

Application Number: F/YR13/0742/F

Minor

Parish/Ward: Wisbech Town Council (Peckover – Wisbech)

Date Received: 01 October 2013

Expiry Date: 26 November 2013

Applicant: Mrs A Cave

Agent: Mr D Upton, Peter Humphrey Associates Ltd.

Proposal: Erection of 2-storey 4-bed dwelling involving demolition of existing dwelling

Location: Dunroamin, Lords Lane, Wisbech

Site Area/Density: 00.32 ha

Reason before Committee: Letters of Local and National Support contrary to Officer recommendation

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for the erection of a 2-storey 4-bed dwelling involving demolition of existing dwelling at Dunroamin, Lords Lane, Wisbech. The site is located in an unsustainable location within the open countryside, well beyond the established settlement of Wisbech. However given there is an existing dwelling on site, the proposal falls under the replacement dwelling policy (H18) of the Local Plan. Policy H18 outlines that replacement dwellings should normally be of a size which is no more than 130% of the original dwelling and should be sited on, or in close proximity to, the footprint of the original dwelling. Similar policy guidance is contained in Policy CS12 Part C, and whilst not being as prescriptive as Policy H18, it does identify 'size and scale' as a factor to consider.

A very recent application (F/YR13/0521/F) for this proposal was refused in September 2013 as the proposal was contrary to policy. This application has been resubmitted for consideration with supporting information regarding the applicants' personal circumstances. Subsequently, letters of both local and national support have been received which have resulted in the application coming before the Planning Committee. With regard to this application it is considered that the applicants' personal circumstances do not outweigh the policy issue regarding the size and scale of the proposed dwelling.

Officers have no objection to the principle of a replacement dwelling at this location. However, the size and scale of this particular dwelling departs significantly from the spirit of the replacement dwelling policies contained within the Development Plan.

It is considered that the proposal is contrary to Policy CS12 Part C (e) of the Emerging Fenland Local Plan – Core Strategy (Feb 2013) and criteria (v) of Policy H18 of the existing Fenland District Wide Local Plan (1993). It is therefore recommended that planning permission is refused.

2. HISTORY

Of relevance to this proposal is:

2.1

- F/YR13/0521/F – Erection of 2-storey 4-bed dwelling involving demolition of existing dwelling – Refused (02/09/2013);

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Paragraph 2: Planning law requires that applications for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 17: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

3.2 Emerging Fenland Local Plan - Core Strategy (Submission Version) Sept 2013:

CS2: Facilitating the Wellbeing of Fenland Residents

CS3: Spatial Strategy, The Settlement Hierarchy and the Countryside.

CS5: Meeting Housing Need

CS12: Rural Areas Development Policy

CS16: High Quality Environments

3.3 Fenland District Wide Local Plan:

H18: Replacement Dwellings

E8: Landscape and Amenity Protection

TR3: Parking

4. CONSULTATIONS

4.1 Town Council

Recommend Approval as members have no objections or observations in respect of this application.

4.2 Environment Agency

No objection subject to planning condition

4.3 North Level IDB

No comments received at time of report, a full update will be provided at the Planning Committee Meeting

4.4 FDC Contaminated Land Officer

No comments received at time of report, a full update will be provided at the Planning Committee Meeting

4.5 Neighbours/Interested Parties

9 x Letters of support have been received including;

5 x letters from the applicants relatives in Crewe, Hereford, Warrington, Bristol and Thorney;

2 x letters from the applicants relatives (which are also understood to be the future occupants) of the property with Mrs Cave;

2 x letters from Local Residents along Lords Lane.

5. SITE DESCRIPTION

- 5.1 The site lies to the north east of Lords Lane with the residential property known as 'Triple Acre' adjoining the site to the south east. Further south is the residential property known as 'Bramble Tye'. The site features a bungalow and is situated within Flood Zone 3. The site also fronts onto Lords Lane which is an unclassified highway. Lords Lane lies well beyond the built up settlements of Wisbech and Wisbech St Mary and represents an area of isolated, sporadic development within the open countryside.

6. **PLANNING ASSESSMENT**

6.1 **Policy Considerations**

The site is located outside the built up limits of Wisbech and therefore the scheme falls under Policy H18 of the Fenland District Wide Local Plan (1993) and Part C of Policy CS12 of the emerging Fenland Local Plan – Core Strategy (2013) for replacement dwellings.

Policy H18 outlines that replacement dwellings should normally be of a size which is no more than 130% of the original dwelling and should be sited on, or in close proximity to, the footprint of the original dwelling. The spirit of this policy is to ensure that any replacement dwelling is reflective of the original building and that it does not result in a new dwelling outside of a defined settlement. H18 is reinforced by policy CS12 Part C of the emerging Core Strategy where it stipulates that replacement dwellings should be of a design which is appropriate to their rural setting and that they are of a similar size and scale to the original dwelling.

The underlying policy direction within paragraph 89 of the NPPF also suggests that local planning authorities should regard the construction of new buildings in the countryside as inappropriate unless the replacement building is not materially larger than the one it replaces.

The NPPF seeks to secure a high quality design and a good standard of amenity for all existing and future occupants of lands and buildings. The principles of the NPPF are echoed in Policy E8 of the Local Plan (1993) and Policy CS16 of the emerging Local Plan-Core Strategy (2013) which outline that when considering applications for new development, proposals should be of a design compatible with their surroundings and have regard to the amenities of adjoining properties.

Policy CS2 of the emerging Local Plan-Core Strategy (2013) outlines the goal to facilitate the Health and Wellbeing of Fenland Residents and seeks to assist people to live in their homes for as long as possible ('lifetime homes') and meet the needs of all sectors of the community. In this regard the Council seeks all new housing to be of a 'Lifetime Homes Standard' as set out in Policy CS5.

6.2 **Assessment**

Having given due consideration to the policy context, concerns are raised with regard to the size and scale of the replacement dwelling. A very recent application (F/YR13/0521/F) for this proposal was refused in September 2013 as the proposal was considered '*contrary to criteria (v) of Policy H18 of the existing Fenland District Wide Local Plan (1993) and Policy CS12 Part C (e) of the Emerging Fenland Local Plan - Core Strategy (2013) due to the size and scale being significantly out of keeping with that of the existing dwelling*'.

The applicant's agent has provided information below regarding the footprint and gross floor area of both existing bungalow and proposed two storey dwelling. The agent has indicated that the existing bungalow has a floor area of 136 sq

metres, with the replacement 2-storey dwelling having a floor area of 204 sq metres. However, it should be noted that these figures only take the footprint of the building into account, with the gross floor area of the first floor accommodation omitted from the details submitted. This increase would result in a considerable increase in the gross floor area, and a dwelling that is of a size and scale that is significantly out of keeping with that of the existing dwelling.

In terms of support for this application the Town Council comments are noted. Furthermore, following the resubmission of this application letters of support have been received, these sourced from 7 relatives of the applicants and the local residents of Lords Lane.

The intended use of the replacement dwelling is for the applicant and her daughter and disabled son-in-law. The applicant's agent considers that not enough weight for the previous decision was put on personal circumstances for this application. Therefore, this application is accompanied by supporting information. With regard to this application the applicants' personal circumstances are not considered to outweigh the policy issue regarding the size and scale of the proposed dwelling.

The agent has pointed to two other approvals to the south and east of the site. It is acknowledged that the general design of the proposal would be compatible with the area and recent planning approvals in the immediate area; however these applications have been granted under other policy grounds.

7. **CONCLUSION**

- 7.1 Officers have no objection to the principle of a replacement dwelling at this location. However, the size and scale of this particular dwelling departs significantly from the spirit of the replacement dwelling policies contained within the Development Plan. However, amendments to the design, scale and massing of the dwelling would result in a dwelling which would be more similar in scale and size to the existing dwelling, thereby meeting the applicants aspirations yet remaining policy compliant. The agent has not availed of the opportunity to discuss the same prior to submission, although this was highlighted in the earlier officer report.

It is considered that the proposal remains contrary to Policy CS12 Part C (e) of the Emerging Fenland Local Plan – Core Strategy (Feb 2013) and criteria (v) of Policy H18 of the existing Fenland District Wide Local Plan (1993). It is therefore recommended that planning permission is refused.

8. **RECOMMENDATION**

Refuse

1. The proposed development is contrary to criteria (v) of Policy H18 of the existing Fenland District Wide Local Plan (1993) and Policy CS12 Part C (e) of the Emerging Fenland Local Plan - Core Strategy (Feb 2013) due to the size and scale being significantly out of keeping with that of the existing dwelling.