

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

1st December 2004

AUTHOR/S: Director of Development Services

**S/2091/04/F - Guilden Morden
Double Garage with Studio above at 38/40 Dubbs Knoll Road for A E Keeling**

Recommendation: Approval

Conservation Area

Site and Proposal

1. The site lies within the village framework. Nos. 38 and 40 are two terrace cottage style properties at the end of a row of four that have been converted to a single dwelling.
2. Immediately south of the site lies a public footpath and beyond that No. 36 Dubbs Knoll Road, a modern detached house. To the north, the attached terrace property, No. 42.
3. The full planning application, received on 13th October 2004 proposes the erection of a 5.65m high double garage with studio above with a footprint of approximately 40m² at the end of the rear garden abutting a Protected Village Amenity Area.
4. The existing access is to be used which passes underneath a car port attached to the side of the property and will pass very close to a mature apple tree.

Planning History

5. In August 2004 planning permission was refused for a double garage with studio above that was 6m high and with a similar footprint to the current proposal on the grounds that the height and scale of the building would not preserve nor enhance the Conservation Area and that the building would be overbearing from the rear garden of No. 42 Dubbs Knoll Road.

Planning Policy

6. **Policy HG12 – Extension and alteration to dwellings within frameworks** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) states:

Planning permission for the extension and alteration of dwellings will not be permitted where:

- (1) The design and use of materials would not be in keeping with local characteristics;
- (2) The proposal would harm seriously the amenities of neighbours through undue loss of light or privacy, being unduly overbearing in terms of its mass,

or would adversely affect surrounding properties by virtue of its design, layout, location or materials;

- (3) There would be an unacceptable loss of off-street parking or garden space within the curtilage;
- (4) There would be an unacceptable visual impact upon the street scene;
- (5) Boundary treatment would provide an unacceptable standard of privacy and visual amenity.

7. **Policy EN30** of the Local Plan – Development in Conservation Areas states (in part) that proposals will be expected to preserve or enhance the special character and appearance of Conservation Areas especially in terms of their scale, massing, roof materials and wall materials

Cambridgeshire and Peterborough Structure Plan 2003 Policy P7/6 – Historic Built Environment

8. Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

Consultation

Guilden Morden Parish Council recommends refusal. It states:

9. “The proposed garage and “studio” WILL impact significantly upon the adjacent property if built on the boundary line between 40 and 42. The pc would consider more positively an application that rotated the property through 90 degrees and the garage built on the North and East boundaries with doors facing the road and turning area to the west of the plot.”

Conservation Manager

10. **“Observations:**

This is a revised application following refusal of a previous proposal. I was party to a detailed discussion with the applicant following the previous refusal in order to consider changes that might overcome my concerns. This has resulted in the revised proposals contained in the current application.

The size and massing of the new building has been reduced, though it still remains quite a large structure for a relatively small site. The brick type and roof tile now proposed are much more appropriate for use in the Conservation Area and the rooflights are a ‘conservation’ type, again more suitable than the Velux windows previously proposed.

From my discussions with the applicant, I was under the impression that he had agreed to include the removal of the existing carport as part of the proposals. This would give a significant benefit to the streetscape and help off-set the impact of the new garage.

Recommendations:

No objection to the revised proposals but I would wish to see the existing carport removed (and not replaced) prior to occupation of the new garage.”

Representations

11. One letter of objection has been received from the occupiers of the adjacent property, No. 42 Dubbs Knoll Road.
The main points of objection are:
12. The only notable changes from the previous scheme are the change in materials and a drop in the ridge height of 350mm. Therefore we feel the reasons for refusal and previous comments still apply:
13. “The proposal, by reason of its height and scale, is out of proportion with the size of garden and modest nature of the existing terrace of properties. It will neither preserve nor enhance the character and appearance of Guilden Morden Conservation Area. In addition it will be overbearing when viewed from the rear garden of the neighbouring property”
14. “Contrary to Policies HG12 and EN30”
15. “The scale of the proposed development appears, to me, out of proportion with the size of the garden and the modest nature of the existing terrace. It is, therefore, in conflict with Policy EN30 that requires developments in Conservation Areas to preserve or enhance the special character of Conservation Areas especially in terms of their scale, massing roof materials and wall materials. For this reason I would wish to see the proposals modified and reduced in scale”
16. “...No. 44 already has a garage of similar proportions to that proposed for this site and, if this is a precedent that we must accept then I would wish to see modifications to the materials.”
17. “I do not consider that the harm caused by the proposal is outweighed by the precedent argument”
18. “The proportion of the proposal with the size of the garden is felt to have a negative impact on the Conservation Area.”
19. Furthermore Local Plan Policy EN32 states:

“In the case of buildings which make little or no contribution to the character or appearance of their Conservation Area, demolition will not be permitted unless redevelopment of the site... would make a positive contribution to the character or appearance of the conservation area concerned.”
20. The height and scale proposed will not make a positive contribution.
21. Size and scale and massing along the boundary will be overbearing and will block light from our property.

Planning Comments – Key Issues

22. The key issues are the impact of the proposal on the character and appearance of the Guilden Morden Conservation Area and the amenities of the occupiers of adjacent properties.

General

23. The modifications from the previous refused application are relatively minor. Materials and fenestration details have been revised and the height reduced. At first sight it would appear that nothing significant has changed and the previous reasons for

refusal should stand. However it is my opinion that the changes tip the balance in making the development acceptable. It was not possible to negotiate these matters on the previous application within the prescribed time allowed to determine it, which led to the refusal.

Conservation Area

24. I note the comments of the Conservation Manager with regard to the impact of the proposal on the character and appearance of the Conservation Area.
25. In my opinion whilst it would be desirable for the car port to be removed I do not believe this should be required by condition as it does not relate specifically to the development.

Precedent

26. Precedent in this case is not a significant determining factor – each application should be determined on its merits. It is my view that the presence of a building of similar scale and height positioned at the rear of No. 44 Dubbs Knoll Road does not justify this proposal per se. However this proposal has to be considered within the context of the character and appearance of the area.

Amenity

27. The proposed building has been reduced in height which also reduces the mass of the roof and the bulk of the building in general. The building will sit well below the level of the rear of the garden to No. 42 which has been raised up approximately 1m whilst the ground level of the application site is approximately 0.5m lower again. I consider that at the bottom of the garden this proposal is unlikely to have a significant impact on the living conditions of the occupiers of No. 42 when viewed either from within their property or from the garden.
28. The suggestion of the Parish Council to relocate and reposition the building may possibly have some merit but this alternative does not make this proposal unacceptable.

Apple Tree

29. This tree will almost certainly die as a result of the development despite the intention of the applicants to retain it. The access details have been revised from the previous application to try to accommodate the tree. In my view the comments of the Trees and Landscape officer in relation to the previous application still apply:

“The access will require the felling of the apple tree. The tree is mature and well established but does not make any particular impact to the street scene or the character of the Conservation Area.”

Parking and turning

30. There is not enough space within the site to practically allow for turning and vehicles may have to reverse down the drive and onto the highway. Since vehicles are reversing onto Dubbs Knoll Road at present I do not consider that turning can be required.

Recommendation

1. Approval
 1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5a(ii));

3. Sc5e - Levels
4. Sc60 – Details of boundary treatment (Rc60);
5. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To respect the character and appearance of the Conservation Area);
6. Sc22 – No windows at first floor level in the north and west elevations of the development (Rc22);
7. No development shall commence until details of the design and materials to be used for the external doors and windows have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - To ensure that visually the development accords with neighbouring buildings and respects the character and appearance of the Guilden Morden Conservation Area).

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P7/6** (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004: HG12** (Extension and alteration to dwellings within frameworks),
 - **EN30** (Development in Conservation Areas)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon the character and appearance of the Conservation Area

Background Papers: the following background papers were used in the preparation of this report: Planning Files reference S/1222/04/F and S/2091/04/F, South Cambridgeshire Local Plan 2004, Cambridgeshire and Peterborough Structure Plan 2003

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