

Item No. 6

APPLICATION NUMBER	CB/14/01026/FULL
LOCATION	1A Hatch, Sandy, SG19 1PT
PROPOSAL	Erection of two attached dwellings following demolition of existing bungalow.
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Mrs Turner
CASE OFFICER	Samantha Boyd
DATE REGISTERED	09 June 2014
EXPIRY DATE	04 August 2014
APPLICANT	Mr & Mrs Westwood
AGENT	Aragon Land & Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Cllr Call in. Cllr T Turner - Reasons i) significant improvement to the site, ii) housing needed in the hamlet.
RECOMMENDED DECISION	Full Application - Refusal Recommended

Reasons for Recommendation

The proposal is for two new dwellings on land within the open countryside and in an unsustainable location remote from any settlement where development plan policy and the NPPF seeks to strictly control new development. No material reasons have been put forward to outweigh the non compliance of the proposal with the development plan and government guidance. As such the proposal is contrary to Policy DM4 of the Core Strategy and Development Management Policies Document (adopted 2009) and the National Planning Policy Framework (2012)

Furthermore, the proposal, by virtue of its siting and scale is considered to be inappropriate for this prominent site and out of scale within its rural setting resulting in adverse harm to the character and appearance of the rural area and therefore considered to be contrary to Policy DM3 of the Core Strategy and Development Management Policies Document (adopted 2009) and the National Planning Policy Framework (2012).

The proposal is also contrary to Policy CS2 and the Planning Obligation Strategy as a completed Unilateral Undertaking has not been approved by the Council in order to secure contributions towards local infrastructure requirements, as set out in the Planning Obligation Strategy.

Site Location:

The application site is Hunters Bungalow, a detached dwelling to the northern side of the main road through Hatch. The property is rendered beneath red roof tiles, set back into the site and bound by hedgerows and a low fence to the front. There are two storey residential properties either side of the application site and a farm grain store lies opposite. Hatch is a small rural hamlet comprising a scattering of

dwellings and isolated farms.

The Application:

This planning application seeks permission for the demolition of the existing bungalow and its replacement with a pair of two storey semi-detached dwellings together with parking.

RELEVANT POLICIES:

Core Strategy and Development Management Policies - North 2009

DM4 Development within and Beyond Settlement Envelopes
DM3 & CS14 High Quality Development
CS2 Developer Contributions

National Planning Policy Framework 2012

Paragraph 55

Supplementary Planning Guidance

Design in Central Bedfordshire 2014
Planning Obligation Strategy 2008

Planning History

There is no relevant planning history

Representations: (Parish & Neighbours)

Northill Parish Council	No comments received
Neighbours	No comments received

Consultations/Publicity responses

Highways

Please be aware that the applicants red line plan includes the public highway and does not include a means of access from the public highway to plot 2. I have attached a plan showing the extent of the publicly maintained highway. The red line will need revising to include a means of access from the highway.

The existing is a four bedroom dwelling with on site parking taking access from an in/out type access from Hatch Road. The proposal is to demolish the dwelling and replace it with two 2/3 bedroom units and associated

parking provision. The existing access will be modified to serve plot 1 and a new access created to serve plot 2; this will be accessed via private land.

Visibility from the south-west of the in/out drive is substandard to the west due to the neighbouring property boundary. Visibility to the south from the access of plot 1 is substandard due to frontage boundary and the neighbouring property (no. 3), visibility to the south of plot 2 is substandard due to the boundary of plot 1. There is no driver/driver inter visibility available until a vehicle enters the junction of the west in/out access and by this time the vehicle will almost be level with the access for plot 1.

I realise that the access for plot 1 exists (although it is to be modified) and that the layout of the in/out access exists; both with limited visibility. The visibility from plot 2 to the south could be improved by a condition to splay and reduce any boundary at the frontage of plots 1 and 2 to the south; this would affect the parking layout for plot 1 and splay would be limited in its entirety for required visibility.

Internal Drainage Board	No comments received
Environment Agency	No comments received

Determining Issues

The main considerations of the application are;

1. The principle of the development
2. Impact upon the character and appearance of the area
3. Impact on neighbouring amenity
4. Any other considerations

Considerations

1. The principle of the development

The application site lies within the small hamlet of Hatch. Hatch does not fall within any Settlement Envelope boundary as defined on the Proposals Maps of the Core Strategy and Development Management Policies Documents adopted in 2009, it is therefore classed as being open countryside where new residential development is restricted in order to protect the character of the countryside.

While the application site is flanked by existing residential dwellings, Policy DM4 does not allow additional dwellings outside settlement envelopes. Infill development is only appropriate in small villages as identified within Policy CS1 which defines settlement hierarchy. Outside settlement envelopes only particular types of development will be permitted such as dwellings for agricultural workers and Exception Schemes as set out by Policy CS7.

Paragraph 55 of the NPPF states that planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently or near their place of work;
- the development would re-use redundant or disused buildings and lead to an enhancement of the immediate setting;
- be of exceptional quality or innovative design.

The proposed development is not for the essential need of an agricultural worker, nor is it an Exception Scheme. The dwelling cannot be argued as being a disused or redundant building although it is acknowledged that it may require refurbishment work and the proposal is not considered to be innovative design.

While it would involve the replacement of an existing dwelling, the existing dwelling is one single unit and the proposal is to replace the dwelling with two semi detached dwelling, thus creating a new dwelling in the open countryside. This is contrary to Policy DM4 of the Core Strategy and Development Management Policies Document and the NPPF.

The NPPF advises there is a presumption in favour of sustainable development. The application site is located in an isolated rural location where there are no facilities for residents and limited access to public transport. Given the isolated location of the site, the proposal is therefore not considered to be sustainable development.

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case there appears to be no justification for an additional new dwelling in the countryside, it would not house an agricultural or forestry worker, it would not re-use redundant or disused buildings nor would the proposal be of such exceptional quality that it would lead to an enhancement of the area.

The proposal is therefore considered to be unacceptable and contrary to Policy DM4 of the Core Strategy and Development Management Policies Document and the National Planning Policy Framework which seeks to protect the character and appearance of the open countryside.

2. Impact upon the character and appearance of the area

The existing bungalow is modest in appearance with a low ridge line. It is of no architectural merit or considered to be worthy of retention.

The proposed two storey semi detached dwellings are of modern appearance with pitched roof dormer windows set into low eaves and a ridge height of 7.6m. There would be adequate amenity space to the rear of the dwellings and parking for two vehicles located to the side of the right hand plot and to the front of the left hand plot. The properties would have two bedrooms, a bathroom and a

small study on the first floor and on the ground floor a kitchen/diner, lounge and entrance porch with a WC. Whilst the overall design of the dwellings is acceptable, the scale and massing of the dwellings would be significantly larger than the existing bungalow, particularly in height (the existing dwelling has a ridge height of approximately 3.8m). The site is clearly visible from the highway and is prominent when travelling along the Hatch Road in a westerly direction. The proposal is therefore considered to result in harm to the openness of this section of the street scene which would be contrary to Policy DM4 which seeks to protect the character of the countryside.

There are no specific policies within the Core Strategy that support replacement dwellings in the open countryside, however this Council has allowed replacement dwellings where they are of a similar scale to the existing dwelling and where there would be no harm to the character and appearance of the countryside.

Further, Policy 52: Re-Use and replacement of buildings in the Countryside of the Draft Development Strategy states that:

The Council will support the re-use or replacement of existing buildings in the countryside provided the proposal complies with the following criteria and other relevant policies:

- The building contributes to the rural setting in terms of its scale and appearance, and has a permanent and substantial construction capable of conversion.

Policy DM3 seeks to ensure that all new development is appropriate in scale and design to its setting. Given the modest scale of the existing dwelling, the proposal will result in a much larger and bulkier building in this location. This is considered to result in harm to the rural setting and the character of the area which is unacceptable and contrary to Policy DM4 and Policy DM3 of the Core Strategy and Development Management Policies Document.

3. Impact on neighbouring amenity

There are neighbouring properties to the north, south and west of the application site. The application site is well separated from these properties. No 3 shares the side boundary of the application site but is set well away from the boundary therefore no adverse loss of light or overbearing impact is considered to occur. A landing window is proposed in the flank wall overlooking the rear garden area of No. 3 however this could be obscurely glazed to avoid any overlooking and loss of privacy to the neighbouring property.

The proposal is considered to be acceptable in terms of the impact on neighbouring amenities in accordance with Policy DM3.

4. Any other considerations

Highways

There are no objections from a Highway safety point of view however the red line of the application site does not extend to the public highway. A revised plan has been requested but has not been received at the time of preparing this report. Provided this plan is received the proposal is acceptable subject to recommended conditions relating to visibility splays, surfacing, wheel cleaning, construction worker parking and cycle parking.

With regard to cycle parking, it is not considered reasonable to attach a condition requiring a pair of two bedroom dwellings to provide 8 cycle parking spaces between them. Each property has access to the rear therefore parking of cycles can be accommodated at the properties if required.

Conditions relating to construction worker parking and wheel cleaning are also considered unnecessary as these conditions are felt to be unenforceable.

Planning Obligation Strategy

The application qualifies for contributions in accordance with the adopted Planning Obligations Strategy. A draft Unilateral Undertaking has been submitted to the Council's Legal Team however a signed version has not been approved at the time of preparing the Committee report. Unless a signed version is submitted and agreed, the proposal would be contrary to Policy CS2 and the Planning Obligation Strategy.

Human Rights/Equalities Act

Based on the information submitted there are no known issues raised in the context of the Human Rights and the Equalities Act and as such there would be no relevant implications

Recommendation

That Planning Permission be refused for the following reason

RECOMMENDED REASONS

- 1 The proposal is for two new dwellings on land within the open countryside and in an unsustainable location remote from any settlement, where development plan policy and the NPPF seeks to strictly control new development. No material reasons have been put forward to outweigh the non compliance of the proposal with the development plan and government guidance. As such the proposal is contrary to Policy DM4 of the Core Strategy and Development Management Policies Document (adopted 2009) and the National Planning Policy Framework (2012).
- 2 The application site is in a prominent location within a very rural location. The proposal, by virtue of its siting and scale is considered to inappropriate and out of scale with its rural setting resulting in adverse harm to the character and appearance of the rural area. The proposal is therefore

considered to be contrary to Policy DM3 of the Core Strategy and Development Management Policies Document (adopted 2009) and the National Planning Policy Framework (2012).

- 3 The application contains insufficient information in the form of a completed Unilateral Undertaking in order to secure financial contributions towards infrastructure in the local area and mitigate the impact the proposal would have on community facilities and infrastructure; as such the proposal is contrary to Policy CS2 of the Central Bedfordshire Council Core Strategy and Development Management Policies Development Plan Document (2009) and the Central Bedfordshire Council Planning Obligations Supplementary Planning Document (Reviewed November 2009).

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

The Council acted pro-actively through early engagement with the applicant at the pre-application stage. This negative advice has however not been followed and the Council remains of the view that the proposal is unacceptable. The applicant was invited to withdraw the application but did not agree to this. The requirements of the Framework (paragraphs 186 and 187) have therefore been met in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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