

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Development and Conservation  
Control Committee

7<sup>th</sup> July 2004

**AUTHOR/S:** Director of Development Services

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**S/0574/04/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: Approval**

Members of Committee will visit the site on Monday 5<sup>th</sup> July 2004.

### **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 19<sup>th</sup> March 2004 and amended on 20<sup>th</sup> May 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 stained boarding 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. This would comprise a triple garage on the ground floor with annexe above and would be constructed in flint and brickwork. The density equates to 1.7 dwellings per hectare.
4. A covering letter submitted with the application states that the massing of the house has been broken down into three separate elements thereby reducing the overall scale of the proposals on the streetscape. The ridge line of the roof has been designed to follow the profile of the land, stepping down from the raised boundary to the south and falling away with the slope to the lower ground to the north. The garaging is provided on the boundary with cars being obscured from view to minimise the impact on the street scene. This follows the form of buildings on the other side of the road which also run along the highway boundary line.

#### **Planning History**

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 for the following reason:
8. “The site is an open and prominent site within the Heydon Conservation Area, with ground levels raised above the road and above the property to the north. The proposed development of this pair of link detached houses, by reason of the height, scale and mass of building, would appear overbearing to occupiers of 45 Fowlmere Road and dominant in the street scene. Furthermore the identical but handed design of the design of the houses represents a formal and urban form of development out of keeping with the informal arrangement and varied style of housing development within the village and rural character of the area”
9. The application was subsequently dismissed at appeal.

### **Planning Policy**

18. 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.
11. **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;
12. **Policy P1/3** of the County Structure Plan requires a high standard of design that responds to the local character of the built environment;
13. **Policy EN30** of the Local Plan requires development in a Conservation Area to either preserve or enhance the character of the area.
14. **Policy EN28** of the Local Plan states that applications which would damage the setting of Listed Buildings will be resisted.
15. 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**

17. **Heydon Parish Council** objects to the application, as amended, stating:
18. “The Parish Council notes that this amendment does not take into account its reasons for recommending refusal of the original application and therefore its objections still stand. These are namely:

### **The Siting of the Triple Garage**

19. The letter from Cowper Griffith states “The location of the annexe and garage along the boundary line was thought to be an appropriate response to the further closure of this street and was a clear response to the buildings on the other side of the road, which also run along the highway boundary line.”
20. It feels the comparison is not relevant since the buildings on the other side of the road are converted ancient barns. Indeed, it maintains the fact that the buildings on the other side of the road are so close to the highway boundary line is good reason for **not** locating the garage in this position. Given the present open aspect, the Council still believes a building here would be visually oppressive, taking up a substantial part of the frontage, and would be better placed at the rear of the house.
21. As previously pointed out, three applications for garages in front of houses have been turned down by the District Council in the last few years, and the Parish Council hopes this principle will be upheld in this case.
22. Another important point is that the two storey building is equivalent to the size of a small house, and we would be surprised if planning permission were granted if it was indeed a house, given its position in relation to the road.

### **Garage/Living Accommodation**

23. The Parish Council still believes living accommodation above the garage amounts to a second dwelling on this site and that sufficient accommodation is provided within the house.”
24. **The Conservation Manager** supports, in principle, the amended application. It is noted that the site is an important open site within the village and that the character of the village is established by the organic growth of the settlement with consequent diversity of building forms and styles. The immediate context is characterised by the tight enclosure of the street by extensive flint walls fronting onto the street. Due to the fact that the site is raised some 1.5m above the level of the road, a high quality architectural solution is required. This should develop the following character themes of the village:
  - Informal, rural character of streetscene;
  - Cluster effect of diverse building types;
  - Simple building forms;
  - Relatively tight enclosure of the streetscene.
25. The Conservation Manager notes that the application, in setting the new dwelling further back into the site than the original, creates a very open frontage with the streetscape dominated by the garage block and boundary wall. It will be essential to detail the design and material quality of the street-frontage elements to ensure it closely reflects the form of the adjacent flint walls. The design of the house presents a broken elevation with the focus on two principal blocks, one gable and one flank elevation. This will combine with the frontage garage block and boundary walls to further emphasise the cohesive collection of buildings on the site. The materials for the main house and surface material of the access and driveway will need careful detailing. In particular, block paving should be completely avoided.

26. **The Chief Environmental Health Officer** expresses concern about potential noise disturbance to neighbours during the period of demonstration and construction. He recommends that conditions be applied to any consent to restrict the hours of use of power operated machinery and requiring details of the method for construction of any driven pile foundations.

### **Representations**

27. Letters of objection have been received from three local residents (Four Winds, No.45 Fowlmere Road and Heydonbury Farmhouse) in respect of both the original and amended plans. The main points raised are:
- The proposal appears to create a second, separate and independent dwelling on the site;
  - No building should be constructed anywhere between the front of the proposed house and the road. Existing frontage structure are all older buildings;
  - The appearance and character of the Conservation Area would be immeasurably damaged by the erection of the proposed garage/annexe;
  - In two fairly recent cases, proposals for the erection of garages near/adjacent to the highway boundary were rejected for being too dominant in the street scene;
  - The proposed dwelling would be very dominant especially as the site is elevated above neighbouring properties;
  - The modern style of development is out of keeping with other properties;
  - 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.

### **Planning Comments – Key Issues**

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.
28. 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.
29. 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.

30. 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.
31. 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.
32. The scheme that was previously refused, and subsequently dismissed at appeal, sought to erect a pair of identical, but handed, link-detached dwellings on the site. These dwellings spanned virtually the entire width of the plot, leaving just a 1.5 metre gap to the northern boundary and a 1.9 metre gap to the southern boundary. In her consideration of this scheme, the Inspector commented as follows:
33. “The uniformity and symmetry of the paired houses is inappropriate in this setting, where variety predominates. They would virtually span the whole width of the site, leaving little undeveloped space at either side to provide a landscaped setting for the buildings. The proximity of the northernmost dwelling to the boundary and its height relative to that building would render it unduly dominant in the street scene. It would therefore compromise the setting of the adjoining Listed Building.”
34. I consider that the current proposal, as amended, has sought to overcome the problems with the scheme that was dismissed at appeal. Firstly, the dwelling has been designed so that it presents a broken elevation and reads as a collection of buildings with the focus on two principal blocks. It reflects the informal and agricultural character of the surrounding area and, whilst modern in design, incorporates traditional materials and elements. It has also been pulled around 3 metres further away from the northern boundary than the previously refused scheme, thereby creating a gap of some 7 metres between the property and the adjacent annexe, protecting the setting of the adjacent Listed Building and providing ample room for some landscaping to help soften the development. Rather than detracting from the character of the area, it would make a positive contribution to the wide diversity of dwellings that characterises this part of the village. As advised by the Conservation Manager, the development, subject to careful consideration of the materials and detailing, is considered to enhance the character of the area.
35. Much concern has 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. 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. The proposed outbuilding is seen to be very much in keeping with the character of the area. The upper floor of the garage is intended to be used as an annexe/ancillary accommodation to the main dwelling and the applicants have agreed to enter into a Section 106 Agreement to ensure that this remains so. The use of the building as a separate dwelling would require a separate planning application that would need to be determined on its own merits.
36. I have not been able to trace any applications in the vicinity of the site for garages at the front of dwellings. However, application ref: S/1274/02/F on this site did propose 2 houses each with a double garage sited near to the frontage. I would argue that, in contrast to the current application, these were modern, pyramid roof style structures that bore no relation to the character of existing frontage development in the vicinity of the site.

37. With regards to the impact of the development upon residential amenity, I am concerned that the first floor feature bedroom window in the northern elevation of the dwelling would overlook No.45 Fowlmere Road and its garden area. I am awaiting the submission of amended plans to show a high level element to the part of this window that is situated within the northern elevation.
38. 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 in this elevation without planning permission.
39. Within the scheme that was dismissed at appeal, 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 raise any objections on this basis. I am also satisfied, in light of the high leylandii that form the southern boundary of the site, that the amenities of the adjoining property to the south would not be unduly compromised by the development.

### **Recommendations**

40. Subject to the receipt of amended plans showing the replacement of the first floor bedroom window in the northern elevation with a high level window and to the signing of a Section 106 Agreement to control the occupation of the annexe, approval of the application, as amended, 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) 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 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).

### **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/0574/04/F, S/2107/02/F and S/1274/02/F.

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