

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

2 July 2014

**AUTHOR/S:** Planning and New Communities Director

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**Application Number:** S/0698/14/FL

**Parish:** Barrington

**Proposal:** Extension to garden room and extension, and alteration to utility/store room

**Site address:** 36a High Street

**Applicant(s):** Mr Christopher Taylor

**Recommendation:** Approval

**Key material considerations:** Conservation Area Impact and Residential Amenity

**Committee Site Visit:** None

**Departure Application:** No

**Presenting Officer:** Andrew Winter

**Application brought to Committee because:** This Application has been reported to the Planning Committee for determination on the request of District Councillor Aidan Van de Weyer.

**Date by which decision due:** 21 May 2014

### Planning History

1. **S/0699/14/NM** – A non-material amendment has been submitted for an increase in the footpath width from 1.2m to 1.5; an escape window at first floor level in the east elevation; and a reduction in the length of the dwelling and alterations. A decision is pending on this application.
2. **S/1896/12/FL** – A revised scheme to S/1609/10 proposed a first floor addition above the flat-roofed ground floor study/bedroom 2 and an enlarged and altered utility/workshop room. This was refused at planning committee (January 2013) and later dismissed at planning appeal (ref **APP/W0530/A/13/2194340**) due to the design, bulk and massing of the development not being of high quality design and thereby causing harm to the character and appearance of the conservation area, contrary to Policies DP/2 and CH/5.

3. **S/1609/10** - A new ecological dwelling was approved subject to conditions at planning committee in December 2010.
4. **S/1455/09/F** – Planning permission was refused for the erection of an ecological dwelling, carport and store with new access at land to the north of 36 High Street, Barrington, on the grounds of its harmful impact on the character and setting of the Listed Building (The Old Guildhall), the conservation area and the special character of the PVAA; and because it failed to make sufficient provision for the additional burden the development would place on open space within the village.
5. An appeal against the refusal of S/1455/09/F was dismissed by a planning inspector in April 2010 (**APP/W/0530/A/10/2119529**), although the grounds on which he dismissed the appeal were more limited than those given by the Local Planning Authority in its original reasons for refusal.
6. **S/0613/09/F** – Planning permission was refused for largely the same development as proposed in the S/1455/09 application on the same grounds as above and in addition because it was considered that the application failed to adequately consider the impact of the development upon the biodiversity value of the site.

### **Planning Policies**

7. *National Planning Policy Framework*

Paragraph 14 and Chapter 12 (Conserving and enhancing the historic environment)

8. *Local Development Framework*

DP/1 Sustainable Development  
 DP/2 Design of New Development  
 DP/3 Development Criteria  
 DP/7 Development Frameworks  
 CH/4 Development Within the Curtilage or Setting of a Listed Building  
 CH/5 Conservation Areas  
 CH/6 Protected village Amenity Areas  
 District Design Guide SPD – adopted March 2010  
 Development Affecting Conservation Areas SPD – adopted January 2009

9. *Draft Local Plan*

HQ/1 Design Principles  
 NH/11 Protected Village Amenity Areas  
 NH/14 Heritage Assets  
 S/7 Development Frameworks

### **Consultations**

10. Parish Council – recommends refusal:

“1. This is a retrospective planning application and Council does not believe that the planning process should be misused in this way.

2. The width has been increased by 1.9m against plan of 1.8. When Mr Taylor had applied previously to amend plan (which had been passed on appeal), this

subsequent amendment had been dismissed on appeal 'due to the design, bulk and massing would not be of a high quality design and thereby would cause harm to the conservation area'. Therefore would fail to accord with the aims of the Framework and LDF Policies DP/2 and CH/5.

4. The Council cannot agree with the argument under 'design principles' that this latter increase in habitable space is considerably less than the size approved for the basement which was not constructed. Obviously the footprint would not have been increased if the basement had been constructed.

The Council feel strongly that the Authority should not condone such a flagrant abuse of the planning system and should take whatever measures it can under enforcement."

### **Representations**

11. Cllr Van de Weyer "I believe that the increased size of this building may cause harm to the conservation area and to the PVAA. Design considerations were very important when the previous plans were judged acceptable by the appeal inspector. This proposal is a significant departure from the previous design, so the appeal inspector's views no longer apply."
12. Owner/Occupier of 34 High Street - objects to the development on the following grounds:
  - The extended utility/store room was previously rejected and dismissed at appeal
  - The extension of the utility/store room should be justified on the basis of losing habitable space due to the unbuilt basement space under the dwelling
  - Light pollution and visual prominence of the proposed garden room
  - Increase in habitable area of the building

### **Planning Comments**

13. Firstly, it should be noted that the utility/store room has already been enlarged without planning permission .A breach of planning control has therefore occurred, which the applicant is seeking regularise in the submission of this planning application. A planning breach in itself is not illegal and does not automatically rule out the granting of planning permission through the retrospective submission of a planning application. The decisive issue, however, is whether the breach would unacceptably affect public amenity or the existing use of land and buildings meriting protection in the public interest.
14. The Parish Council and neighbour have made reference in their comments to the appeal decision made on planning application S/1896/12/FL for a revised design to the dwelling. This appeal decision is included in Appendix 1 for ease of reference.
15. The main issue in this instance is whether the development would preserve or enhance the character of the conservation area and unduly impact on the amenity of neighbouring residential properties.

### **Conservation Area Impact**

16. The house stands some distance behind No.36 so that views of it from the Green are screened by existing planting. This distance, together with the screening, is considered sufficient to avoid any significant effect to the setting of No.36. For similar

reasons, the development itself would not be visible to any substantial degree from any public parts of the protected village amenity area (PVAA) or the conservation area.

17. The key features of the main dwelling are its gable ended form and simple design. The flat-roofed, single storey element to its east side was previously approved with a glazed canopy link to the utility/store room. This link continues in the new scheme but with the addition of a glazed lantern and glazed east-facing elevation. This addition would not undermine the key features of the dwelling and would appear subservient in scale and height to the main gable form of the building. For this reason, the garden room extension would not cause unacceptable harm to the character of the building nor the character or appearance of the conservation area.
18. The altered and enlarged garden room was considered in the appeal decision for application S/1896/12/FL where the inspector opined that the original flat roof structure was simple and elegant. The concern in the appeal (see paragraph 10) was that the altered and enlarged structure would be detached from the main house and its height would conflict with the eaves height of both the proposed first floor addition and the mono-pitched glass canopy over the kitchen door. It was thus the cumulative impact of these alterations and additions that was considered to cause adverse harm to the architectural quality of the building.
19. Neither the first floor addition nor the glass roof canopy are proposed in this new application. The scheme instead seeks an enclosed living area under the glass canopy whilst continuing to provide a coherent architectural connection between the flat roofed elements to the east side of the dwelling. The utility/store is two metres deeper than the original structure but this increase would still appear subservient and proportionate to the main dwelling. The only criticism would be of its vented roof element which interrupts its simple roof form but does try to mimic the roof design and appear diminutive. It is understood that this has been constructed over the air source heat pump to provide enhanced air circulation.
20. Therefore, on balance, the development is not considered to significantly detract from the key features of the building and its architectural quality. For this reason, the development is found to preserve the character and appearance of the conservation area in accordance with Policies DP/2 and CH/5.

### **Residential Amenity**

21. Light pollution to the surrounding neighbours is not considered to be a significant issue in this instance, as the proposal is not of an industrial level or similar to cause adverse harm to residential amenity. No other impacts have been identified and the impact on existing residential properties is therefore acceptable.

### **Recommendation**

22. Approval, subject to the following conditions:
  1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan (Scale 1:2500) and 12/1300:100A. (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
  2. Details of the materials to be used in the external construction of the extension, hereby permitted, shall follow the specifications as stated on the planning application form or shall be approved in writing by the Local Planning Authority prior to any

development commencing. The development shall be carried out in accordance with any approved details.

(Reason- To ensure the development is in keeping with the character and appearance of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

### **Background Papers**

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

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 Development Framework Core Strategy (adopted January 2007)
- Planning File Ref S/1896/12/FL

**Report Author:** Andrew Winter – Senior Planning Officer  
Telephone: (01954) 713082