

Application Number: F/YR12/0681/F

Minor

Parish/Ward: Wisbech

Date Received: 4 September 2012

Expiry Date: 30 October 2012

Applicant: Mr D Parrin

Agent: Mr C Walford, Peter Humphrey Associates

Proposal: Erection of a 2-storey 4-bed dwelling and detached double garage involving demolition of existing fire damaged dwelling

Location: The Bungalow, Panswell Lane, Wisbech

Site Area/Density: 0.3ha/3dph

Reason before Committee: The proposal is a departure from the Development Plan

1. EXECUTIVE SUMMARY/RECOMMENDATION

The proposal is for a replacement dwelling on land within the open countryside. Strictly applying the replacement dwelling policy in isolation results in the proposal failing to comply with the criteria set out in terms of the scale of the building and its current use. However, the conflict in policy is considered to be outweighed by the benefits gained in developing a currently untidy site. As such it is recommended that the application can be approved as a departure from the Development Plan.

2. HISTORY

Of relevance to this proposal is:

- | | | | |
|-----|---------------|---|--------------------|
| 2.1 | F/YR12/0577/F | Removal of condition 02 of planning permission WB/72/12/D relating to agricultural occupancy | Granted 31/08/12 |
| | F/YR11/0865/F | Erection of a 2-storey 4-bed dwelling and detached double garage involving demolition of existing fire damaged dwelling | Withdrawn 04/09/12 |
| | F/90/0925/F | Variation of agricultural occupancy condition and formation of vehicular access | Withdrawn 10/04/91 |
| | F/0979/89/F | Variation of agricultural occupancy condition and formation of vehicular access | Refused 16/02/90 |

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Paragraphs 2 and 11: Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraphs 14: Presumption in favour of sustainable development
Core planning principles, paragraph 17: Always seek to secure high quality design and a good standard of amenity for all existing and future occupants.
Conserving and enhancing the natural environment, paragraph 109: The planning system should contribute to and enhance the natural and local environment by: Minimising impacts on biodiversity and providing net gains where possible.

3.2 **Draft Fenland Core Strategy:**

CS1: Spatial Strategy, The Settlement Hierarchy and the Countryside

CS2: Growth and housing

CS10: Rural Areas Development Policy

New development in villages will be supported where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. Any proposal will need to satisfy policies CS1 and CS2 as well as specific criteria:

- The residential use of the original dwelling has not been abandoned; and
- The original dwelling is not important to retain due to its character and/or contribution to the landscape; and
- The original dwelling is not a temporary or mobile structure, such as a caravan; and
- It is of a design appropriate to its rural setting; and
- It is of a similar size and scale to the original dwelling; and
- It is located on the footprint of the original dwelling unless an alternative position within the curtilage would enhance the setting of the building on the plot and have no adverse impact on the wider setting.

CS14: Delivering and Protecting High Quality Environments across the District.

3.3 **Fenland District Wide Local Plan:**

E8: Proposals for new development should:

respect the scale, style and character of the surrounding development;

allow for protection of site features;

provide adequate access.

H3: To resist housing development outside DABs. To permit housing development inside DABs provided it does not conflict with other plan policies.

H18: Replacement dwellings in the countryside may be acceptable, on a one for one basis, provided:

- The original dwelling is a permanent building and not a temporary or mobile structure, eg wooden shack, caravan, railway carriage, etc
- The original dwelling has not been abandoned or allowed to fall into such a state of dereliction and disrepair that it no longer has the appearance and/or function of a dwelling and any replacement would be treated as a 'new' dwelling
- The replacement dwelling is normally of a size ie not normally more than 130% of the original floor area, scale, design and materials appropriate to its rural setting and character of nearby development
- The replacement dwelling is sited on or in close proximity to the footprint of the original dwelling or, if more desirable to the Local Planning Authority, elsewhere within the historic, residential curtilage, and
- The original dwelling is of architectural or historic merit when restoration and renovation will be preferred to replacement

4. CONSULTATIONS

- 4.1 **Parish/Town Council:** Recommend approval, no objections or observations
- 4.2 **FDC Environmental Protection:** Unsuspected land contamination condition is required
- 4.4 **Neighbours:** None received

5. SITE DESCRIPTION

- 5.1 The site is located on the northern side of Panswell Lane, approximately 100m from the junction with Barton Road. The site is within the same ownership as the adjoining MOT centre and car sales located to the east of the site. The land is currently occupied by a fire-damaged pre-fabricated building and there is landscaping forming the western boundary of the site, separating the built form from the open countryside. This is a rural location, predominantly characterised by open fields.

6. PLANNING ASSESSMENT

- 6.1 The key considerations for this application are:
- Principle and policy implications
 - Design and layout
 - Other matters.

(a) Principle and Policy Implications

The site is located beyond any established settlement, in an area characterised as open countryside. The thrust of policies contained within the NPPF, the Fenland District Wide Local Plan and the emerging Fenland Communities Development Plan require new development to be located within established settlements unless justification is provided.

In this instance the justification for the development is that the proposal is a replacement dwelling. The criteria for supporting a replacement dwelling are set out in sections 3.2 and 3.3 of this report and concerns are raised with regard to the failure of the proposal to meet the necessary criteria set out in the policies. Of significance is that the existing building is a pre-fabricated dwelling and is not fit for residential occupancy (as per the Design and Access Statement), and that the proposal involves the replacement of a modest bungalow with a 4-bedroom house. The proposal, therefore, fails in principle with regard to the use of the existing building, not being a traditionally constructed dwelling, and that the replacement is not of a scale, style or character which is similar to the existing building.

Despite the above, it is considered that the proposal can be supported. This is due to the current state of the building, being fire damaged, and its impact on the surroundings given its appearance as an untidy site. The benefits gained by developing and, therefore, tidying the site are considered to outweigh the conflict in policy especially given that the historic use of the site is residential.

(b) Design and Layout

The proposal is for a detached 4-bedroom dwelling of a standard gable front design with a bay window and chimney. The dwelling has more of an urban appearance and is perhaps larger than what would typically be expected for this rural location, however, as there are no other nearby dwellings, it is considered that the proposal will not appear at odds with the surrounding area. There is ample private amenity space to the rear of the dwelling and this will be secured by the existing landscaping and proposed close boarded fencing. The proposed garage is not strictly large enough to form a practical space for parking cars, however, as there is sufficient space elsewhere within the site for parking and turning, no concerns are raised.

(c) Other Matters

It is considered that future occupiers of the site could potentially suffer from reduced amenities due to the proximity of the neighbouring MOT centre and car sales. Given that both the existing business uses and the proposed dwelling are within the same ownership, the applicant will be aware of the potential noise disturbance issues resulting from his business. Although this may affect the value of the proposed property and/or the functioning of the business this would be an issue for the market and FDC Environmental Protection to enforce.

7. **CONCLUSION**

- 7.1 The proposal is for a replacement dwelling on land beyond any established settlement. Whilst the proposal fails to comply with the criteria set out in the replacement dwelling policies it is considered that this is outweighed by the benefits gained in developing a currently untidy site. As such it is recommended that the application can be approved as a departure from the Development Plan.

8. **RECOMMENDATION**

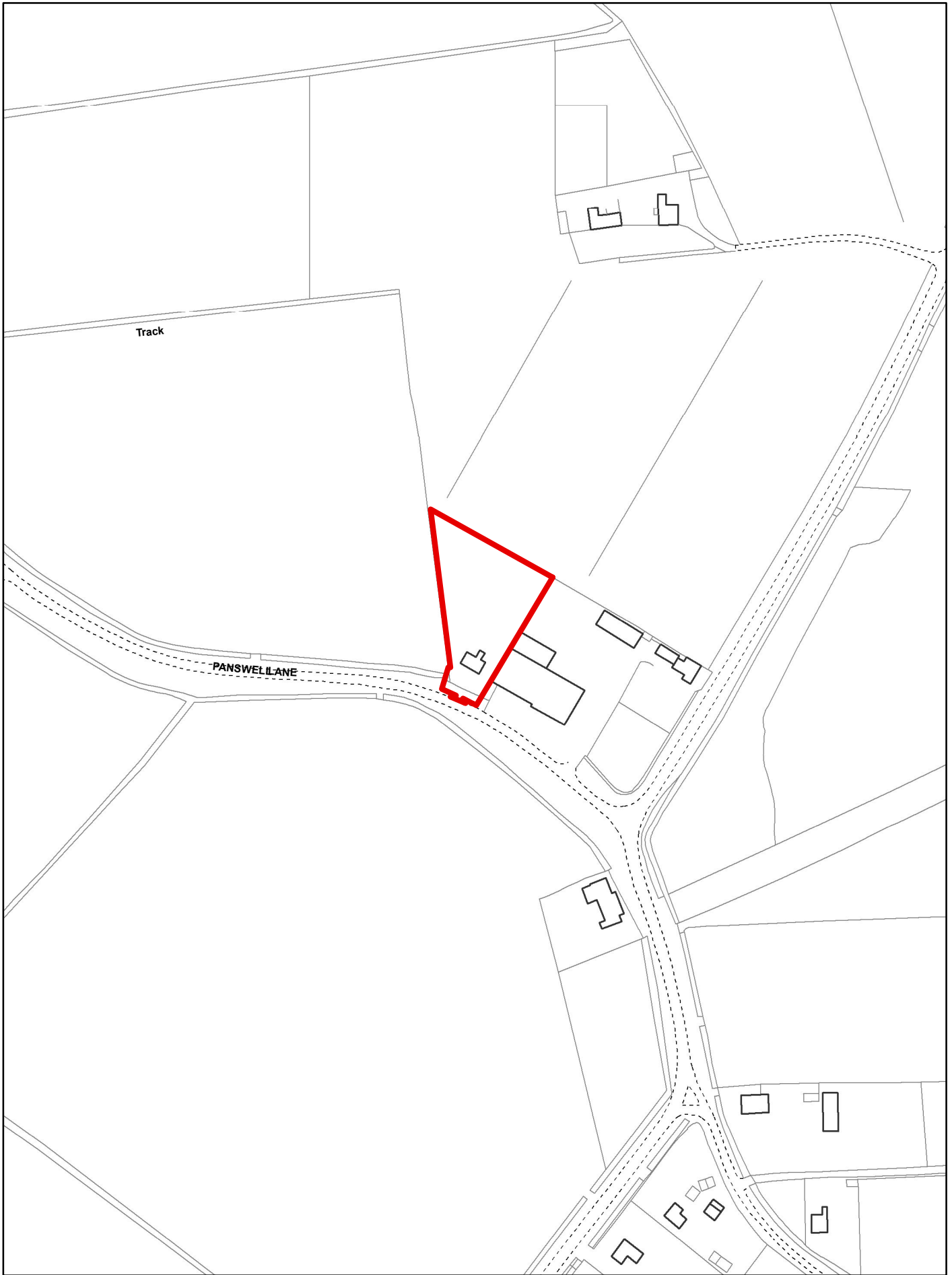
Grant – subject to expiry of site notice and no new issues raised

1. **The development permitted shall be begun before the expiration of 3 years from the date of this permission.**

Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. **If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.**

Reason - To control pollution of land and controlled waters in the interests of the environment and public safety.



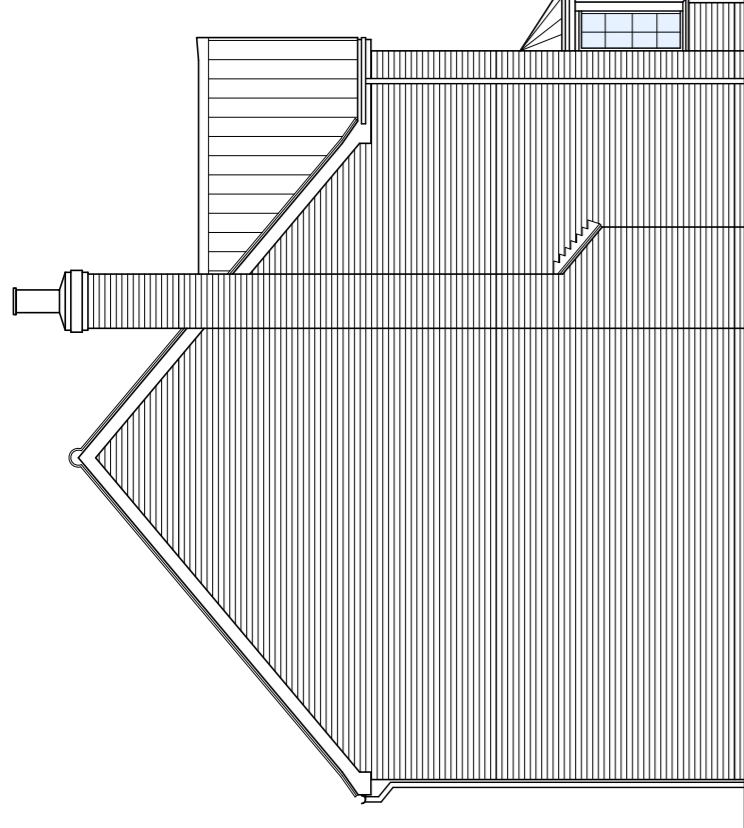
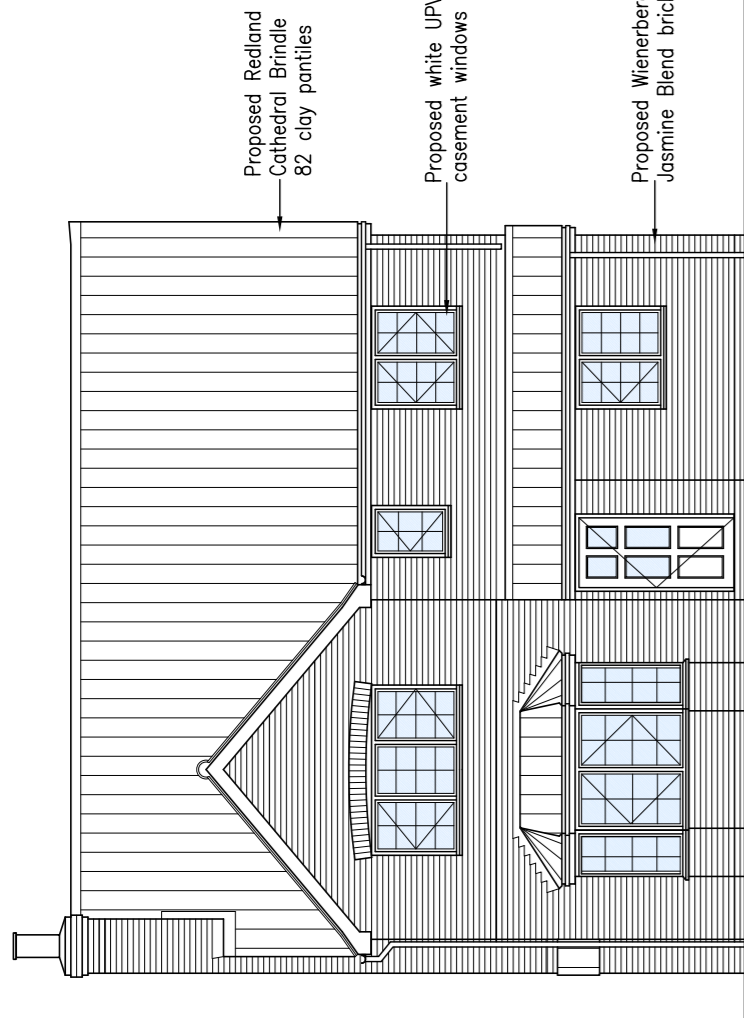
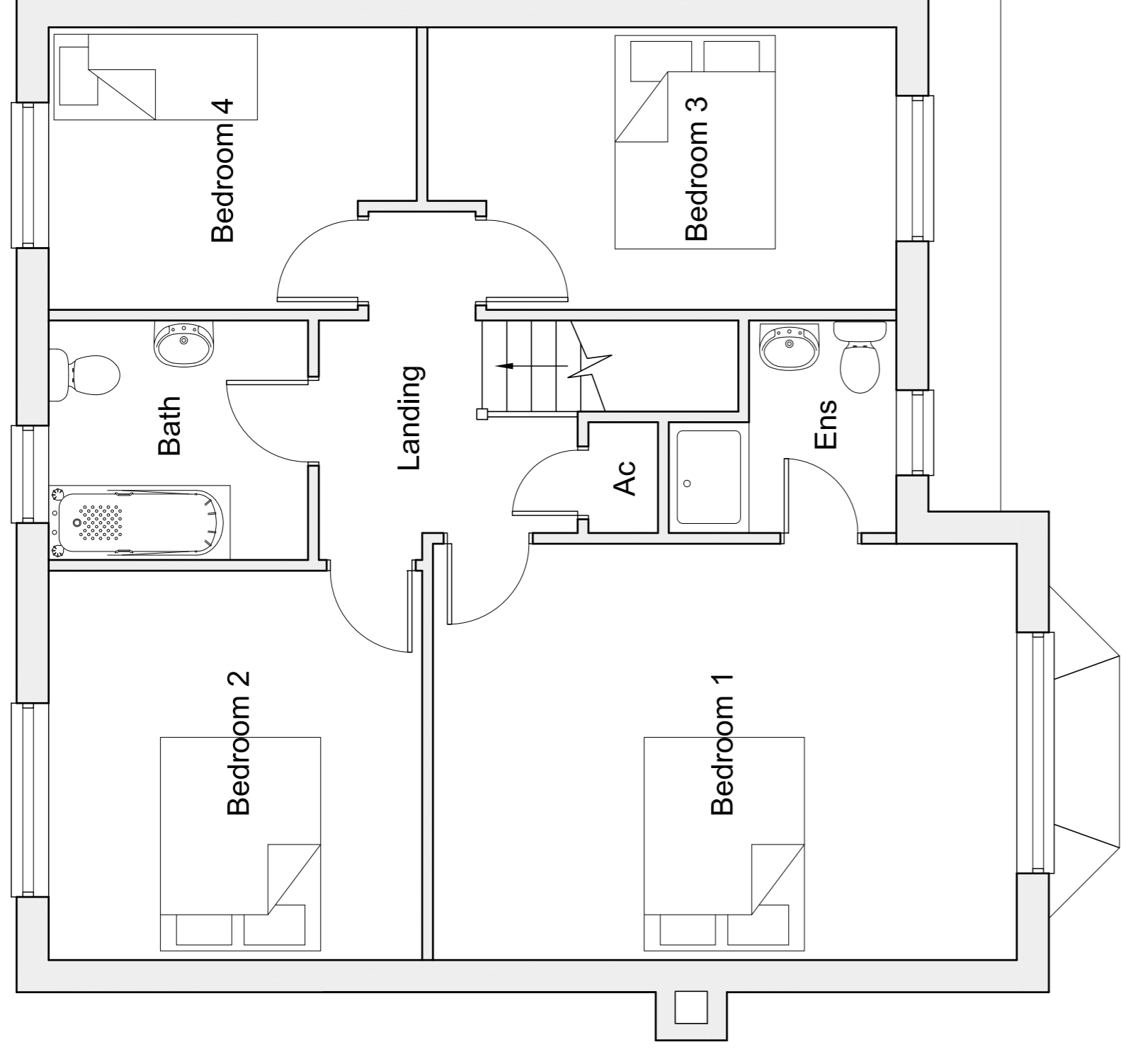
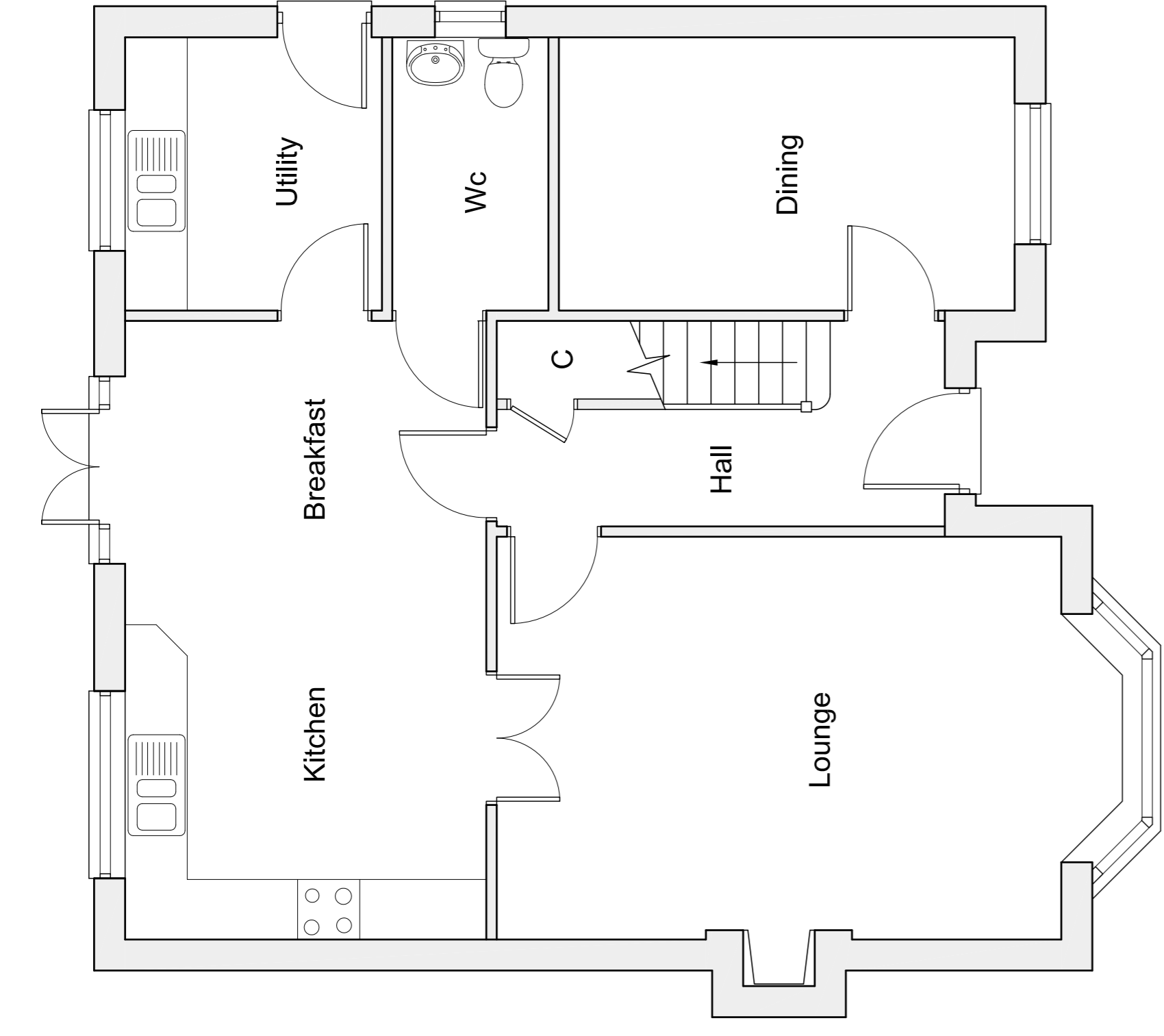
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Scale = 1:2,500





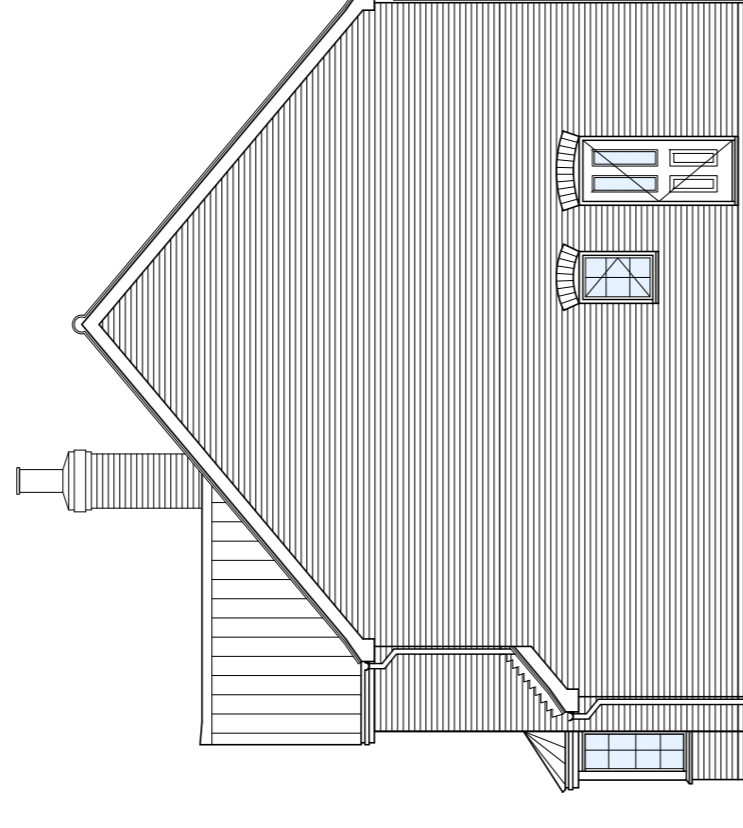
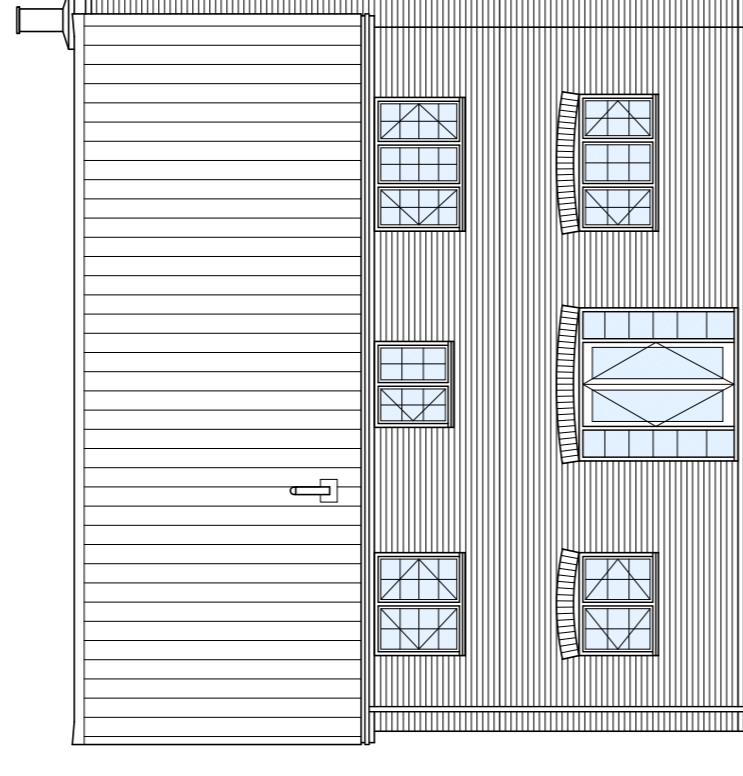
Proposed Redland
Cathedral Brindle
82 Clay pan tiles

Proposed white UPVC
casement windows

Proposed Worcester
Jamaine Brind bricks

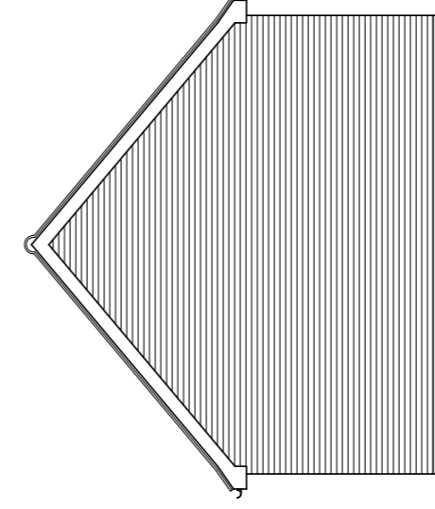
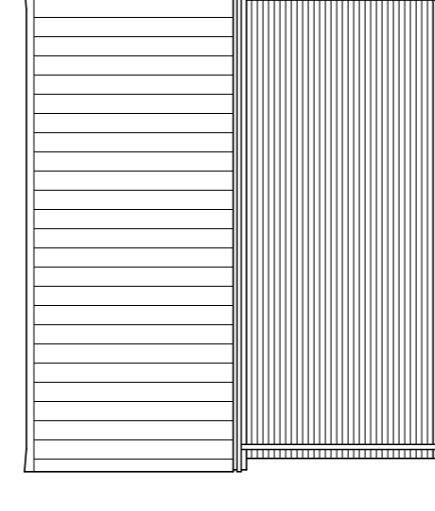
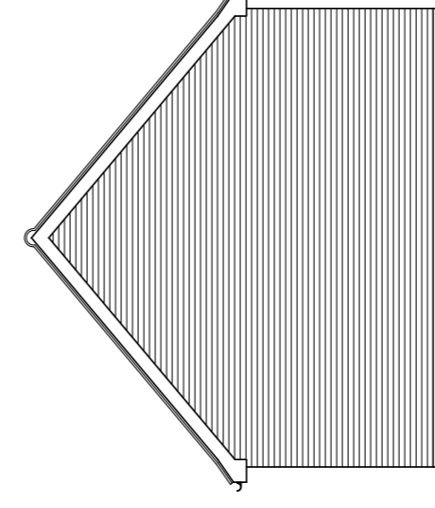
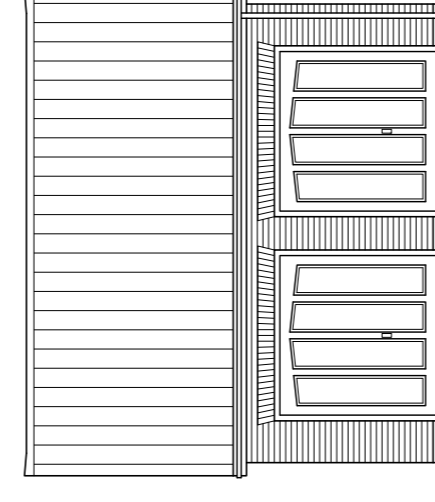
Proposed Front Elevation 1:100

Proposed Side Elevation 1:100



Proposed Rear Elevation 1:100

Proposed Side Elevation 1:100

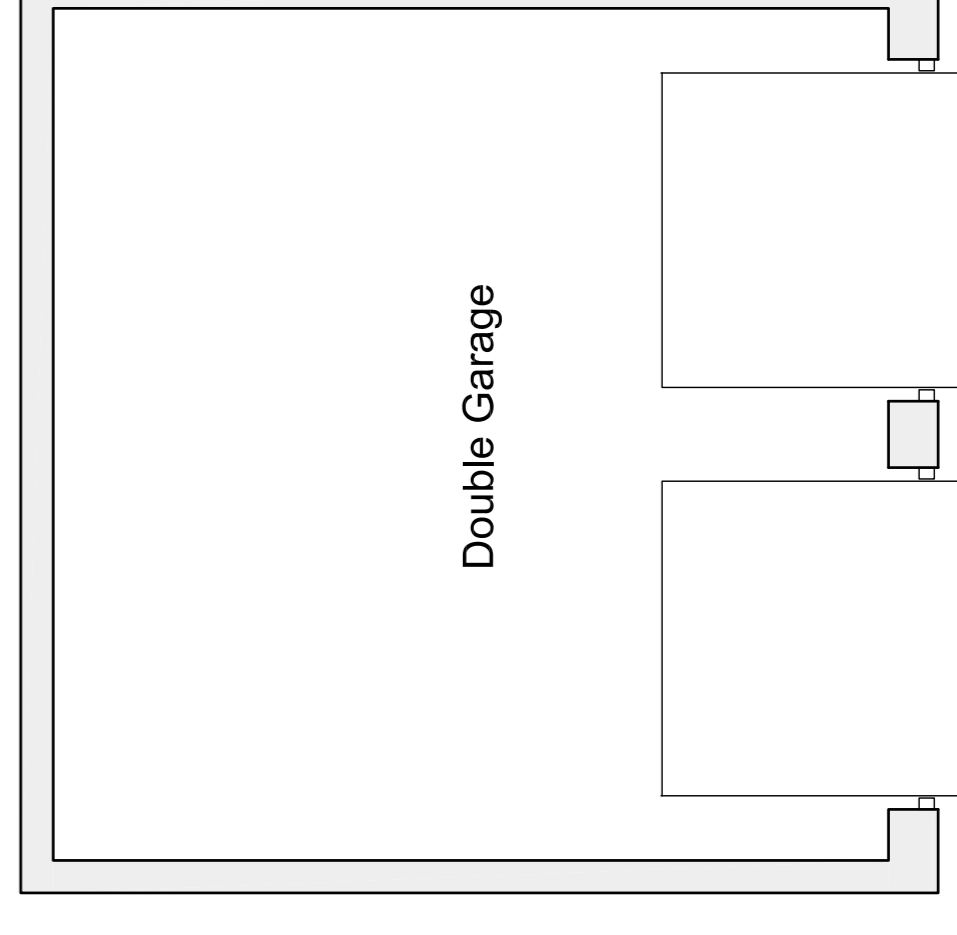


Front Elevation

Side Elevation

Rear Elevation

Side Elevation

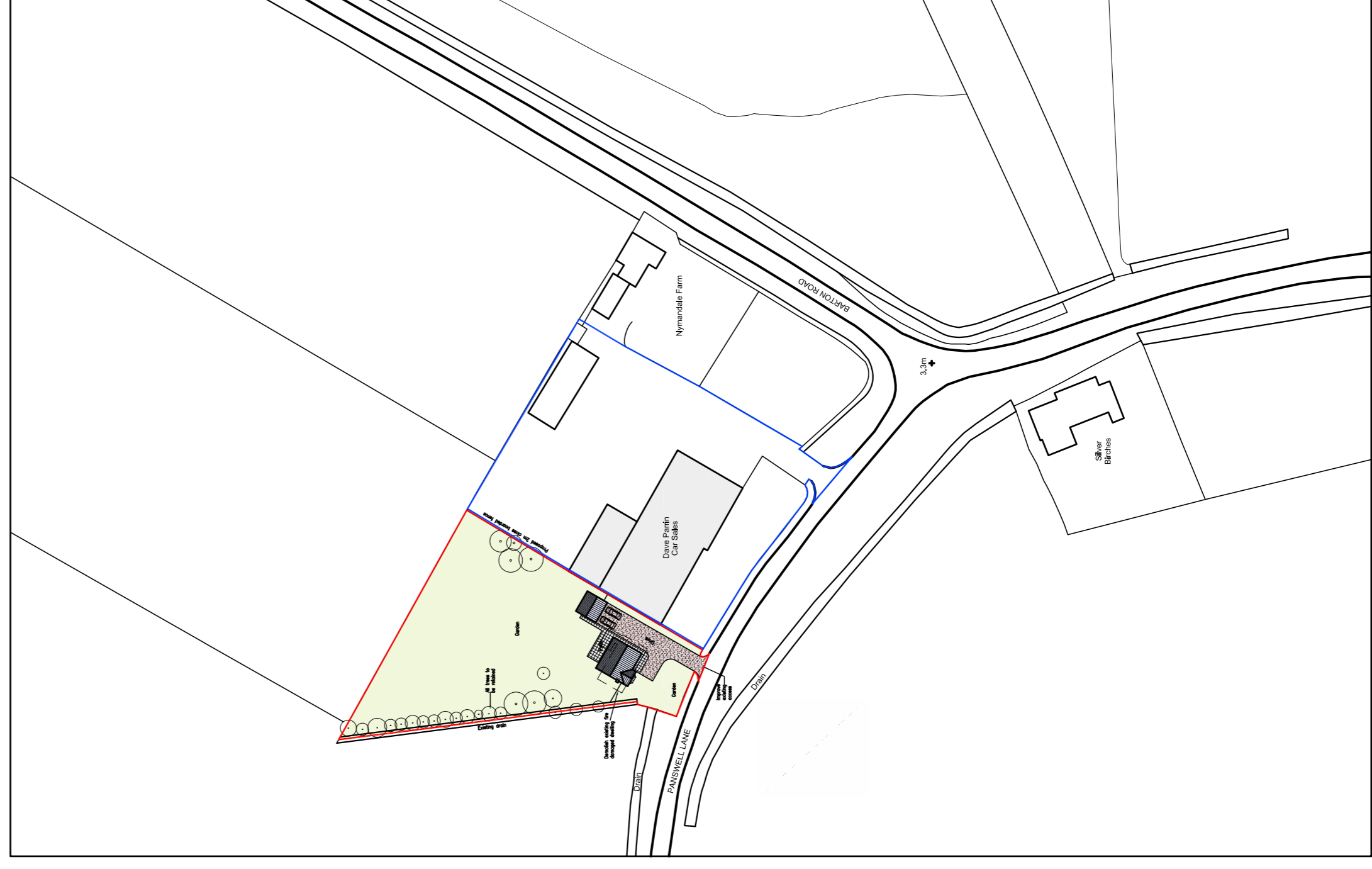


Proposed Ground Floor Plan 1:50



Floor Area Calculations:
 Existing dwelling = 110.3m²
 Existing + 30% = 143.4m²
 Proposed dwelling:
 Ground floor = 76.2m²
 First floor = 73.3m²
 TOTAL floor area = 149.5m²
 * 6.1m² over 30% increase

Proposed Site Plan 1:50



Location Plan 1:1250

03/08/2012 - Amended for resubmission. REV A.



PROJECT
 PROPOSED REPLACEMENT DWELLING

SITE
 THE BUNGALOW
 PANSWELL LANE
 WISBECH ST MARY
 WIBECH
 PE13 4TN

DRAWINGS
 PROPOSED

CLIENT
 Mr D Parrin

DATE Sept 2011 SCALE As Shown JOB No: 4735/02A

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