

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

6th October 2004

AUTHOR/S: Director of Development Services

S/1763/04/F - Heydon
**Erection of House and Garage with Annexe Over Following Demolition of Bungalow
and Outbuilding at 43 Fowlmere Road for Mr & Mrs K Esplin**

Recommendation: Delegated Approval

Conservation Area

Site and Proposal

1. The 0.58 hectare application site is located on the western side of Heydon Road and is raised approximately 1.5 metres above the road level and the adjoining dwelling to the north, No.45 Fowlmere Road.
2. The site is occupied by a modern 1960's bungalow, a timber and corrugated iron garage, and a number of small timber outbuildings. A 2 metre high fence defines the northern boundary and a row of leylandii defines the southern boundary. The dwelling to the north is a listed thatched cottage that is sited gable end to the road. A single storey render and pantile annexe is situated hard on the site boundary with one large window facing the site.
3. The full application, submitted on 20th August 2004, seeks to demolish the existing bungalow and outbuildings and to erect a house and garage on the site. The proposed replacement dwelling would be sited approximately 3.5 metres behind the line of the existing bungalow. It would be a 2-storey dwelling standing approximately 8.6 metres high and comprising timber walls and a slate or clay plain tile roof. The proposal also seeks to erect an outbuilding along part of the frontage of the site, at right angles to the road. This would comprise a triple garage on the ground floor with annexe above and would be constructed in flint and brickwork. The outbuilding would be 6 metres to the ridge with two dormer windows facing across the site to the north.

Planning History

4. **S/0574/04/F** - Consent was refused at the July 2004 meeting following a site visit by Members for a similar scheme but which had the proposed outbuilding located parallel to the road rather than at a right angle to it. The application was refused on the grounds that the proposed outbuilding, by virtue of its height, bulk and position, would be unduly overbearing in the street scene and would create a 'tunnelling effect' along this section of Fowlmere Road. In addition the outbuilding would be out of keeping with the character and appearance of development on the west side of the road. The proposal would neither preserve nor enhance the character and appearance of the Conservation Area.
5. **S/1273/02/CAC** – Conservation Area Consent granted for the total demolition of the existing bungalow, garage and outbuildings.

6. **S/1274/02/F** – An application to erect 2 detached houses and garages on the site was refused as the scale and identical design of the dwellings was considered to be overbearing to No.45 Fowlmere Road, dominant in the street scene and out of keeping with the informal arrangement and varied style of housing within the village.
7. **S/2107/02/F** – A subsequent application to erect a pair of linked-detached dwellings on the site was also refused and dismissed at appeal.

Planning Policy

8. The site lies inside the village framework, within the Conservation Area and to the south of a Grade II Listed Building, No.45 Fowlmere Road.
9. **Policy P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 requires development to protect and enhance the quality and distinctiveness of the historic built environment;
10. **Policy P1/3** of the County Structure Plan requires a high standard of design that responds to the local character of the built environment;
11. **Policy EN30** of the Local Plan requires development in a Conservation Area to either preserve or enhance the character of the area.
12. **Policy EN28** of the Local Plan states that applications which would damage the setting of Listed Buildings will be resisted.
13. Heydon is identified within **Policy SE5** of the South Cambridgeshire Local Plan 2004 as an Infill-Only Village. In such locations, Policy SE5 states that residential development will be restricted to no more than two dwellings comprising (amongst others) the redevelopment of an existing residential curtilage providing the site does not form an essential part of village character, and development is sympathetic to the historic interests, character, and amenities of the locality.

Consultation

14. **Heydon Parish Council** objects to the application stating “we have reconsidered these plans carefully but the issues we set out in our comments on the original application of 24th March 2004 have not been met by this submission. Therefore, we recommend refusal of this application.”
15. A copy of the Parish Councils comments referred to above are attached as Appendix 1.
16. The **Conservation Manager** comments, “there does not appear to any concern with the design of the principle dwelling. Consequently, I have addressed the garage location issue.
17. I am concerned that in attempting to address concerns with regard to a perception of a ‘tunnelling’ impact presented by the previous location of the garage, the enclosure of the frontage has been lost.
18. While I accept the concern to avoid a tunnel-like approach to the village, I would note that turning the garage at right angles presents other visual issues. The result will be to create an undue focus on the garage/annexe, (which will be located adjacent to the

street) such that the garaging and domestic storage become the dominant feature in the streetscape. This will not preserve or enhance the conservation area. This is in contrast to the previous scheme, which presented a blank flint wall to the street as part of a composition of building units, reflecting local materials, while enabling the house to remain the focus of the group.

19. In my opinion, if the garage is unacceptable then ideally it should be reduced in scale and relocated to the rear of the property. This would still mean the frontage would be very open and I would therefore suggest erection of an enclosing (2m) wall to the boundary, perhaps softened by planting to the streetside.
20. However, if we are now to accept the gable end to the road as the favoured form of the garage then I would stress the need to limit the exposure to the street. This focus on the garage doors might be mitigated by:
21. Removal of the first floor - so that the block becomes a simple single storey block, with deep/overhanging eaves. This would still mean the frontage would remain open and I would therefore suggest erection of an enclosing wall to the street boundary, again with external planting.

Alternatively:

22. Removal of the dormers – The objective has always been to avoid creating a focus on the frontage block and certainly avoid the appearance of an additional dwelling. The use of dormers facing the street would emphasise that the building is not simply an ancillary building and that it will have residential accommodation within it. Consequently, I would suggest an uninterrupted roof slope facing into the garden with conservation rooflights to the light the roof space rooms to the rear.
23. Relocation of stairs and bathroom – This will enable the gable to the road to be kept as a blank elevation, with the stairs lit by a rooflight to the rear. The avoidance of a window in the gable will again strengthen its appearance as an ancillary outbuilding.

Conclusion:

24. In my opinion, while the amended proposal may address some previous concerns it also would create other visual problems, which will require some significant changes to the form of the garage block if they are to be satisfactorily mitigated.
25. I do not think that the development should be approved in the current form, but hope that the above suggestions might help address new concerns.
26. **The Chief Environmental Health Officer** expresses concern about potential noise disturbance to neighbours during the period of demolition and constructions he recommends that conditions be applied to any consent to restrict the hours of use of power operated machinery, requiring details of the method for construction of any driven pile foundations and preventing burning of waste on site.

Representations

27. Letters of objection have been received from three local residents (Four Winds, No.45 Fowlmere Road and Heydonbury Farmhouse). The main points raised are:
 - The tunnelling affect of the garaging still exists with the added impact of cars lining up be seen, giving the effect of a car salesroom forecourt. There should be no building between the garage and the road as this would immeasurably damage the character and appearance of the conservation area;

- Why does any garage need en-suite facilities above unless it is for additional accommodation;
 - The proposed building is of a great density, mass and dominance thus contravening the rules laid down by SCDC for a village in a rural character area. This impact is increased as the site is elevated above neighbouring properties.
 - The mass appears greater than that on the plans rejected by the Inspector on appeal. For example the existing building is approximately 5 metres high and the new proposed height will be approximately 9 metres, an incredulous increase in size and totally dominating the area;
 - The architect seems to have either misunderstood the previous reasons for refusals or, acting entirely for the clients and showing disregard for the views of the Parish Council and villagers of Heydon and the beautiful conservation area;
 - The side windows would result in a loss of privacy to No.45 Fowlmere Road;
 - The dwelling would result in a loss of light to No.45 Fowlmere Road and its garden area.
28. The occupiers of 41 Fowlmere Road have written stating that they have no objections to the application.

Applicants Representations

29. In a letter accompanying the application the applicants' agent states that it is understood that the principle of a replacement dwelling and the detailed design of the proposal was accepted by Members and that the adjoining owner to the south has already written in support of the scheme.
30. It is understood that Members were adverse to the agreed approach of locating the garage and annexe along the street boundary. The revised proposals therefore turn the annexe through 90° leaving a gable end only overlooking the street, very much in line with the layout associated with No. 45 and indeed a number of other properties along this section of Fowlmere Road.
31. It is understood that some Members suggested that the garage could be located on the rear of the building with access around the northern end. It is believed that this would be a wholly inappropriate way of dealing with access. The views to the rear of all these properties along the west side of Fowlmere Road command dramatic views over open rolling countryside. This unique setting for each of the houses along the road would therefore be wholly undermined by incursion of domestic traffic to the rear. As far as the writer is aware this situation does not occur at all along the houses on the western side of the road and the client has specifically purchased this property in order to benefit from such views and it is considered that it would be totally unreasonable to insist upon this position.

Planning Comments – Key Issues

32. The key issues in relation to this application are:

- The impact of the development upon the character and appearance of the Conservation Area;
 - The impact of the development upon the setting of the adjacent Listed Building;
 - The affect on neighbours.
33. The site lies within the village framework where the principle of replacing the existing dwelling is acceptable providing the site in its present form does not form an essential part of village character and providing development is sympathetic to the character and amenities of the surrounding area.
 34. Conservation Area Consent has been granted for the demolition of the existing bungalow. In addition, in her consideration of the appeal relating to the application for a pair of link-detached houses, the Inspector stated that neither the existing building nor its site adds anything of importance to the appearance or character of the Conservation Area.
 35. In light of these comments, it is clear that retaining the site in its present form is not essential to the character of the village. Indeed, it could be argued that the redevelopment of the existing site represents an opportunity to enhance the character of the site and the surrounding area.
 36. The recent refusal was based solely around the impact of the proposed outbuilding at the front of the site. Members were of the view that the proposed dwelling was acceptable in terms of its impact on neighbouring properties and character of the Conservation Area. That part of the application remains unaltered in the current application and therefore my comments concentrate on the outbuilding.
 37. Much concern has also been expressed by the Parish Council and local residents to the proposed garage/annexe building at the frontage of the site, particularly in light of the fact that the site has a very open frontage at present. This concern was echoed by Members.
 38. Whilst there are no frontage buildings on the western side of Fowlmere Road in the immediate vicinity of the site, there are many examples of flint outbuildings directly opposite. However the outbuildings that are sited gable end to the road are simple in form, without dormer windows which is not reflected by the form of the building as currently proposed.
 39. I support the view of the Conservation Manager that a building at 90^o to the road would appear acceptable in the street scene, subject to the revisions suggested. I do not consider that it would result in the 'tunnelling effect', which was a concern with the previous application. The introduction of a wall along the frontage between the proposed building and the entrance will help reduce views of the front of the garage and associated parking although the precise height of the wall would need careful consideration. Amended drawings have been sought.
 40. I will report the views of the Trees and Landscapes Officer verbally. It is important to ensure that the position of the outbuilding does not prejudice the retention of planting to the south.

41. I am of the view that the occupation of the accommodation of the garage can be dealt with by condition to ensure that it is only occupied as ancillary recommendation to the main dwelling.
42. With regards to the impact of the development upon residential amenity, the first floor master bedroom window in the north elevation is high level and should not result in overlooking. Other windows to a dressing area be obscured glazing.
43. In order to protect the occupiers of No. 45 from any future overlooking, it would be necessary to apply a condition preventing the insertion of any further windows at first floor level in this elevation without planning permission.
44. Within the scheme that was dismissed at proposal, the Inspector raised no objections to the impact of the dwelling upon the outlook from the annexe to No. 45 Fowlmere Road. Given that the current proposal is sited further away from the northern boundary than the previous scheme, it would be unreasonable to raised any objections on this basis. I am also satisfied, in light of the high leylandii that from the southern boundary of the site, that the amenities of the adjoining property to the southern would not be unduly compromised by the development.

Recommendations

45. Subject to the comments of the Trees and Landscapes Officer, the receipt of amended plans, adding the concerns of the Conservation Manager that the application be approved subject to the following conditions:
 1. Standard Condition A – Time Limited Permission (Reason A);
 2. Sc5a – Details and samples of materials to be used for external walls and roofs (Rc5a_{ii} and to ensure that the development would not detract from the character and appearance of the Conservation Area and from the setting of the adjacent Listed Building);
 3. Sc5f – Details of materials to be used for hard surfaced areas (Rc5f);
 4. Sc51 – Landscaping (Rc51);
 5. Sc52 – Implementation of landscaping (Rc52);
 6. Sc60 – Details of boundary treatment (Rc60);
 7. Para C3a & b – Permanent turning and parking (Rc10);
 8. Sc5e – Details of finished floor levels (Rc5e);
 9. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions (Rc26);
 10. Save for the windows shown within the approved drawings, no further windows, doors or openings of any kind shall be inserted at first floor level in the north elevation of the development, hereby permitted, unless expressly authorised by

planning permission granted by the Local Planning Authority in that behalf.
(Reason – To safeguard the privacy of occupiers of the adjoining dwelling to the north, No.45 Fowlmere Road);

11. Sc21 – Withdrawal of permitted development – Part 1 (Development within the curtilage of a dwellinghouse), All Classes and Part 2, Class A (Reason – To safeguard the character of the area and to ensure that additions or extensions which would not otherwise require planning permission do not overdevelop the site with consequent harm to the character of the Conservation Area and to the amenities of neighbours);
12. Sc44 – Garages – Rc44;
13. The garage/annexe building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 43 Fowlmere Road, Heydon.

Informatives

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:

Cambridgeshire and Peterborough Structure Plan 2003: P1/3 (Sustainable design in built development) and P7/6 (Historic Built Environment);

South Cambridgeshire Local Plan 2004: SE5 (Development in Infill Villages), EN28 (Development within the Curtilage or Setting of a Listed Building) and EN30 (Development in/adjacent to Conservation Areas);
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise;
 - Residential amenity including overlooking and loss of light issues;
 - Impact upon character and appearance of Conservation Area;
 - Visual impact in the locality;
 - Use of the annexe
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

General

1. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

2. During demolition and construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation;
3. Before the existing property is demolished, a Demolition Notice will be required from the Building Control Department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation.

Background Papers: The following background papers were used in the preparation of this report: County Structure Plan 2003; Local Plan 2004; File Refs: S/1763/04/F, S/0574/04/F, S/2107/02/F and S/1274/02/F.

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