

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 6th July 2005
AUTHOR/S: Director of Development Services

S/0367/05/F - Over Proposed Erection of Annexe including Replacement Garage at 44 High Street

**Recommendation: Approval
Date for Determination: 25th April 2005**

Conservation Area

Site and Proposal

1. This application received 24th February 2005, relates to the erection of a self-contained one bedroom annexe to be located within the curtilage of the existing bungalow known as 44 High Street. The bungalow lies to the northern side of High Street, within the Conservation Area. The site has a highway frontage of approximately 44 metres, with a depth of 115 metres, and widens to 55 metres at the rear.
2. The existing brick built bungalow has been extended to the rear and additional accommodation provided within the roofspace. Nevertheless, it retains its modest appearance to the highway frontage. Alongside the bungalow is a modern flat-roofed double garage measuring 5.5 metres wide by 6.5 metres long.
3. The proposed development involves the replacement of the existing garage with a larger building, measuring 4.600 metres wide by 12 metres long. This would provide a large single garage and a kitchen / living room on the ground floor with a stairway leading to a first floor bedroom and bathroom. This first floor accommodation would be provided within a ridged roof, with hipped ends, and a pitch of 39 degrees corresponding to that of the existing bungalow.
4. The proposed building would rise to 5.4 metres at the ridge but the finished floor level of the building would be 300 mm below that of the bungalow. The eaves level of the new building would correspond to that of the bungalow whilst the ridge height would be 1250 mm below that of the bungalow. The application forms state that the building would be finished in yellow brick and red pantiles to match the existing bungalow.
5. In support of the proposal, the applicants state that the accommodation is required for their eldest daughter who is in the final year of a nursing degree at Edinburgh University and is hoping to obtain a job at Addenbrookes Hospital in the autumn. They add that she will need a few years of saving before she will be able to buy her own place and that, having had four years of independence, returning home and sharing a bedroom with her younger sister would be difficult. They also state that the existing garage needs renovation work in any case.

Planning History

6. No relevant planning history has been identified.

Planning Policy

7. **Policy HG12** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) states that 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.
8. **Policy EN30** of the Local Plan states 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. The District Council will refuse permission for schemes which do not specify traditional local materials and details and which do not fit comfortably into their context. This reflects general advice in Structure Plan **Policy P7/6**.

Consultations

9. **Over Parish Council. Refuse.** Concerns that this is creating a separate dwelling.

Representations

10. No representations have been received from local residents.

Planning Comments - Key Issues

11. The proposed development lies within the Village Framework for Over as identified in the Local Plan. The principle of a new dwelling on the site could potentially be acceptable in land use policy terms although it would fall to be considered by reference to detailed criteria regarding amenity areas and car parking etc.
12. In the present case, however, the proposed development relates to the provision of an annexe to be used by a member of the applicants’ family. In such circumstances, the normal requirements for independent amenity areas would not apply; indeed they would be likely to be discouraged. A key issue would therefore be to ensure that the proposed development would not become a separate dwelling without adequate facilities. Such matters could be addressed by means of an appropriate condition or, preferably, by means of a Section 106 Legal Agreement. The applicants have indicated their willingness to sign an appropriate document.

13. The concerns of the Parish Council are partly justified, having regard to the scale of the proposed development and the intended use. Provided that the landowners enter into such an agreement, however, the concerns of the Parish Council are unlikely to be realised.
14. Subject to the ensuring that the proposed development would not be used as a separate unit of accommodation, the proposed development falls to be considered by reference to the detailed criteria for extensions and alterations to dwellings within frameworks as set out in Policy HG12.
15. With regard to amenity, the proposed annexe would be sited between 600 mm and 2 metres from the common boundary with the closest neighbouring dwelling, No. 48 High Street, immediately to the west. That house, although sited on the back edge of the footway, has a substantial, irregularly shaped, single-storey extension to the rear with a monopitch roof close to the common boundary. The impact of the proposed development upon this neighbouring dwelling would be limited to angled views from the rear windows of this extension. Given the relationship of the neighbouring extension and the development now proposed, this is not considered to be significant.
16. The existing bungalow enjoys an extensive curtilage with private amenity areas to the rear, such that the increased size of the proposed development, in comparison with the existing garage, would not result in a significant reduction in that amenity area.
17. The proposed development would result in the net loss of one of two existing garage spaces. The development would also involve the formation of an additional bedroom. The existing driveway plus the replacement garage space would, however, provide adequate off-street car parking provision for the bungalow and the additional accommodation proposed.
18. The submitted forms state that the materials to be used for the proposed development would match those of the bungalow. This could be ensured by means of an appropriate condition.
19. There is a close-boarded fence along part of the common boundary with the neighbouring dwelling. The submitted details do not specify whether this is to be replaced as a consequence of the development. Nevertheless the boundary treatment, potentially required in order to protect the amenity of the occupier of the neighbouring dwelling and to soften the appearance of the building, could be the subject of an appropriate condition.
20. The design of the proposed annexe partly reflects the advice previously offered at the pre-application stage, particularly insofar as the form of the roof and the eaves height reflect those of the existing bungalow. Alternative design solutions may have been possible for a replacement garage, but the design now proposed is considered to be the best solution possible if first floor accommodation is to be provided. The design of the proposed annexe is therefore considered to be acceptable in terms of Policy HG12.
21. The above policy also refers to there being no unacceptable visual impact upon the street scene. Policy EN30 imposes expectations in relation to the scale, massing and materials of developments in Conservation Areas. In addition, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty upon Local Planning Authorities, when considering development proposals in

conservation areas, to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

22. In the present case, the provision of first floor accommodation above the garage results in a greater vertical emphasis to the building than might otherwise be expected. Nevertheless, this stands in marked contrast to the existing flat-roofed structure, with its even more inappropriate horizontal emphasis, that it would replace. Overall, the proposed development is considered to represent an enhancement in the appearance of the relevant part of the Over Conservation Area and to comply with the requirements of Policy EN30. Moreover, the proposed development would be set back approximately 13 metres from the back edge of the footway. It would be substantially screened from the west by the adjoining dwellinghouse and from the east by the existing bungalow, such that the visibility of the proposed annexe would be limited.
23. Having regard to the policies of the Development Plan, the above comments and all other material considerations it is concluded that, subject to the landowner entering into a prior agreement under the provisions of Section 106 of the Town and County Planning Act 1990, consent should be granted subject to appropriate conditions as indicated below.

Recommendation

24. Subject to the prior signing of a Section 106 Legal Agreement to ensure that the development is used as an annexe only in association with and ancillary to the adjoining dwelling, the recommendation is one of **APPROVAL**, subject to the following conditions.
 1. Standard Condition A - Time limited permission (Reason A);
 2. Sc5a - Details of materials for external walls and roofs (Rc5a ii);
 3. Details of the proposed means of enclosure along the western boundary of the site shall be submitted to the Local Planning Authority. No works shall commence on site unless and until such details have been approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved plans.
(Reason: In order protect the amenities of the occupier of the adjoining dwelling, and in order to minimise any overbearing impact upon that dwelling, in accordance with the provisions of Policy HG12 of the adopted South Cambridgeshire Local Plan 2004.)
 4. The proposed garage, forming part of the development hereby approved, shall be retained for the parking of private motor vehicles only and shall not be used as additional living accommodation.
(Reason: In order to ensure the retention of adequate off-street parking facilities in accordance with the provisions of Policy HG12 of the adopted South Cambridgeshire Local Plan 2004.)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **South Cambridgeshire Local Plan 2004:**

HG12 (Extensions and Alterations 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, or alluded to, during the consultation exercise:
- Design
 - Impact upon the Conservation Area
 - Residential amenity
 - Traffic generation and car parking

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/0367/05/F

Contact Officer: Steve Anderson
Telephone: (01954) 713165