

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 December 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/2277/15/FL

Parish(es): Fulbourn

Proposal: Proposed garden studio building as annex to main house.

Site address: 73 Station Road, Fulbourn

Applicant(s): Mr and Mrs JG and DT Williams

Recommendation: Approve subject to conditions

Key material considerations: Character and appearance of the built environment, neighbour amenity and highway safety.

Committee Site Visit: 1 December 2015

Departure Application: No

Presenting Officer: Andrew Fillmore, Principal Planner

Application brought to Committee because: The applicant is a Member of South Cambridgeshire District Council

Date by which decision due: 4 December 2015

Planning History

1. S/1832/15/F Proposed new studio house. Withdrawn

Planning Policies

2. *National Planning Policy Framework
Planning Practice Guidance*
3. *Local Development Framework*

South Cambridgeshire LDF Core Strategy, 2007:
ST/4 Rural Centres

South Cambridgeshire LDF Development Control Policies DPD, 2007:
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
NE/1 Energy Efficiency

NE/2 Renewable energy
NE/3 Renewable Energy Technologies in New Development
NE/6 Biodiversity
NE/12 Water Conservation
TR/1 Planning for More sustainable Travel
TR/2 Car and Cycle Parking Standards

South Cambridgeshire LDF Supplementary Planning Documents (SPD):
District Design Guide SPD – Adopted March 2010
Trees and Development Sites SPD – Adopted March 2010
Biodiversity SPD – Adopted 2009

4. *Draft Local Plan*
S/3 Presumption in favour of sustainable development
CC/1 Mitigating and adapting to climate change
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
HG/1 Design Principles
NH/4 Biodiversity
NH/6 Green Infrastructure
SC/10 Lighting proposals
SC/11 Noise pollution
TI/2 Planning for sustainable travel
TI/3 Parking provision

Consultation

5. **Fulbourn Parish Council** – Refuse. The Parish Council's comments are as with the previous application for this site. Council has concerns about shared access and the size of the proposed studio house in relation to the footprint of the already demolished barn.
6. (Comments on planning application S/1832/15/F – Recommend refusal. The Parish Council has concerns about shared access and the size of the proposed studio house in relation to the size of the footprint of the already demolished barn)
7. **South Cambridgeshire District Council (SCDC) Urban Design** – No objection.

Relationship to the street / neighbouring properties / character of the area

The new building does not follow the established building line of the neighbouring properties (i.e. close to the street behind a small front garden) but is instead set well back from the road, beyond the rear walls of the neighbouring properties on the site of the now demolished barn. Though this would usually not be encouraged, there are several reasons why this is acceptable in this instance:

- The building line of Station Road is not continuous along the street and many houses have smaller outbuildings / garages to the rear of the properties so a structure in this location is not out of character for the area
- The proposed building is still contained within the clearly defined village envelope. Station Road is a street that extends north out of the village in a ribbon pattern of development. Houses mainly address the road both sides, and beyond the rear of the properties are open fields. The rear garden boundaries

of the properties containing mature trees and hedgerows clearly define the village boundary in this location. There are other structures and indeed rear extensions to neighbouring properties that protrude closer to the rear boundaries than this new building will, and the new development will be well screened by the surrounding mature landscaping so visual impact from the west will be minimal

- The design of the building will give the appearance of a converted barn, its footprint and scale have been kept small and its architectural language will allow the building to be read as a subservient “outbuilding”, so the set back from the building line make sense, and will prevent the building jarring against the two neighbouring properties and detracting from the character of the area.

8. *Detailed design*

It is not considered the half hip is required, it will only have limited impact on the perceived scale of the building, is not a typical barn detail and a straight gable would give the building a cleaner building line.

9. The pair of windows to the front (east) elevation would be better as single opening. The double window appears very domestic in design, and is not typical of openings in barns. In addition to the front windows, the mezzanine level also has a roof light to provide daylight, so it is not considered two windows are required on the primary elevation.
10. The shower room window, though small and presumably fit with obscured glass, may result in a loss of privacy to the rear of no.69 as it is very close to their building. Though desirable, it is not essential for this room to have a window, and I would not recommend that any additional windows are placed on the front elevation.
11. **SCDC Environmental Health (contaminated land)** – Recommend a condition requiring the provision of a desk study and site walkover along with a detailed scheme of investigation and remediation.
12. **Cambridgeshire County Council Highways** – Recommend conditions requiring the garden studio be tied to the existing dwelling, and that the access to the proposed studio be reduced to a maximum width of 1.5m with full kerbs installed, the existing gates removed and the highway reinstated within 28 days of the bringing the proposed garden studio into use (pedestrian access only).

Representations

13. No third party representations received.

Planning comments

The site

14. The application site comprises the residential curtilage of no. 71/73 Station Road, Fulbourn, a former pair of semi-detached houses now in single occupancy. This property benefits from two points of vehicular access, located to either side of the dwelling with the applicant advising the southern access is part of the freehold of no.69 (which is in the applicants ownership) and forms no part of this application.
15. The site is located within the framework boundary and is not subject to any further designations, although the surrounding countryside is designated Green Belt. A barn

previously occupied the site, and this is evident from the documentation accompanying the application.

Proposed development

16. The application proposal seeks full planning consent for a 'Proposed garden studio building as annex to the main house', positioned beyond the dwelling on the southern boundary. This building measures circa 10m (length) x 5.5m (width) and is of pitched roof construction with a height to the ridge of 6.3m and eaves height of 2.9m. Externally the building is to be clad in horizontal timber boards, with natural grey slate roof and timber joinery.

Appraisal

17. The proposed studio is self contained with a living room/dining area, kitchen and shower room at ground floor and single bedroom/study in the roof space. The Design and Access Statement accompanying the application advises the building has been designed to provide additional accommodation in conjuncture with the applicants adjacent house for occasional visiting family and friends, with the main use of the building as a domestic studio, study or home office. The building is positioned within the applicant's rear garden, and although served by a vehicular access, does not readily lend itself to be used as an independent dwelling house. As such, and subject to a condition securing the building only be used for purposes ancillary to the main dwelling, the application proposal is considered an appropriate form of ancillary residential accommodation subject to other land use considerations.

Character and appearance

18. In respect of the relationship to the street, neighbouring properties and character of the area the urban design officer advises although the new building does not follow the established building line of the neighbouring properties (i.e. close to the street behind a small front garden), the following justification is provided why this is acceptable:
 - The building line of Station Road is not continuous along the street and many houses have smaller outbuildings / garages to the rear of the properties so a structure in this location is not out of character for the area.
 - The proposed building is still contained within the clearly defined village envelope. Station Road is a street that extends north out of the village in a ribbon pattern of development. Houses mainly address the road both sides, and beyond the rear of the properties are open fields. The rear garden boundaries of the properties containing mature trees and hedgerows clearly define the village boundary in this location. There are other structures and indeed rear extensions to neighbouring properties that protrude closer to the rear boundaries than this new development will, and the new building will be well screened by the surrounding mature landscaping so visual impact from the west will be minimal.
 - The design of the building will give the appearance of a converted barn, its footprint and scale have been kept small and its architectural language will allow the building to be read as a subservient "outbuilding", so the set back from the building line make sense, and will prevent the building jarring against the two neighbouring properties and detracting from the character of the area.
19. In respect of detailed design and materials, it is necessary to condition window details and the colour of the external finishes to secure an appropriate standard of development.

20. A number of trees and other shrubbery will be removed as part of this development. Whilst this loss is regrettable, the vegetation is set back from the public highway and does not contribute significantly to the public realm.
21. It is necessary to remove permitted development rights, which will prevent the building being extended/altere d or the erection of new outbuildings without first obtaining planning consent from the local planning authority. This is needed to ensure the satisfactory appearance of the building and in view of concerns relating to neighbour amenity.

Neighbour amenity

22. A single ground floor window (serving a shower room) outlooks onto the adjoining property (no. 69 Station Road), and subject to securing this is obscure glazed no loss of privacy results. The removal of permitted development rights prevents additional windows being installed without first obtaining planning permission. In terms of shadowing and outlook, the annex building is positioned so as to marginally (1m) overlap no. 69 ensuring no loss of amenity through overshadowing or loss of outlook.
23. Given the location of the annex, orientation of its windows and relationship to neighbouring properties, no material harm is identified in respect of neighbour amenity.

Highways safety

24. The existing house is served by two points of vehicular access, to either side of the property, with the applicant advising the southern access is part of the freehold of no. 69 and falls outside of the application site. The applicant owns both the application site and adjoining dwelling (no. 69) including means of access, with this land shaded blue on the site plan. As such it is possible to append conditions which affect this land, subject to these complying with the relevant 'tests' as set out in paragraph 206 of the NPPF.
25. Cambridgeshire County Council Highways Authority offer no objection to the development, recommending a condition requiring the existing access serving the garden studio be reduced to 1.5m in width, with full face kerbs installed and the access gates removed. This would restrict access to pedestrians only. A further condition is recommended ensuring the studio is not used as an independent dwelling.
26. Paragraph 206 of the NPPF advises planning conditions should only be imposed where they are:
 - 1.necessary;
 - 2.relevant to planning and;
 - 3.to the development to be permitted;
 - 4.enforceable;
 - 5.precise and;
 - 6.reasonable in all other respects
27. All of these 'tests' are required to be met before a condition can be appended to any permission. Officers are of the view, given the ancillary nature of the development proposal to the host property and taking into account the access is already installed, that this application will not generate sufficient additional traffic movements to justify a

condition requiring the access be altered to pedestrian only. Such a condition is not considered necessary for the development to be acceptable in planning terms. Conditioning the new accommodation be used for purposes ancillary to main dwelling is necessary.

28. No further considerations are raised in respect of highway safety.

Other

29. No details of foul or surface water drainage accompany the application and it is necessary to secure this through condition.
30. Given the site was until recently occupied by a barn of unknown construction/use it is necessary to append a condition relating to contamination to ensure the risks of contamination to future users are minimised.
31. No harm is identified to the Green Belt.
32. The Parish Council express concern over the shared access and size of the studio in relation to the already demolished barn. These matters are addressed within the report and subject to appending conditions no material harm is identified on the character of the built environment or highway safety.

Recommendation

33. Officers recommend that the development be approved, subject to:

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 'Location Plan' Drawing number '739SK01A', 'Topographical Survey' Drawing number '739SK02A', 'Proposed Site Plan' Drawing number '739SK03A', 'Proposed Ground Floor Plan' Drawing number '739SK04', 'Proposed First Floor Plan' Drawing number '739SK05', 'Proposed Roof Plan' Drawing number '739SK06', 'West and East Elevations' Drawing number '739SK07', 'North Elevation' Drawing number '739SK08', 'South Elevation' Drawing number '739SK09' and 'Sections A and B' Drawing number '739SK10'
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)

4. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

5. No development approved by this permission shall be commenced until:

a) The application site has been subject to a detailed desk study and site walkover, to be submitted to and approved by the Local Planning Authority.

b) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.

c) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.

d) The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.

e) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this contamination should be agreed in writing by the Local Planning Authority.
(Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007).

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes E of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason - In the interests of amenity of neighbouring properties and the character and appearance of the locality in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

7. Apart from any top hung vent, the proposed ground floor window in the south elevation of the building, hereby permitted, shall be fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 in obscurity) and shall be permanently fixed shut. The development shall be retained as such thereafter.

(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

8. The building, hereby permitted, shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 73 Station Road, Fulbourn.

(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

9. No development shall commence until details of the windows and colour of the external materials 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 - In the interests of the amenities of the locality)

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 Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: (These documents need to be available for public inspection.)
- Documents referred to in the report including appendices on the website only and reports to previous meetings

Report Author:

Andrew Fillmore
Telephone Number:

Principal Planner
01954713180