

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

13th May 2005

AUTHOR/S: Director of Development Services

**S/0588/05/F - Great Chishill
Conservatory (Amended Design) and Three Metre High Fence, 6 New Road for Mr Lane**

**Recommendation: Refusal
Date for Determination: 24th May 2005**

**Abuts Conservation Area
Site and Proposal**

1. Number 6 New Road is a large, detached bungalow, which falls within the Great Chishill village framework and abuts the northern boundary of the Conservation Area. As New Road enters the built up part of the village the properties enjoy increasingly elevated curtilages, with number 6 sitting above its northern, single-storey neighbours.
2. From the adjacent highway the property has a wider road frontage than the neighbouring properties, the spaciousness of the curtilage is further reflected by a large, linear, rear, garden extending to the northeast. On the northwest elevation of the property there is an elevated terraced platform that wraps around the rear corner of the dwelling. The shared boundary between numbers 6 and 8 New Road (the northern neighbour) is defined by a tall undulating, close boarded fence that sits atop a dwarf wall.
3. A full application was received on the 29th March 2005 and proposes an amended design of an already approved conservatory, though with the reduction of obscure glazed windowpanes that were part of a condition placed on the approved application. In addition to the reduction of the obscure glazing a three-metre high, thirteen-metre long boundary fence is also proposed.

Planning History

4. **S/0671/04/F** – Planning consent was granted for a conservatory on the northwest elevation of number 6 New Road with a condition that the north west elevation of the conservatory, including angled elements, were to be fitted and permanently maintained with obscured glass.
5. During the determination of this application it was taken to a Chairman's Delegation Meeting on the 13th May 2004 with an officer recommendation for refusal. The recommendation for refusal was based on the loss of amenity that would have occurred through overlooking of the garden area of number 8 New Road. Aside from the view of planning officers the neighbours also objected, stating that there was no objection to the principle of the conservatory though the floor level should be lowered and obscure glazing used to reduce overlooking.

In order to address planning officers' concerns the application was amended to obscure glaze the northeastern windowpanes. As a result of this amendment the application was approved.

6. **S/2270/04/F** – Planning consent was refused for an amended design of the approved conservatory, with the aforementioned obscure glazing being omitted from the lower windowpanes of the northwest elevation of conservatory.

Planning Policy

7. Policy **HG12** of the **South Cambridgeshire Local Plan 2004** seeks to resist extensions to dwellings within village frameworks that would seriously harm the amenities of neighbouring properties or have an unacceptable visual impact upon the street scene.

Consultation

8. **Great Chishill Parish Council** – Has recommended that the application be approved.
9. **Conservation Area and Design Officer** – Has no objection to the changes to the conservatory, though believes that the increase in the height of the fence might have an impact on the Conservation Area. A stepped trellis has been suggested to hide the length of raised fence.

Representations

10. One letter of objection has been received from the owner of number 8 New Road, who believes that his previous comments in respect of the two previous applications remain relevant. The objector assumes that the proposed fence is to be sited adjacent to the existing one, which was erected by him to protect his privacy.
11. With regards to this latest proposal there is concern that inevitably there will be a loss of light to a substantial part of the rear garden, and to the window on the northeast elevation of number 8. In short the objector considers that any significant increase in the height of the boundary an unnecessary loss of amenity.

Planning Comments – Key Issues

Loss of Amenity

12. As previously mentioned number 6 New Road occupies a higher plot of land than number 8, and has an existing terraced platform that presently overlooks the neighbours' rear garden. The approved conservatory is to be built largely on the footprint of this platform, though it will extend by approximately two metres nearer to the shared boundary. The principle of the conservatory has already been accepted and approved, though the development has only ever been deemed acceptable as a result of the obscure glazing.
13. The proposed fence is to run adjacent to the rear section of the shared boundary for a length of approximately thirteen metres. Although it would address the overlooking issue, resulting from a reduction in the obscure glazing of the conservatory, it would also result in a loss of neighbour amenity. The existing fence reaches a height of two and a half metres along part of the section of the proposed fence, with its height reducing by a further half a metre to the rear of the site. Based on conversations with the neighbour it appears that this fence is on their land and was erected some years ago by them. It appears that the proposed fence would be erected parallel to the existing one, the height of which it would exceed by between 500mm and one metre.

The higher plot of land on which the fence would be located would exacerbate the impact of the development and means that the difference in heights might exceed the two aforementioned figures.

14. The orientation of the fence, and its proximity to the neighbouring boundary, means that a loss of neighbour amenity would occur by virtue of it being unduly overbearing and resulting in a loss of light to the rear garden of number 8 New Road.
15. Planning officers have consistently maintained that the approved conservatory would only ever be considered acceptable with the obscure glazed windowpanes. Although not as aesthetically pleasing as clear glass the already approved scheme would appear to be the most acceptable way that the conservatory can be built without unduly impacting upon neighbour amenity.
16. Although the southern boundary of the site abuts the Conservation Area the proposed development on the northern boundary is unlikely to have a major visual impact upon its special character or setting. The visual impact of the fence is less easily determined as no elevations have been provided. The comments made by the Conservation Area and Design Officer may reduce the visual impact of the fence but would not address the issue of loss of neighbour amenity.

Recommendation

Refuse

Reasons for Refusal

1. The proposed three metre high fence would be contrary to Policy HG12 of the South Cambridgeshire Local Plan 2004, as it would harm seriously amenities of the occupiers of number 8 New Road through undue loss of light, and by being unduly overbearing in terms of its mass.
2. Without an acceptable form of boundary treatment the reduction of obscure glazing as proposed by the amended design compared with the scheme granted planning permission on 24th May 2004 (ref. S/0671/04/F) would be contrary to Policy HG12 of the South Cambridgeshire Local Plan 2004, as it would harm seriously the amenities of the occupiers of number 8 New Road through undue loss privacy.

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

- South Cambridgeshire Local Plan 2004
- Planning Files Re: S/0588/05/F, S/2270/04/F, S/0671/04/F

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