Issues

The main considerations of the application are;

1. Policy and Background
2. Layout, Siting and Design in relation to site and the character of the area generally
- 3 Impact on amenities of neighbours
4. Access and Parking
5. Other Considerations

Considerations

1. Policy and Background

The applicant advises that the existing house known as 'The Old Thatch' - was - to the best of his knowledge - built in the 1920's. An appeal was allowed in 1980 for use of two ground floor rooms to be used as offices. This use has lapsed. Planning permission was then granted in 1990 (ref: 90/489) for a two storey rear extension, single storey additions including a porch as well as a detached garage and swimming pool building and a new point of access to the site. This permission was commenced - by the erection of the approved porch - but never completed. A letter from this council's Building Control confirms commencement of development and a letter from a council planning officer was sent to the applicant over ten years ago advising that this 1990's permission is still valid and can be continued at any time. If that permission were continued to completion the footprint of the existing property would be increased by 346 sq metres (approx).

However, the applicant does not wish to implement this old, extant planning permission but prefers to demolish the existing house and replace it with a new one in a more central location on the site. One of the reasons for this is that the existing house is sited in the far north west corner of this large site - in close proximity to the dwelling known as Broadwater. This is considered by the owners of the site to be a poor location for any dwelling to be positioned on such a large attractive site in that the front of the house faces due south, it is not definably linked with the driveway or approach to the house and the house has poor energy performance. They are also of the view that there are limitations for a successful design if remodeling of the existing structure is undertaken.

The existing house lies in a large plot of land at the southern edge of the village of Aspley Guise outside of the built up area of the village 'Green Belt infill boundary' - as defined in the Core Strategy and Development Management Policy Document dated November 2009 - and has an area of approx 2 acres (0.80 hectares). It is within the South Bedfordshire Green Belt but outside of the Conservation Area. Some of the trees on the site are covered by Tree Preservation Orders and there have been various consents for works to these

trees over the past years.

In view of the fact that the site lies in a countryside location outside of the Green Belt 'infill boundary' in the Green Belt there is a general presumption against granting planning permission for new housing development - in accordance with policies in the council's Core Strategy, PPG2 and PPS7. However, in this case, the applicant is proposing to demolish the existing house and replace it with a new dwelling - sited more centrally in the site. PPG2 does allow for the erection of replacement dwellings subject to certain criteria being satisfied:

The existing house at the site has a footprint of approx 158 squared metres. The new house and the attached swimming pool are to have a total footprint of 356 square metres (approx). The new garage is to have a footprint of 60 square metres (approx). This means that the new house and attached pool building and its detached garage will be about two and a half times larger footprint than the existing house.

Whilst there are no planning policy objections to the principle of a replacement dwelling in such a countryside location what is being proposed here - by reason of it being of much larger size - is considered to be inappropriate development in the countryside in conflict with PPG2 Green Belt. Para 3.6 of PPG2 states that the new dwelling must not be materially larger than the dwelling that it replaces. (This is our underlining and not PPG2's). In addition to giving consideration to the footprint it is necessary to look at the siting, bulk, prominence, as well as general size and design of the proposal.

The new house is to be positioned more centrally within the site and not in the rear corner as at present. The replacement house is to have three levels of accommodation above ground and one level in the basement making a total of four floors of 'domestic' accommodation. It is also proposed to have a pool room - attached to the house - as well as a detached double garage and store sited near to the shared boundary of the site with Timber Ridge. The new house is to be Georgian in style.

Clearly the proposed dwelling is to be in a more prominent position on the site - being closer to and more visible from the road. It is a taller house having a ridge height of 10.5 metres and will have 360 degree vistas. Undoubtedly it is a significantly larger and more visually prominent dwelling than the existing house that it is to replace and is therefore considered to be inappropriate development in the Green Belt

In the light of the above, it is necessary to see if there are very special circumstances in this case as to why the proposed large replacement house should be allowed - when it is clearly in conflict with the PPG2 Green Belt Policy in respect of replacement dwellings.

There is an extant planning permission for extensions to the existing house which was granted in the 1990's - and can continue to be implemented at any time. A letter from an officer of the council has previously been sent to the then owner of the site advising that since the planning consent has been implemented - the porch element of the old approval having been built many years ago - then the remainder of the extensions to the house that form part of this earlier permission can continue to be built at any time. These extensions

have a footprint of 346 square metres (approx). The applicant is advising that the proposed house the subject of this application is a reduction in footprint area when compared to the existing house footprint added to the footprint of the extant extensions and is thus of the view that what is now being proposed is acceptable in policy terms.

This view is not shared by officers in that the previously approved scheme is for extensions to the existing house - a house which is set well back from the road where it is less visually prominent within the Green Belt and is of relatively simple and unassuming design. Also, the approved extensions are in respect of predominantly single storey additions with a small two storey element and these will nestle on the site in a relatively unobtrusive manner - appearing far less visually intrusive into the area than the replacement dwelling being proposed and have a reduced impact on the openness of the Green Belt than the proposed replacement dwelling. This is to be a large house having three floors of accommodation above ground and one below ground with a single storey attached pool room - to be sited centrally within the site - and have a detached double garage and store sited near to the shared boundary of the site with Timber Ridge. This will appear as being of significantly more dominant appearance within its plot and surroundings than the existing house combined with its approved extensions. Officers are therefore of the opinion that the special circumstances forwarded by the applicant are not sufficient as to outweigh the strong policy objections to the erection of the replacement dwelling as being proposed for the reasons as outlined above.

2. Layout, Siting and design in relation to site and the character of the area generally.

The new house is to be sited more centrally on the site to the south east of the existing cottage. A new single storey double garage and store building is to be constructed near to the north boundary and to the south of Timber Ridge.

The house is to be Georgian style. There are various styled houses in the local area there being no one vernacular style. It is felt that it would be difficult to raise objections to the design of the house per se in view of the variety of design dwellings in the area. The main concerns are the combination of the large size, massing, bulk and design of the house in relation to its siting a countryside location in the Green Belt - outside of the built up area of the village as outlined above.

3. Impact on amenities of neighbours

In view of the fact that the new house is to be sited more centrally on the site it will be at sufficient distance from both the neighbours so as to result in minimal loss of amenity by way of outlook or overlooking etc.. Timber Ridge to the north is at a distance of over 30 metres from the nearest part of the proposed house and Broad Water to the north west is at a distance of about 37 metres from the nearest part of the new house. Indeed the occupiers of Broadwater have advised that they prefer the proposed siting of the new replacement house to the one that exists at present on the site as it is further from their property and will have a reduced impact on their outlook, etc.. The proposed garage is to be located to the north east of the new house between the new house and Timber Ridge. It will have some impact on the outlook of occupiers of this neighbouring

property but this will not be sufficient as to sustain an objection on grounds of loss of amenity.

4. Access and Parking

The existing access drive off Woburn Lane is to be used to serve the new house. There is to be ample parking and turning area within the site. The highways officer is of the view that the development is acceptable as long as a condition is attached which requires that the existing house be demolished prior to the occupation of any new house permitted at the site.

5. Other Considerations

With regard to trees on the site some of these are to be removed - in accordance with advice given by the tree officer to the applicant prior to the submission of this application. This involves the removal of a tree which is covered by a Tree Preservation Order, but this has been agreed in principle with the tree officers. There is also to be some replacement planting of trees both around the perimeter of the site and within it. The boundary hedge is to be retained.

The tree officer is of the view that he has no objections to raise but is requesting that a number of conditions be attached to any consent to ensure that there is a good amount of new tree and shrub planting within and around the site as well as the protection of the existing trees at the site.

A Bat Survey is required to be submitted prior to the commencement of any development.

Recommendation

That Planning Permission be refused for the following reason

- 1 The site lies in a rural location beyond the Green Belt infill boundary for Aspley Guise. The proposed replacement dwelling would be of greater size, bulk and floorspace than the existing dwelling that it is to replace and would be sited in a more prominent location. The development would therefore be more visually intrusive in the landscape, having a detrimental impact on the openness of the Green Belt. The 'special circumstances' advanced in support of the proposal are not considered as to be justification for this large replacement house. The proposal is therefore in conflict with PPG2, PPS3 and PPS7 as well as policies DM3, DM6 and CS15 of the Core Strategy and Development Management Policy Document dated November 2009.