



Planning Committee Date	10 August 2022
Report to	South Cambridgeshire District Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	21/04742/HFUL
Site	2 Duck End, Girton
Ward / Parish	Girton
Proposal	Demolition of existing garage and store, erection of single storey side and rear extension, and rear dormer and 3 front dormers (Retrospective)
Applicant	Ms Navir
Presenting Officer	John McAteer
Reason Reported to Committee	Called-in by Cllr Bygott
Member Site Visit Date	12 November 2021
Key Issues	1. Character / Visual Amenity 2. Heritage Impacts 3. Residential Amenity
Recommendation	REFUSE

1.0 Executive Summary

- 1.1 The application seeks permission for the demolition of an existing garage and store and the erection of a single storey side and rear extension with a rear dormer and 3 front dormers (retrospective)
- 1.2 The development comprises a range of elements, which are considered in turn within this report, the majority of which are considered to be policy compliant. The key area of concern and policy conflict arise from the large dormer window that has been created on the rear of the extended property.
- 1.3 The rear dormer window, by virtue of its excessive scale and width across the extended property is considered to result in harm to the character of the area, an adverse impact on the setting and significance of the adjacent listed buildings and a loss of privacy to the rear private gardens of nos.3, 5 and 7 Duck End, contrary to Policies HQ/1 and NH/14 of the Local Plan and associated guidance.
- 1.4 Officers recommend that the Planning Committee refuse the application for the reasons set out in this report.

2.0 Site Description and Context

- 2.1 The existing property is 2 Duck End, a single storey detached property located within the development framework of Girton. To the north west of the site are nos. 3, 5 and 7 Duck End, Grade II Listed Buildings, beyond which are nos. 8 and 9 Duck End, also Grade II Listed Buildings.
- 2.2 The site is located in flood zone 1 (low risk) with some small areas to the north and east identified as being at risk from surface water.
- 2.3 Land use around the property is residential, with a small traffic island to the East, domestic residences to the North and South, and a residential gravel car park to the West.

3.0 The Proposal

- 3.1 The application seeks retrospective planning permission for the demolition of existing a garage and store, the erection of single storey side and rear extension, a rear dormer window and three front dormer windows.
- 3.2 The proposal description has been altered from the original "Roof extension over garage, with rear dormer and 3 new individual front roof dormers" since this description did not adequately describe the extent of the works.
- 3.3 The works are completed. The existing garage and store have been demolished and replaced with a new single storey side and rear extension comprising of a garage, utility room with toilet, and kitchen. A side

extension has been built as an infill providing an additional bathroom on the northern elevation of the property. The loft has been converted: three dormers and a skylight have been added to the front roof slope and a large rear dormer window with two Juliet glazed balconies and three windows with opaque glazed glass have been added to the rear roof slope.

4.0 Relevant Site History

4.1 S/0394/07/F – Extension – Approved.

5.0 Policy

5.1 National

National Planning Policy Framework (NPPF) 2021
National Planning Practice Guidance
National Design Guide 2021

5.2 South Cambridgeshire Local Plan 2018

S/1 – Vision
S/2 – Objectives of the Local Plan
S/3 – Presumption in Favour of Sustainable Development
S/7 – Development Frameworks
NH/14 – Heritage Assets
TI/3 – Parking Provision

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016

5.4 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Listed Buildings SPD – Adopted 2009

6.0 Consultations

6.1 Parish Council – Object

6.2 The construction is overbearing, and out of character with the rest of the street scene. Although heights are not shown the height of the building has been increased. By its overbearing character it harms the aspect of

the listed buildings adjacent to it and damages the nature of Duck End. The building creates an unacceptable loss of light to neighbouring properties. The building overlooks neighbouring properties to an extent which obscured glazing cannot adequately alleviate. Yet obscured glazing does not appear to have been used.

The flat roof is parapeted and GPC would request a condition that this can never be used as a used area if the application is approved.

GPC also notes that these concerns indicate a permanent harm if the building is allowed to remain, and requests enforcement officers to move to have the extension removed if the application is rejected.

6.3 Conservation Officer

6.4 The property is a modern detached bungalow situated in close proximity to Nos. 3, 5 & 7 Duck End, which are a grade II listed row of cottages dating to 1830. The property is within the setting of the listed building. There are three further listed buildings on Duck End immediately adjacent and opposite. The proposals, which are largely completed, comprise extensions over the garage and main rear roof and dormers to the front.

The existing plans do not clearly indicate the appearance of the house prior to the development and makes it difficult to assess their impact on the listed building.

The front dormers have a minimal impact on the setting of the listed building. However, the rear roof extension takes the form of a very substantial box dormer extending almost the full length of the house, rising from eaves to ridge height. The extension over the garage adds to the overall scale and impact of the extended roof.

When viewed from the public realm on Duck End, the impact of the roof extension on the setting of the listed building is considered harmful. The bulky, square profile of the extension's northern end intrudes considerably into the open space between the original roof of the house and the pitched slate roof of the listed cottage. The unsympathetic form of the extension, which is very clearly visible from the street, detracts from the traditional form and character of the cottage. An even greater impact can be experienced from the west, within the gardens of the listed buildings, where the full width and volume of the extension is seen directly next to the cottages.

Taking the above into account, I consider that the proposal would adversely affect the setting and significance of the listed building. With reference to the NPPF and the effect on the significance of the heritage asset, paragraphs 194, 195, 199, 200 and 202 apply.

7.0 Third Party Representations

7.1 17 representations have been received. Full redacted versions of these comments can be found on the Council's website. In summary the following concerns have been raised:

- Principle of development
- Character, appearance and scale
- Density and overdevelopment
- Heritage impacts
- Residential amenity impact (overlooking)
- Construction impacts
- Highway safety
- Car parking and parking stress
- Drainage

8.0 Member Representations

8.1 **Cllr Garvie** has made a representation objecting to the development

This bungalow was added to by the owner without planning permission and so was under the Enforcement team, namely Tony Wallis. Retrospective planning permission is sought and we; myself, the local residents and the Parish Council, would like the planning permission to be reviewed by the Planning Committee.

The bungalow is now a house taking up most of the site and does not relate to the buildings on either side.

The cumulative impact of all the extensions results in overdevelopment of the plot, resulting in harm to the character of the local area. The applicant has sought to limit the description of proposed works to the roof extension over the garage, the rear dormer and the 3 new individual front roof dormers. However, the reality is that several extensions are being developed and some of these do not benefit from permitted development rights and ought to be included within the planning application so that the impact of these can be properly assessed. I have attached a more thorough analysis of the problems with this development.

There is also a problem with flooding. Given that Duck End is already susceptible to flooding, the greatly increased roof area of the development coupled with a reduction of soakaway garden area at No 2 Duck End, will impact the rainwater run-off into Woody Green and in turn to Duck End. This will affect neighbouring properties and in addition will cause damage to the public highway.

I hope the Planning Committee could give their judgement on this complex case.

8.2 **Cllr Bygott** has made a representation objecting to the application.

I would like to support my ward colleague Corinne's request to call this item in to the Planning Committee.

I support the planning grounds for call-in given by Cllr Garvie. The development is of an overbearing nature, causes loss of privacy to neighbouring dwellings, adds to the flooding issues in Duck End and has a detrimental impact on the curtilage of adjacent and nearby listed properties as detailed in the Conservation Team's consultation response.

9.0 Assessment

9.1 Character / Visual Amenity

9.2 Paragraph 126 of the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Amongst other things paragraph 130 of the NPPF recognises development is sympathetic to local character and history, including the surrounding built environment.

9.3 Policy HQ/1 'Design Principles' of the Local Plan provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.

9.4 The development comprises a range of elements, which are considered in turn below.

9.5 A single storey side and rear extension has been erected in place of a single storey flat roofed attached garage on the southern boundary of the property.

9.6 The extension aligns with the principle elevation of the main dwelling and comprises a pitched roof form to match existing with a flat roof element projecting to the rear, approximately 0.3 metres higher than the original flat roof side element. The extension is approximately 17 metres in depth and contains a garage, utility room and bathroom, and a kitchen.

9.7 The side and rear extension appears as a natural continuation of the original dwelling and does not form a prominent or dominant addition within the street scene, with much of the extension located to the rear of the property and screened from public view. The side and rear extension is considered to be a proportionate addition to the original dwelling and not to result in significant harm to the visual amenity of the area.

9.8 The development has added a porch to the front of the property, subservient to the main dwelling. Being to the front of the property the porch is evident in street scene views but given its modest scale the porch

represents a subservient and proportionate addition to the property and does not cause harm to the character of the area.

- 9.9 The side and rear extension along the northern elevation of the dwelling forms a single storey infill extension with a flat roof. The extension does not project beyond the existing northern elevation of the main property or beyond the western rear elevation, appearing as a natural and subservient addition to the dwelling. As a result, there is no significant harm to the visual amenity of the area.
- 9.10 The rear extension is a single storey addition with a flat roof and would be largely screened from the wider street scene with only limited views available. Given the relative scale of the rear extension and its subservience to the existing dwelling it is considered that there is no significant harm to the character of the area arising from the rear extension.
- 9.11 The development has introduced three dormer windows to the front of the property, one of which has been placed on the side extension with pitched roof to match existing. A single rooflight has also been introduced to the front roof slope.
- 9.12 The three front dormer windows are evident within the street scene, although they are not considered to be excessive or prominent additions. It is noted that dormer windows of similar design are a feature of Duck End, including a pair of dormer windows in the front roof slope of no.6 Duck End to the north of the site, which can be viewed in conjunction with the application site. The front dormer windows are considered to be acceptable additions to the property, in keeping with character of the area.
- 9.13 These elements of the development are considered acceptable in design terms and to accord with Policy HQ/1 of the Local Plan.
- 9.14 The extended dwelling has incorporated a large dormer window to the rear of the property, spanning the width of the extended roof form along the rear of the dwelling. Elements of the dormer window are visible from the street scene, although these are restricted to limited views from the north along the public highway.
- 9.15 Regarding a potential permitted development fall back, detached properties can add roof space of up to 50 cubic metres to the original roof. The dormer window has a width of approximately 15.5 metres, a height of approximately 2.5 metres and a depth of approximately 3.5 metres, resulting in an approximate addition of 67.8 cubic metres. Officers note that the side extension with habitable roof space above would also represent additional roof space, taking the overall additions far beyond the permitted development fallback position.
- 9.16 The rear dormer window is acknowledged to be a significant expansion to the rear of the property. Although the rear dormer is only partially visible within the street scene it remains excessive in scale and, notwithstanding

the fact that a dormer window could be constructed under permitted development rights, has been exacerbated by the extension across the rear of the side extension, resulting in harm to the character of the area.

9.17 The rear dormer window is therefore contrary to Policy HQ/1 of the Local Plan.

9.18 Heritage Impact

9.19 The development is within the setting of nos. 3, 5 and 7 Duck End, which are all Grade II Listed Buildings.

9.20 Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay “special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest which it possesses”.

9.21 Paragraph 199 of the NPPF sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.

9.22 Paragraph 200 of the NPPF sets out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II listed buildings should be exceptional.

9.23 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use

9.24 Policy NH/14 of the Local Plan requires development affecting heritage assets to sustain or enhance the character and distinctiveness of those assets. Policy HQ/1(b) of the Local Plan details that proposals must conserve or enhance important natural and historic assets and their setting.

9.25 As set out above the development comprises several additions to the property.

9.26 Given their scale and siting, the side and rear extension to the south of the property, the front porch, the single storey infill extension to the north and single storey rear extension to the west are considered to preserve the setting of the nearby listed buildings.

9.27 The three dormer windows to the front of the property, which would have a limited presence in areas where the development would be viewed in

conjunction with the listed buildings, are also considered to preserve the setting of the listed buildings, noting the presence of similar dormer windows in the wider area.

- 9.28 The key consideration and aspect of development that has the greatest potential to impact the setting of the nearby listed buildings is the rear dormer window, given its location, scale and proximity to the listed buildings.
- 9.29 The application has been subject to formal consultation with the Council's Conservation Officer. Although no notable concerns have been raised to most of the development, objection has been raised to the rear dormer window.
- 9.30 The Conservation Officer has commented that the rear roof extension takes the form of a very substantial box dormer extending almost the full length of the house, rising from eaves to ridge height, with the extension over the garage adding to the overall scale and impact of the extended roof. When viewed from the public realm on Duck End, the impact of the roof extension on the setting of the listed building is considered harmful.
- 9.31 The Conservation Officer sets out that the bulky, square profile of the extension's northern end intrudes considerably into the open space between the original roof of the house and the pitched slate roof of the listed cottage. The unsympathetic form of the extension, which is very clearly visible from the street, detracts from the traditional form and character of the cottage. An even greater impact can be experienced from the west, within the gardens of the listed buildings, where the full width and volume of the extension is seen directly next to the cottages.
- 9.32 Taking the above into account, the Conservation Officer considers that the proposal would adversely affect the setting and significance of the listed building, referencing paragraphs 199, 200 and 202 of the NPPF; less than substantial harm.
- 9.33 Officers agree with the concerns of the Council's Conservation Officer. The rear dormer window is excessive in scale and presents a bulky addition to the rear of the property which has an adverse impact on the setting and significance of the adjacent listed buildings. Officers consider that the development results in less than substantial harm to the adjacent heritage assets.
- 9.34 As required by paragraph 202 of the NPPF the less than substantial harm should be weighed against the public benefits of the development. In this instance very limited public benefits are identified, being the extension of an existing residential property, and are not considered to outweigh the identified harm.
- 9.35 The development is therefore contrary to Policies HQ/1(b) and NH/14 of the Local Plan, NPPF guidance and Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990.

9.36 Residential Amenity

- 9.37 Paragraph 130 of the NPPF requires new development to create a high standard of amenity for existing users.
- 9.38 Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.
- 9.39 The District Design Guide 2010 advises that to prevent the overlooking of habitable rooms to the rear of residential properties and rear private gardens, it is preferable that a minimum distance of 15m is provided between the windows and the property boundary. For two storey residential properties, a minimum distance of 25m should be provided between rear or side building faces containing habitable rooms, which should be increased to 30m for 3 storey residential properties. It advises that a 12 metre separation is allowed where blank walls are proposed opposite the windows to habitable rooms.
- 9.40 The properties with the greatest potential for impact arising from the development are nos. 3, 5 and 7 Duck End to the north west of the property as well as Town End to the south west.
- 9.41 Given their scale and siting, the side and rear extension to the south of the property, the front porch, the single storey infill extension to the north and single storey rear extension to the west are not considered to result in significant harm to the amenities of neighbouring properties.
- 9.42 Officers acknowledge that the single storey rear extension has a flat roof with a parapet while the dormer window has a Juliet balcony. In the interest of preserving the amenity of adjacent neighbours, a condition preventing this area from being used as a balcony would be appropriate as part of any consent.
- 9.43 The three dormer windows to the front of the property, which are relatively modest in scale, would overlook the public highway and traffic island and would therefore not result in significant harm to the amenities of nearby properties.
- 9.44 The key aspect of the development in the consideration of impact on neighbour amenity is again the rear dormer window, noting that the distance between the dormer window and rear boundary of the site is approximately 9.5 metres
- 9.45 The rear dormer of the development overlooks the front garden and driveway of Town End. However, it is considered that the relative harm of this overlooking would be small as it would not intrude on key amenity

spaces. The front of Town End is not an area of primary amenity and, as observed on officer site visits to the location, the area was covered in gravel and primarily used for parking.

- 9.46 The rear dormer has also created overlooking impacts upon the gardens of nos.3, 5 and 7 Duck end, which are areas of primary amenity. In addition, the distance between the rear dormer windows and the property boundary is only 9.5 metres as opposed to the recommendations in the District Design Guide.
- 9.47 The rear gardens of 3, 5 and 7 Duck End are small, enclosed areas, exacerbating the impact of the rear dormer window at no.2 Duck End. The rear dormer overlooks all rear garden areas, resulting in significant and adverse overlooking impacts and unacceptable harm to local amenity. Although the presence of outbuildings mitigates the impact in part, the impact remains harmful with openings on the dormer window serving habitable rooms.
- 9.48 The development is therefore contrary to Policy HQ/1(n) of the Local Plan.

9.49 Cycle and Car Parking Provision

- 9.50 Policies HQ/1 and TI/3 set out that car and cycle parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Cycle parking should be provided to at least the minimum standards.
- 9.51 Policy TI/3 of the Local Plan requires 2 car parking spaces per dwelling – 1 space to be allocated within the curtilage. The supporting text to the policy advises that the Council will encourage innovative solutions such as shared parking areas, for example where there are a mix of day and night uses, car clubs and provision of electric charging points and that a developer must provide clear justification for the level and type of parking proposed and will need to demonstrate they have addressed highway safety issues.
- 9.52 Whilst a garage has been demolished as part of the proposal, a replacement has been created in a similar location. This, in addition to space to the front of the property on a private driveway, confirms that car parking within the site is sufficient in this instance.
- 9.53 Although details of cycle parking have not been provided, which are not considered strictly necessary given the nature of the development, sufficient space would be available to make adequate provision within the curtilage of the property.
- 9.54 The development would accord with Policies HQ/1 and TI/3 of the Local Plan in terms of parking provision.

9.55 **Other Matters**

Third Party Comments

- 9.56 The comments made in third-party representations are noted, with many points already considered in the report. The remaining matters raised are considered below.
- 9.57 Concern has been raised about the construction impacts of the development, which is now complete. The development is of a scale that would not typically attract a construction plan or traffic management plan condition and given that works are now complete it is not within the gift of this application to impose such restrictions.
- 9.58 Concern has been expressed around highway safety. The development does not alter existing access arrangements or result in insufficient parking arrangements within the site, as noted above, and is not considered to result in harm to highway safety.
- 9.59 In terms of drainage concerns, the site is located in flood zone 1 (low risk) while some areas to the east and north of the dwelling are identified as being at risk from surface water drainage. Given the nature of the development the works are not considered to result in harm or risk in terms of flooding or drainage and to accord with relevant planning policy.

9.60 **Planning Balance**

- 9.61 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 9.62 The development comprises a range of elements, which have been considered in turn within this report.
- 9.63 The single storey side and rear extension, the front porch, the single storey infill extension, single storey rear extension, front dormer widow and rooflight have been considered acceptable and to accord with relevant planning policy.
- 9.64 The rear dormer window, by virtue of its excessive scale and width across the extended property is considered to result in harm to the character of the area, an adverse impact on the setting and significance of the adjacent listed buildings and a loss of privacy to the rear private gardens of nos.3, 5 and 7 Duck End, contrary to Policies HQ/1 and NH/14 of the Local Plan and associated guidance.
- 9.65 In heritage terms the less than substantial harm is not considered to be outweighed by the public benefits of the proposal.

9.66 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for refusal.

9.67 **Recommendation**

9.68 **Refuse** for the following reasons:

1. The rear dormer window, by virtue of its excessive scale and bulk across an extended roofspace constitutes poor design which is visually discordant and out of keeping with the character and appearance of the area. The development is therefore contrary to Policy HQ/1 of the South Cambridgeshire Local Plan 2018 and paragraphs 126 and 130 of the National Planning Policy Framework 2021.
2. The rear dormer window, by virtue of its excessive scale, bulk and design across an extended roofspace detracts from the traditional form and character of the adjacent listed buildings intruding into the open space between the properties, adversely affecting the setting and significance of the listed buildings at nos.3, 5 and 7 Duck End.

The rear dormer window results in less than substantial harm upon the setting and significance of the adjacent listed buildings with very limited public benefits through the extension of an existing residential property, that would not outweigh the identified harm.

The development is therefore contrary to Policies HQ/1(b) and NH/14 of the South Cambridgeshire Local Plan 2018, paragraph 202 of the National Planning Policy Framework 2021 and Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990.

3. The rear dormer window, by virtue of its scale and proximity to neighbouring residential boundaries, would result in an unacceptable loss of privacy to the private garden areas of nos. 3, 5 and 7 Duck End and harm to the amenities of these properties. The development is therefore contrary to Policy HQ/1(n) of the South Cambridgeshire Local Plan 2018 and paragraph 130 of the National Planning Policy Framework 2021.

Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Supplementary Planning Documents (SPDs)
- Planning File References: 21/04742/HFUL and S/0394/07/F