

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

5<sup>th</sup> August 2009

**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/0628/09/F – FEN DRAYTON  
Dormer Window with Obscure Glass on Rear Elevation  
and Five Roof Lights on Front Elevation  
at 14 College Farm Court for Mr J Chapman**

**Recommendation: Approval**

**Date for Determination: 23<sup>rd</sup> July 2009**

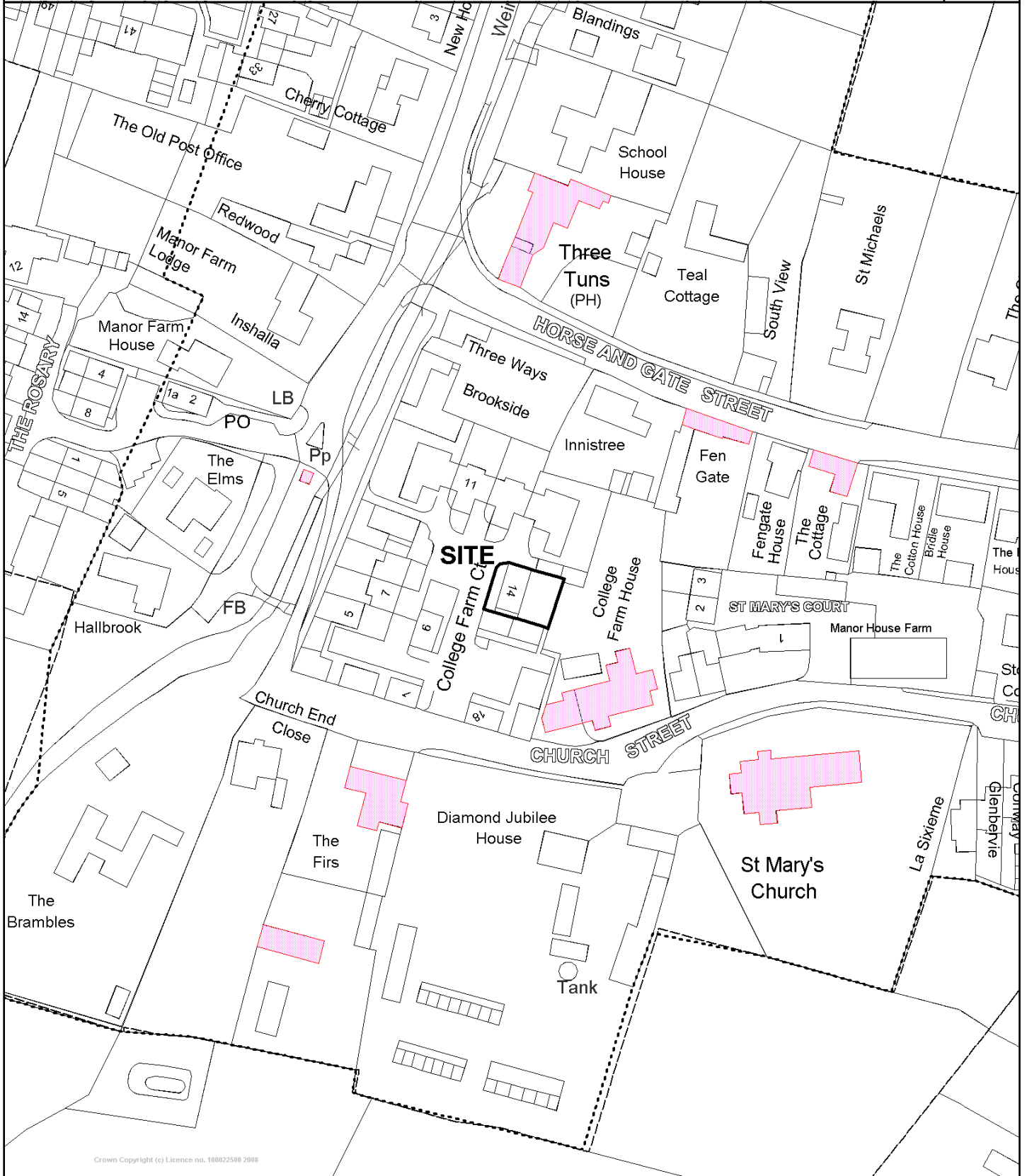
**Notes:**

**This Application has been reported to the Planning Committee following consideration at the Chairman's Delegation Meeting held on 15<sup>th</sup> July 2009.**

**Conservation Area**

**Site and Proposal**

1. No. 14 College Farm Court is located within the Village Framework and the Conservation Area of Fen Drayton. The property forms part of a residential development, which was granted consent in 1984 for 10 Starter Units and 8 Houses.
2. No.14 College Farm Court is a semi-detached two storey dwelling with a modest rear garden measuring 8.33m in depth and 11.48m in width. The rear garden and elevation backs immediately onto the rear garden of College Farmhouse. The boundary treatment between these two properties consists of boarded fencing 1.8m high and with a limited amount of trees and shrubs within the application site. There is however, a line of conifers on the boundary, in the garden of College Farmhouse, which currently provides the majority of screening of the existing rear windows at College Farm Court.
3. The full planning application, received 28<sup>th</sup> May 2009, is a re-submission of a similar proposal, which was refused at Planning Committee Meeting held 14 January 2009. This new application proposes a dormer window on the rear elevation with obscure glass and five roof lights on the front elevation of the dwelling. The previous refusal proposed to add a dormer and five roof lights on rear elevation. S/1742/08/F was refused because it was deemed to have an unacceptable impact on neighbour amenity through direct overlooking, resulting in the loss of privacy to residents of the neighbouring property at College Farmhouse, contrary to Policy DP/3 of the South Cambridgeshire Local Development Framework, Development Control Policies, adopted July 2007.
4. This new proposal would create a further two bedrooms within the roof space as with the previous one, but with most of the openings present on the front elevation. The dormer window accommodates the new staircase to access the rooms in roof space and the rooflights on the front would allow light for these rooms.



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Scale 1/1250 Date 21/7/2009

Centre = 533895 E 268160 N

AUGUST 2009 PLANNING COMMITTEE

## **Planning History**

5. **S/0335/84/O** – Residential Development - Approve  
**S/1959/84/LB** – Demolition of Farm Buildings – Approve  
**S/2019/84/F** – 10 Starter Units and 8 Houses - Approve  
**S/1742/08/F** – Dormer Window and Five Roof Lights – Refused at Planning Committee 14<sup>th</sup> January 2009

## **Planning Policy**

6. Relevant policies are listed below

### **South Cambridgeshire Local Development Framework (LDF), Development Control Policies, adopted July 2007**

Policy **DP/2** – Design of New Development

Policy **DP/3** – Development Criteria

Policy **CH/4** – Development within the Curtilage or Setting of a Listed Building

Policy **CH/5** – Conservation Area

## **Consultation**

### **Parish Council**

7. Recommends Refusal – Converting such as small house into a six-bedroom house would not be in character with the surroundings.
8. The applicant has already converted the garage into office space, which has resulted in parking problems and inconvenience to nearby houses. A six-bedroom house is also likely to involve more cars and so create an intolerable situation for neighbours.

## **Conservation**

9. There would be minimal impact on the adjacent Listed Building or the Conservation Area and there is a substantial leylandii hedge between the two sites. Obscuring views between the two buildings. Being in a Conservation Area, this tree screening is protected.

No objections and recommend approval subject to conditions regarding materials.

### **Chairman's Delegation Meeting held 15<sup>th</sup> July 2009**

10. Members felt that they could not support the proposed works because there was insufficient information in terms of whether the proposed window on the gable end would need to be opening for building regulations purposes. The window could potentially overlook an existing roof light in the roof slope of No.15 College Farm Court. A requirement from the meeting was to try and establish what room this roof light is serving at 15 College Farm Court.

## **Building Regulations**

11. Windows are not required for escape. A protected route out is now the requirement, but a window with an opening equivalent to 1/20<sup>th</sup> of the floor area is required for ventilation.

## **Representations**

12. None received

## **Planning Comments – Key Issues**

13. The key issues to consider in the determination of this application are:

### ***Impact on Street Scene, Conservation Area and Setting of Listed Building***

14. The most noticeable aspect of the proposal will be the five roof lights on the front elevation. The orientation of the property is such that the front elevation is facing into the courtyard rather than directly onto Church Street or High Street. The windows are to be in the style of the existing windows in the Courtyard and the application proposes to use similar materials.
15. The Conservation Team raised no objections to the proposal but would like to see a sample of the materials and concluded that there was sufficient screening at the rear to protect the setting of the listed building, College Farmhouse, from potential impact of the dormer on the rear elevation. It was noted that the leylandii hedge between the properties on the rear was protected due to its location in the Conservation Area.
16. Therefore, due to the number of other properties with roof lights in this courtyard, and the enclosed nature of the site, the proposed roof lights and dormer would have minimal impact on the street scene, and setting of the listed building and would therefore preserve the character and appearance of the Conservation Area.

### ***Impact on Neighbour Amenity***

17. The previous application was refused because of the impact of the proposal on neighbour amenity in terms of loss of privacy. The applicant has tried to address this by just having the dormer on the rear with fixed obscure glass. The dormer is for accommodating the staircase therefore does not require an opening clear glass window. The application can be conditioned to ensure that a top hung window fitted with obscure glass is installed, this would prevent overlooking of College Farmhouse but would fulfil the requirements of building regulations for a window with an opening equivalent to 1/20<sup>th</sup> of the floor area is required for ventilation.
18. The roof lights are now proposed for the front elevation which overlooks the courtyard only. However, the plans indicate a side window in the gable end which faces No.15 College Farm Court. No.15 College Farm Court is single storey and has a roof light on its rear roof slope which would be overlooked by the proposed new window in side gable. Having checked the history file S/2019/84/F and having spoken to the applicant, it would appear that the roof light at No.15 College Farm Court serves the bathroom. Therefore to have an opening window on the gable end would be unacceptable to neighbour amenity.
19. The applicant has, via an E-mail sent 21<sup>st</sup> July 2009, stated that he has recently carried out repairs to the wooden cladding on the side gable and does not want to remove this to install a window; therefore, he would be happy to omit the gable end window.
20. Building Regulations Officers have also been consulted on the need for the window on the side. The question was raised at Chairman's Delegation as to whether or not

the window is required as a means of escape. The Building Regulations Team confirmed that the regulations have changed recently and that it is no longer required that an escape window be provided on the third floor of a development. However, a protected route out is now the requirement, but a window with an opening equivalent 1/20<sup>th</sup> of the floor area is required for ventilation. Therefore, as the window is not required as a means of escape, the rooflights would be able to provide the required ventilation and as the applicant is happy for it to be removed, I would consider that any consent could be conditioned to omit the side window, which would overcome any overlooking issues of No. 15 College Farm Court. If this were to be the case the application should be recommended for approval as it would then be considered to have addressed the reasons for refusal under planning application S/1742/08/F.

### **Recommendation**

21. Approve

### **Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. (Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
3. Apart from any top hung vent, the proposed dormer window on the rear roof slope (east elevation) of the extension, hereby permitted, shall be permanently fitted with obscure glass and shall be fixed so that it cannot be opened permanently. (Reason - To prevent overlooking of the adjoining property College Farmhouse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. Notwithstanding the submitted drawing, date stamped 7<sup>th</sup> May 2009, the window on the side (south) elevation, shall be omitted from the development, hereby permitted, and an amended drawing submitted to be approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details. (Reason: To safeguard the privacy of the neighbouring property No.15 College Farm Court, in accordance with Policy DP/3 of the Local Development Framework 2007.)

**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework, Development Control Policies, adopted July 2007
- Planning File References: S/1742/08/F and S/2019/84/F

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