

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 2nd March 2005

AUTHOR: Director of Development Services

S/2490/04/F - Waterbeach

**Erection of Double Garage with Studio Over, Revised Design and Siting,
(Retrospective application), Threeways, 2 Denny End Road for Mr and Mrs Walker**

Recommendation: Refusal

Date for Determination: 18th March 2005

Site and Proposal

1. Threeways is a semi detached property sited within the village framework of Waterbeach, located adjacent to the junction of Denny End Road and Bannold Road. Bannold Court, a small residential development of three properties is sited to the north.
2. This full application submitted on the 8th December 2004, (re-dated on the 21st January 2005 following the submission of corrected plans) seeks consent for the erection of a double garage with studio above. The garage measures 6.3 metres in length, 6 metres in width and measures 5.9 metres in height. Four roof lights and a gable end window provide light into the studio.
3. The garage has been erected on land to the east of the main dwelling in an area of the application site fenced off from the main garden. Whilst a path links the garage to the dwelling, vehicular access is provided via a shared drive accessed off Bannold Road. No 1A Bannold Road, the attached neighbour, is sited approximately 15 metres to the south of the garage. No 3 Bannold Court is sited approximately 4.75 metres due north of the structure.

Planning History

4. Planning permission was granted in 1998 for the erection of an extension including an annex and erection of garage, reference **S/1600/98/F**. While the extension and annex were attached to the main dwelling, the double garage with pitched roof was sited in a similar location to the garage under consideration in this application.
5. Planning application **S/1335/03/F** gave consent for the erection of a double garage with studio above. This garage was sited approximately 1 metre further away from the site boundary shared with No 3 Bannold Court while the eaves and ridge height of the structure were 600mm lower.

Planning Policy

6. **Policy HG12 ‘ Extensions and Alterations to Dwellings within Frameworks’** of the South Cambridgeshire Local Plan 2004 sets out the requirements that must be met in order for proposals to extend or alter dwellings within village frameworks to be considered for approval.

7. **Policy P1/3 ‘Sustainable Design in Built Development’** of the Cambridgeshire and Peterborough Structure Plan 2003 requires a high standard of design for all new development that responds to the local character of the built environment and details aspects of design to be considered.

Consultations

8. **Waterbeach Parish Council** – Approves subject to neighbours and occupation of garage being ancillary to the dwelling.
9. **Waterbeach Level Internal Drainage Board** – No comment

Representations

10. **Councillor Williamson** requested that this application be presented at Committee. Concerns were raised regarding the potential conflict of interests.
11. Letters of objection have been received from both adjacent properties, 1A Bannold Road and 3 Bannold Court. The concerns raised include:
- Overshadowing;
 - Overbearing
 - Overlooking
 - Intensity of use of studio
 - Over provision of car parking spaces
12. The applicant has, by letter, raised the following points:
- Prior to the garage being erected, the boundary to 3 Bannold Court was lined by a 10 metre high Leylandii hedge
 - Following the removal of this hedge, existing trees still overshadow the adjacent properties
 - The boundary line is not accurately shown on site or on the plans and an additional 150mm separation is provided to the true boundary line.
 - If the height of the garage were reduced, the overlooking potential out of the roof lights would be increased due to the reduced cill height of these openings.
13. **Planning Comments – Key Issues**
This application is a retrospective application. The garage detailed in this application was erected following consent being granted on the site for a garage with studio above, (reference S/1335/03/F). The structure which was erected was however higher and built in a different location. This previous consent had therefore not been implemented and a revised application was requested, in accordance with the Council’s protocol on enforcement action.
14. The key issues to consider in this application are the overshadowing/overbearing affect of the garage and studio, the overlooking potential and impact on the character and appearance of the surrounding area.
15. ***Overshadowing/overbearing***

No 3 Bannold Court is sited to the north of the garage and has a number of ground floor and first floor windows, which face directly towards the application site. These windows serve a lounge, study and bedroom and are located approximately 9 metres away from the flank wall of the garage.

16. Despite No 3 Bannold Court being sited to the north, in considering application S/1335/03/F it was decided that the overshadowing/overbearing affect of a 5.4 metre high structure would be insufficient to justify a refusal of permission. A typical 2 metre high boundary fence would screen the majority of the flank wall from view while the roof sloped away from the No 3 Bannold Court with the ridge set 4.9 metres away from the boundary.
17. Given the revised siting of the garage, (850mm – 1000mm closer to No 3 Bannold Court) and the increased eaves and ridge height (600mm or approximately 9 brick courses higher) the garage feels oppressive when viewed from within the rear garden of No 3 Bannold Court and overshadows the south facing windows of this property. Whilst the applicant has made reference to the overshadowing affect of leylandii trees previously sited along the boundary, these can, and in this case have, been removed. A structure like this is permanent, as is the overshadowing/overbearing affect.
18. With regards to the adjacent property, No 1A Bannold Road, it is considered that sufficient separation is provided to ensure the 600mm increase in height will not adversely affect the amenities of this property.
19. **Overlooking**
The earlier consent for a garage with studio above was of similar design. In this approved application the studio area was lit by 2 gable end windows and three roof lights, (1 south facing, 2 north facing). Whilst just 1 additional south facing roof light has been inserted and a gable end window omitted, increasing the eaves and ridge height of the garage has provided a more useable first floor area. Sufficient headroom is now provided within the first floor area to allow an adult to walk freely within the roof and stand up adjacent to the cill of each roof light.
20. Having looked out of these openings myself, views are provided into the first floor bedroom and study windows of No 3 Bannold Court. These openings are at a similar height to the roof lights and are sited just 10 metres away, (approximately). Whilst views provided towards 1A Bannold Road are at present partially obscured by a tall tree clearer views would be provided towards the first floor openings of this property if this tree were to be removed or cut back. These openings are sited slightly further away however a window to window distance of 15 metres still gives rise to a certain degree of overlooking.
21. Given the cill height of the roof lights, views from within the studio are not provided down into the private rear gardens of either adjacent property.
22. I disagree with the applicant's claim that greater views would be provided out of these windows if the garage had been built in accordance with the plans approved in application S/1335/03/F. While the cill height of these windows would be lower, an adult would be unable to stand up and look directly out of these windows. The only views provided would be when standing in the centre of the room beneath the ridge of the roof, some distance back from the window.
23. Very limited useable floor space is provided within the roof space of a traditional double garage. In increasing the ridge and eaves height of this structure a kitchenette and small bathroom and have been able to be provided, in addition to a

well-proportioned room. Whilst the use of this space may remain ancillary to the main dwelling, the greater headroom will undoubtedly allow this space to be used more intensely, thus further increasing the potential overlooking affect.

24. ***Character and appearance of area***

Only very limited public views of the garage are provided and despite measuring almost 6 metres in height, the garage will not affect the character and appearance of the area.

25. Whilst concerns have been raised about the overprovision of car parking spaces, the provision of three spaces (2 within the garage 1 adjacent) is considered acceptable.

26. As this is a retrospective application, if Members are minded to refuse the application I would request authorisation to seek enforcement action to reduce the height of the garage so as to accord with the details approved in application S/1335/03/F. If the eaves and ridge height of the garage are reduced it is considered that the revised location, sited closer to No 3 Bannold Court, would be acceptable.

Recommendation

Refuse

1. The adjacent property, No 3 Bannold Court is sited to the north of the application site and has several ground floor and first floor, south facing openings sited approximately 10 metres away from the flank wall of the garage. The 5.9 metre high structure sited just 850mm away from the common boundary of the site overshadows the garden area and south facing bedroom, study and lounge windows of the adjacent property, No 3 Bannold Court. The garage also by reason of its height, bulk and proximity to the boundary appears overbearing when viewed from within the adjacent property, to the detriment of the residential amenity of No 3 Bannold Court.

Whilst this site does benefit from a previous approval for a double garage and studio, the approved structure was sited an additional metre away from the common boundary of the site and the eaves and ridge height of the structure were 600mm lower.

2. Given the increase in eaves and ridge height of the garage, the first floor studio is now a useable area where adults can move freely without restricted headroom and stand up against the cill of each roof light. Given the close proximity of the garage to the adjacent property, No 3 Bannold Court clear views are provided out of the two north facing roof lights into the first floor bedroom and study window of this adjacent property.

Whilst currently screened from view by a mature tree, if this tree were to be removed or cut back clear views would also be provided towards the first floor rear facing openings of No 1A Bannold Court out of the 2 south facing roof lights. A window-to-window distance of just 15 metres will still give rise to significant degree of overlooking.

The double garage with store above is, for the reason listed above, considered to have a detrimental impact on the residential amenities of both adjacent properties, No 1A Bannold Road and 3 Bannold Court. The details of this application are therefore considered contrary to Policy P1/3 of the

Cambridgeshire and Peterborough Structure Plan 2003 and Policy HG12 of the South Cambridgeshire Local Plan 2004.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning files Ref S/2490/04/F and S/1335/03/F

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