

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13th January 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and Sustainable Communities)

**S/1593/09/F - Barton
Proposed Demolition of Outbuildings and Garage and
Replacement With New Garage at 74 Wimpole Road for Mr Mark Byton**

Recommendation: Approval

Date for Determination: 28th December 2009

Notes:

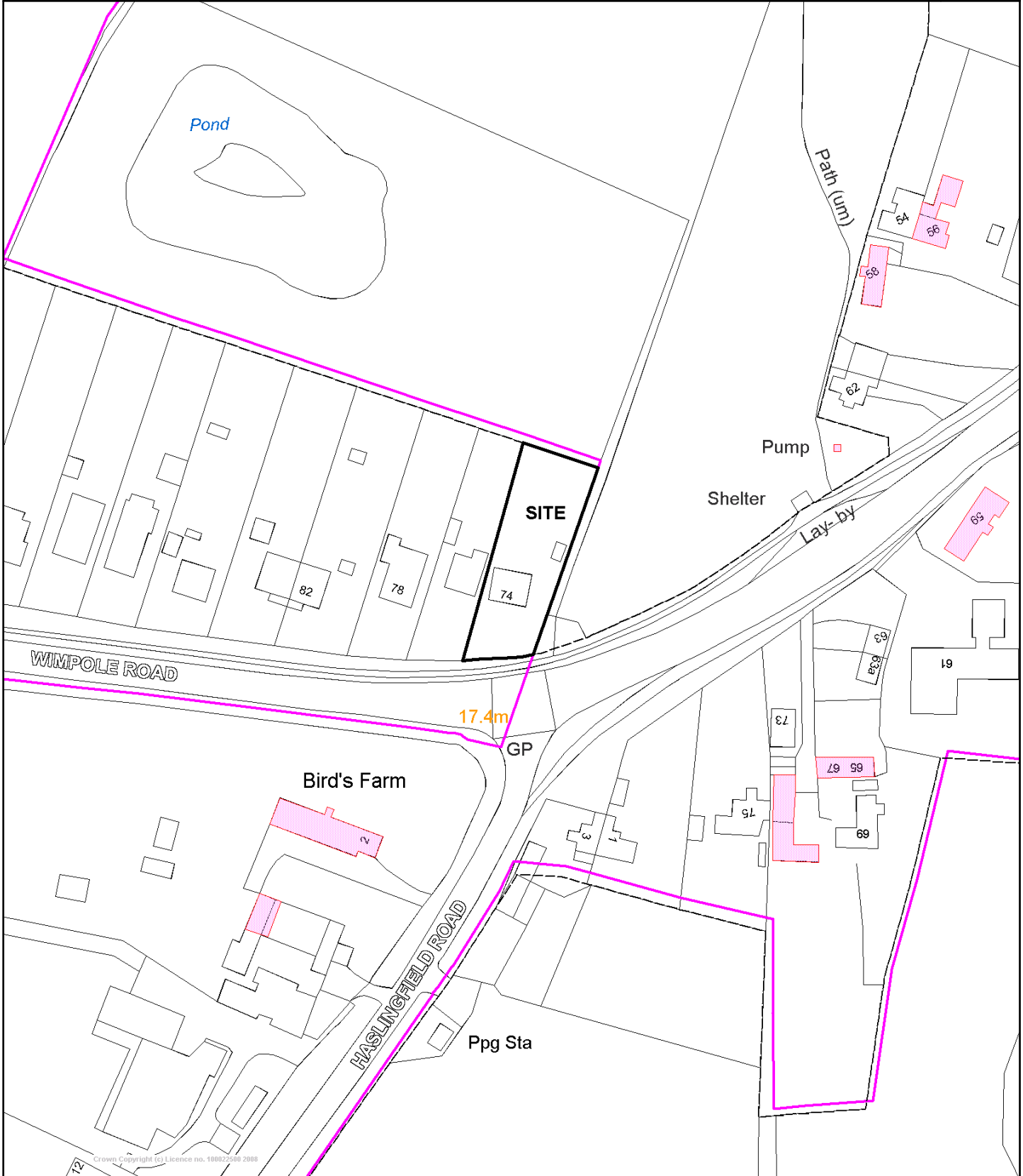
This application has been reported to the Planning Committee for determination as the Parish Council has recommended refusal and the application is unable to go to a Chairman's Delegation.

Site and Proposal

1. The site measures approximately 0.08 hectares. The detached two storey dwelling is located within the village framework and is located adjacent to the conservation area and the Cambridge Green Belt. The existing building is a light rendered building with dark brown fenestration with an adjacent one and a half storey garage, which is similar in appearance and located next to the boundary with the Leys public land. Behind the garage is a garden shed painted black and a flat roof red brick single storey building. At the rear of the property approximately 3.8 metres away from the rear boundary is an existing outbuilding that measures approximately 5 metres x 17 metres, with a height of 4 metres (estimated). The existing garage, shed, flat roof building and outbuilding are all being proposed to be demolished.
2. The application, validated on 2nd November 2009, is for a proposed garage. The garage would measure approximately 10.7 metres x 8.1 metres, with a height of 4.9 metres. It would be situated 1 metre from the rear boundary fence and 6 metres from the boundary of the Leys. The proposed materials for the garage will be brown concrete tile roofing and concrete rendered walls. The proposed development does not seek to create a new access, with the new driveway being placed where the existing garage, shed and flat roof outbuilding are currently located.

Planning History

3. **C/0155/73/O** – Proposed erection of a bungalow at the rear of the site was refused. It was considered to be an undesirable development on a back land site.
4. **S/0779/84/F** – Garage/store was approved on the application site.
5. **S/0943/99/F** – The amenity and fishing lake to the rear of the residential property was approved. This included a condition that the approved development was for the private use and incidental enjoyment of 74 Wimpole Road only.



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Scale 1/1250 Date 15/12/2009

Centre = 540772 E 255142 N

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6. **S/0555/09/F** – This application approved extending the lake (Retrospective Application). This approval maintained that the lake should only be used for the incidental enjoyment and private use of 74 Wimpole Road.

Planning Policy

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

DP/2 – Design of New Development

DP/3 – Development Criteria

GB/3 – Mitigating the Impact of Development Adjoining the Green Belt

CH/5 – Conservation Areas

Consultation

8. **Barton Parish Council** – The parish recommends refusal. Its reasons for refusal are
9. The exact height of the proposed garage is not clear on the plans.
- (a) The proposed structure is of substantial bulk which would have an overbearing appearance seen from the neighbouring conservation area, the visually important Leys public land.
 - (b) It states that the application states that the garage is to store cars and a boat, there is no doubt that the property is already used for domestic appliance repair business. It does not want to condone workshop or commercial use in a residential setting.
 - (c) There is concern about the driveway access, which must remain within the property and not encroach on the common land of the Leys adjacent.
10. **Local Highways Authority** – has no concerns over the proposed development.
11. **Design Surgery** – It was commented that the proposed development is not of a good design but agreed with the Case Officer that views are limited from public land. It was thought that the proposed development would preserve the current area and suggested that fences be conditioned in order to maintain screening.

Representations

12. **76 Wimpole Road** – If the proposed garage would continue to use the current access than the occupier believes this is acceptable. If a new access is created from the Leys, this would not only cause a great amount of damage to the grass area but disrupt the use of the people who use this area. He also states that he does not want the new driveway to be used as car parking space for those wanting to use the lake behind.
13. **58 Wimpole Road** – The occupier states that he has no objection in principle to the proposed development. He does, however, want the following to be considered
- (a) The pitch of the roof of the existing garage is quite steep and he hopes it will be possible for the pitch of the replacement to be less intrusive of the character and context of the ancient Leys Meadow.
 - (b) It is not clear where the garage is to be sited, but if on the same or an enlarged footprint of the existing one, that would be acceptable.

The occupier does state the creation of a regular vehicular access to the adjoining lake would undermine the tranquillity of the area.

Planning Comments

14. The main planning considerations for this development are whether or not it preserves or enhances the character of the area, if it would have any impact upon residential amenity and if it is an appropriate use of the land.
15. **Impact upon the character** – The proposal seeks the removal of the existing garage, garden shed, flat roof outbuilding and the rear outbuilding. The outbuilding right at the end of the residential property is in a fairly poor state of repair and is partially constructed out of corrugated metal. The removal of these buildings does not require the permission of the Local Planning Authority.
16. The proposed garage is being located at the rear of the property and set 6 metres away from the boundary with the Leys. The current boundary between the Leys and the application site is a 1.8 metre close-boarded fence, with a 2.5 metre hedge on the public landside of the fence. The ownership of this boundary hedge is not known.
17. The proposed garage is not considered to be of specifically high quality design. However, the proposed development is directly replacing an existing outbuilding with little architectural merit that while slightly lower in height is located on the boundary with the Leys. The proposed garage by being located 6 metres from the boundary with the public land significantly reduces the impact of the development. The distance from the Leys public land combined with the existing boundary treatment means that the proposed development is considered to preserve the character of the area. It is considered and the development preserves the current character of the area and that it is not, therefore, required or reasonable to control boundary treatments as Design Surgery suggested. The proposed development is considered to comply with Policies DP/2 (Design of New Development), GB/3 (Mitigating the Impact of Development in the Green Belt) and CH/5 (Conservation Areas).
18. **Impact upon residential amenity** – The proposed development is set 1 metre from the adjacent property of 76 Wimpole Road. The boundary between No. 74 and 76 is a 1.8 metre fence; approximately 2.6 metres of the proposed development will be visible from the very rear part of the neighbour's rear garden. The rear garden of No.76 is approximately 28 metres in length. It is considered that the proposed garage will not have a significant impact upon the property of 76 Wimpole Road, there being an existing outbuilding located at the same distance from the property of No.76. The height of the outbuilding will also prevent there being any significant loss of privacy or light. The proposed development is considered to comply with Policy DP/3 (Development Criteria).
19. **The use of the land** – It has been commented upon during the consultation period that there are concerns that the proposed development is to serve the lake to the rear of the property and that the garage is to support a business. The proposed development has been submitted on householder forms and the applicant is not seeking a change of use. The proposed development must be used incidental to the enjoyment of the dwelling and this can be conditioned. It should be noted that home businesses do not need planning permission if it remains incidental to the enjoyment of the dwelling.

Recommendation

20. Approve

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. The garage building, hereby permitted, shall be used for incidental purposes in connection with the use of the main dwelling, known as No. 74 Wimpole Road, only and for no other purpose.
(Reason – To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- Planning File Ref S/1593/09/F

Contact Officer: Andrew Phillips, Planning Officer
Telephone: 01954 713169