

**3/08/1908/FP – Demolition of existing dwelling and erection of a replacement dwelling at Chase House, Perry Green for Mr and Mrs Pope**

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**Date of Receipt:** 06.11.08

**Type:** Full

**Parish:** MUCH HADHAM

**Ward:** MUCH HADHAM

**RECOMMENDATION**

That planning permission be **REFUSED** for the following reason:-

1. The Local Planning Authority is not satisfied from the information submitted that the existing dwelling is either of poor construction or appearance, not capable of retention, to justify its demolition. As such the proposal is contrary to Policy HSG8 of the East Herts Local Plan Second Review, April 2008.

\_\_\_\_\_ (190808FP.NB)

**1.0 Background**

- 1.1 The application site is shown on the attached OS extract.
- 1.2 The existing property consists of a detached 2 storey dwelling thought to have been originally constructed in the 1970's. It is set back approximately 38 metres from the highway with a large driveway to the front. The property is screened by a substantial level of landscaping to the boundaries.
- 1.3 The existing dwelling is designed with a gable end to the front elevation with an attached single storey double garage to the south eastern flank and a large dormer window to the north western roof slope.
- 1.4 The application seeks permission for the demolition of the existing building and for a replacement dwelling at the site.
- 1.5 The proposed replacement dwelling is of a contemporary design that follows the design principles of a German 'Huf Haus'. The building would be substantially glazed with shallow pitched roof slopes. The proposed dwelling would reach a similar ridge height to the existing dwelling at the site.

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- 1.6 The proposed garage and gates to that are shown on the site plan were approved in 2006 under planning reference number 3/06/0958/FP and therefore do not form part of the consideration of this application.
- 1.7 This application has been referred to the Development Control Committee by Councillor Carver.

### **2.0 Site History**

- 2.1 In September 2008 planning permission was granted under planning reference number 3/08/1203/FP for extensions to the existing dwelling that are identical in their appearance to the proposed replacement dwelling, however, would have involved the retention of a significant amount of the dwelling.
- 2.2 An application made for extensions to the dwelling was withdrawn in August 2008 (lpa reference 3/08/1203/FP).
- 2.3 In 2006 extensions and a garage to the dwelling were approved (lpa reference 3/06/0958/FP).
- 2.4 A further application made in 2006 for extensions and a garage was withdrawn (lpa reference 3/06/0497/FP).
- 2.5 Planning permission was granted for a triple garage and gates in 2004 (lpa reference 3/04/1762/FP).
- 2.6 2 storey extensions were granted permission (lpa reference 3/04/1688/FP).
- 2.7 In 2002 an application made for a new garage was withdrawn (lpa reference 3/02/1655/FP)
- 2.8 An application made for an extension in 2002 was approved (lpa reference 3/02/1654/FP).

### **3.0 Consultation Responses**

- 3.1 County Highways do not wish to restrict the grant of permission and have recommended conditions relating to gates; use of the garage; parking; storage; delivery of materials; and wheel washing facilities.

### **4.0 Parish Council Representations**

- 4.1 Much Hadham Parish Council have no objections to the application.

## **5.0 Other Representations**

5.1 The application has been advertised by way of a discretionary site notice and neighbour notification. No further representations have been received.

## **6.0 Policy**

6.1 The relevant policies of the East Herts Local Plan Second Review (April 2007) are:

GBC3	Appropriate Development in the Rural Area beyond the Green Belt
ENV1	Design and Environmental Quality
HSG8	Replacement Dwellings in the Green Belt and Rural Area Beyond the Green Belt

## **7.0 Considerations**

7.1 The considerations in this case relate to whether the proposed replacement dwelling complies with Local Plan Policy and in particular Policy HSG8, or whether there are any very special circumstances that would allow a departure from these policies.

7.2 The extensions to the existing dwelling that were granted permission in September 2008 (Ipa reference 3/08/1203/FP) are identical in their appearance to the proposed replacement dwelling. The design and appearance of the replacement dwelling has therefore already been deemed to be acceptable.

7.3 Policy HSG8 allows for replacement dwellings within the Rural Area beyond the Green Belt in circumstances where the original dwelling is of poor appearance or construction, not capable of retention, and provided that the new dwelling would not be materially larger or more visually intrusive than that to be replaced. The size and visual impact of the replacement dwelling has been considered in the submission of the application for the extensions that were approved in September 2008. There are no changes in circumstances since this decision was made and therefore Officers are satisfied that the replacement dwelling would not be any larger than the approved dwelling and would not be more visually intrusive than that to be replaced.

- 7.4 The only remaining matter to consider that Policy HSG8 raises is whether the principle of a replacement dwelling is acceptable which should be determined by whether the original dwelling is of poor appearance or construction, not capable of retention. The existing dwelling appears to be structurally sound and is of a good appearance that appears discreet within the landscape and not detrimental to the character and appearance of the area. No evidence has been submitted to suggest that the existing dwelling has any significant structural problems and the applicant has stated that it would indeed be possible to implement the 2008 planning permission for extensions to the property. This clearly indicates that the existing dwelling *can* be retained. Officers therefore consider that the proposal for a replacement dwelling fails to comply with this part of policy HSG8.
- 7.5 The pre-ambule to Policy HSG8 states that dwellings capable of economic repair should in most cases be retained in the interests of sustainability. The design and access statement submitted states that a replacement dwelling would be considerably cheaper and would avoid the necessity to pay VAT, which would apply for alterations and extensions to the existing property. However, no breakdown is given for the cost of implementing the extensions compared to the proposed replacement dwelling.
- 7.6 A sustainability statement has also been submitted in support of the application. This statement estimates that the proposed replacement dwelling would be 44% more energy efficient than the existing dwelling which would be achieved by improved insulation to the walls, windows, floors and the roof, reducing air permeability; the use of a heat pump; careful design to reduce thermal bridging; solar thermal for hot water; and solar photovoltaic for electricity provision as well as other energy saving methods. However, no evidence has been provided in relation to sustainability considerations around the disposal of the materials of the existing dwelling, and the production of the new materials and their transportation from the continent. The applicant has not demonstrated how these issues are off-set against the energy saving measures proposed.
- 7.7 Furthermore, the applicant has not provided a comparison of the measures that could be implemented in the extended property. The Council cannot therefore consider whether there is a significant improvement in the energy efficiency of a replacement dwelling in comparison with the authorised extended dwelling.
- 7.8 Without such justification and detailed information, Officers consider that in this case, insufficient justification exists to allow a dwelling to be demolished which is structurally sound and does not have a detrimental impact on the character or appearance of the area. If permission were to be granted in

such circumstances, Officers consider that this would set an unwelcome precedent for the demolition of other dwellings in the District without adequately reasoned justification. Cumulatively, such decisions to allow the demolition of structurally sound dwellings would be contrary to the sustainability aims and objectives of the Local Plan.

- 7.9 Notwithstanding, therefore, the financial and sustainability submissions put forward by the applicant, Officers are not satisfied in this instance that sufficient justification exists to warrant the demolition of this dwelling contrary to Local Plan policy.

## **8.0 Conclusion**

- 8.1 The application fails to demonstrate that the existing dwelling is of a poor appearance or construction that is not capable of retention and is therefore contrary to Policy HSG8 of the adopted Local Plan.
- 8.2 The arguments made by the applicant in this case that a replacement dwelling would be more sustainable and financially viable does not, in the view of Officers, form sufficient justification to allow a departure from policy in this instance.
- 8.3 Having regard to the above considerations it is recommended that planning permission is refused for the reason given at the head of this report.