

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee
AUTHOR/S: Director of Development Services

6th July 2005

**S/6297/05/F - Cambourne
Extension Over Garage and Dining Room to Form Annexe at
11 Shearling Drive for Mr and Mrs Goundry**

**Recommendation: Approval
Date for Determination: 4 July 2005**

Site and Proposal

1. No. 11 Shearling Drive is a two storey detached brick dwelling with integral double garage, situated at the end of a turninghead. The garage and dwelling are linked at single storey level. The dwelling is setback from the streetscene, behind both adjacent dwellings (10 and 12 Shearling Drive). The front elevation of the dwelling faces north-west towards 10 Shearling Drive, with a two storey blank gable and double garage facing the road. The garage is positioned 1.4m from the common property boundary with 10 Shearling Drive. Along this property boundary is a timber fence approximately 2.2m high.
2. The property is surrounded by residential properties on all sides, with the exception of a row of three garages to the south-east of the dwelling. Nearby dwellings 6-10 Shearling Drive are accessed by a semi-circular shared private drive running along the front of these properties, which joins Shearling Drive to the side of No. 5 and 11 Shearling Drive.
3. The full planning application received 20th April 2005 proposes an extension over the double garage and dining room to form a single room annexe with shower room. The proposal involves raising the ridge of the garage and dining room roof from 5m and 4.4m to 5.4m, the insertion of two dormer windows on the north-west elevation facing Shearling Drive and the creation of a box-like windowless projection on the south-east elevation of the roof pitch. The annexe is to be accessed by stairs within the existing dwelling.

Planning History

4. Planning permission was given for the erection of the dwelling as part of a larger residential estate on 8 March 2004 (**Ref: S/6102/00/RM**). Condition 13 of the above planning consent removes the permitted development right to insert additional first floor windows, doors or openings of any kind on the north-west and south-east elevations of the dwelling without the benefit of planning permission. Condition 2 requires the permanent space to be reserved for parking and turning on each dwelling to be provided before the occupation of each dwelling and thereafter maintained.
5. In January 2005 a planning application was submitted for extension over the garage to form self-contained flat and insertion of windows into existing elevations (**Ref: S/6284/05**). This application was withdrawn. The current application represents an alternative design to the previous application.

6. On 10 May 2005, A Certificate of Lawfulness for Proposed Development for Loft Conversion including Addition of 2 Dormer Windows and Insertion of 2 Rooflights in the existing roof was issued (**Ref: S/6293/05/LDC**). This certificate provides legal confirmation that the above works do not require planning permission

Planning Policy

7. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") requires a high standard of design for all new development that responds to the local character of the built environment.
8. **Policy HG12** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") sets out the requirements that must be met in order for proposals to extend or alter dwellings within village frameworks to be considered for approval. This policy states that proposals which would seriously harm 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 will not be permitted.
9. **Policy TP1** of the Local Plan states that the Council will seek to ensure that every opportunity is taken to increase accessibility by non-car means by any appropriate measures, including the restriction of car parking to the maximum levels as set out in this plan.

Consultation

10. **Cambourne Parish Council** - Recommendation of Refusal for the following reasons:
- "The overlooking of adjoining properties.
 - Overdevelopment of the property
 - Potential highway and traffic problems due to additional accommodation.
 - The application is not consistent with the development plan as it affects the number and size mix of houses.
 - The proposed development has an un-neighbourly affect on adjoining properties."

Representations

11. Letters of objection to the application have been received from the occupants of 7, 9, 10, 12 and 15 Shearling Drive and 1 Arbour Close. In addition an 'Impact Assessment Report' has been written on this application by the occupants of 9 Shearling Drive and signed by residents of 9, 10 and 11 Shearling Drive.
12. Grounds of objection raised in the above documents are summarised as follows:
- Proposal will result in the loss of residential amenity for surrounding dwellings
 - Proposal contrary to criteria 2 and 3 of Policy HG12 of the Local Plan; the extension over the garage would result in a loss of sunlight and overshadowing to the rear garden of 10 Shearling Drive.
 - The extension over the garage would be overbearing on the property at 10 Shearling Drive.

- Proposal would lead to overlooking of garden of 9, 10 and 12 Shearling Drive and the patio area to rear of 12 Shearling Drive.
- Proposed dormer windows in roof above garage and dining room will look into rear windows (bedroom, landing and kitchen windows) at 12 Shearling Drive.
- Proposal contrary to Human Rights Act and European Convention of Human Rights, in relation to adjacent residents rights of privacy.
- Proposed extension and creation of annexe will lead to increased noise and disturbance to neighbours, in addition to materially alter the nature of the property.
- Proposal could set a precedent for other extensions and lead to a loss of medium-sized dwellings in the area.
- Proposal results in overdevelopment of the site.
- Construction of the extension will cause noise and disturbance to adjacent properties.
- The design of the extension over the garage and dining room would make the dwelling "more imposing on the streetscene and it would look too top heavy to the eye"; the design is over-complicated and "does not offer a streamlined or symmetrical appearance".
- The extension "shows the construction on the back of the garage roof which does not resemble any type of Bovis construction which would be in keeping with the original concept of the streetscene".
- The proposed extension in conjunction with the loft conversion permitted under permitted development rights will increase the number of bedrooms in the dwelling from 4 to 6, leading to an increased need for car parking.
- Due to high car ownership at the property, the property is already unable to provide sufficient on-site car parking, particularly as the existing garage is used for storage and not parking.
- Shearling Road due to its narrow width and cul-de-sac nature is not suitable for on-street car parking and compound existing parking problems in the vicinity.
- The proposal would lead to increased overspill car parking at the end of the cul-de-sac to the side of 11 Shearling Drive, which will result in a loss of highway safety and safety of pedestrians and children on/near road, in addition to impeding the ability of vehicles to turn within the cul-de-sac and restricting access for refuse/emergency vehicles, access to the private drive used by the occupants of 6-10 Shearling Drive and access to Arbour Close. This situation is compounded by on-street car parking at the junction of Shearling Drive and Arbour Close.
- There is insufficient room on the site to provide adequate car parking for construction related vehicles and the storage of constructed related materials.
- The increase in number of bedrooms and creation of annexe could lead to the renting out of rooms/annexe to students and other non-family members.

13. In addition, representations raised the following points which I am of the view are not material planning considerations in the assessment of the application:
- Application is intended to “merely increase the value of the applicants own property”.
 - Proposal could increase number of children playing on nearby grassed area to the front of 6-10 Shearling Drive.
 - Proposal would result in a loss of property value.
 - Applicant intending to change address in the short to medium-term.
 - Objections to the Certificate of Lawfulness for Proposed Use granted on the site.
 - No objection has been received from the occupants of 8 Shearling Drive, as the property is currently vacant.
 - The proposal does nothing to enhance the locality.
 - Extension blocks view from bedroom window of 12 Shearling Drive.
 - Consultation of application should have been extended to Arbour Close.
14. It is noted that whilst no letter of objection was received from the residents of 16 and 18 Apley Way to the current application, they did object to the previous planning application S/6284/05/F.

Planning Comments - Key Issues

15. The key issues for consideration in this assessment of this application are impacts on the residential amenity of adjacent properties and highway safety, and whether the proposal has an unacceptable visual appearance on the streetscene.

Impacts on Residential Amenity

16. One of the dormer windows on the north-west elevation serves a shower room, with the other dormer window serving a bedroom. This latter dormer window faces the length of the drive on 11 Shearling Drive and principally looks down the length of Shearling Drive between 10 and 12 Shearling Drive. The dormer window serving a habitable room is setback 5.4m from the common property boundary with 10 Shearling Drive and the orientation and position of these two dwellings, is that views over the rear elevation of 10 Shearling Drive are very oblique. There are no views over the rear elevation of this dwelling from either dormer window within a 45 degree angle of the centrepoint of each window.
17. Views from the dormer window serving the shower room over the rear garden of 12 Shearling Drive are largely obscured by the projecting two storey gable on the north-west elevation, with this gable partially obscuring views from the other dormer window. The dormer window serving the habitable room is positioned approximately 8.8m from the property boundary with 12 Shearling Drive and 15.4m from the rear elevation of the dwelling itself. I am of the view that views over 12 Shearling Drive from both dormer windows are oblique and do not justify the refusal of the application on the grounds of undue loss of privacy for this dwelling. It is noted that windows above ground floor level in 10 and 13 have existing oblique views over this property.

18. The proposed extension does not include any windows on the south-east elevation and hence preserves the privacy of the dwelling to the rear, 9 Woolthwaite Lane.
19. Whilst the height of the garage and dining room roof has been raised by 0.4m and 1m respectively to 5.4m, the garage roof remains hipped away from 10 Shearling Drive. It is noted that ridge height of the existing garage is 5m at 3.7m from the common property boundary, with the proposed roof having a ridge height of 5.4m at 4.5m from the property boundary. The box-like roof projection on the south-east elevation is setback 6.7m from the property boundary with 10 Shearling Drive and is of modest depth and size. I am of the view that the proposed extension is not overbearing to adjacent properties.
20. In the above assessment of the impacts of the proposed extension on the residential amenities of adjacent properties, regard has been given to the provisions of the Human Rights Act 1998 and the European Convention of Human Rights.

Impact on Highway Safety

21. The proposal does not result in a loss of on-site car parking and I am satisfied that adequate car parking space will remain on the site for four vehicles (including the use of the double garage), in excess of the Council's maximum standard of car parking provision of two vehicles for a dwelling with three or more bedrooms in poorly accessible areas.
22. I am of the view that the proposed extension will not generate a level of traffic that would result in a loss of highway safety for residents of Shearling Drive and Arbour Close.
23. The obstruction of the public highway by parked vehicles is dealt with under separate legislation. The planning application process for an extension to a dwelling is not able to be used to address existing parking problems in an area.

Visual Impact on the Streetscene

24. I am of the view that the extension has an acceptable visual impact on the streetscene when viewed from Shearling Drive and Woolthwaite Lane. Whilst the proposed extension alters the original design for this section of Cambourne, this by itself, is not reason to refuse the proposed extension. The unusual box-like projection on the south-east elevation faces a garage block at the rear and is setback approximately 14m from Woolthwaite Lane. The absence of a window in this elevation is intended to preserve the privacy of 9 Woolthwaite Lane.

Recommendation

25. Approve

Recommended Conditions of Consent

1. Standard Condition A - Time limited permission (Reason A).
2. SC5a - details of materials for external walls and roof (Reason ai and aii).

3. SC21 - No further windows at first floor level in the north-east, north-west and south-east elevations of the development.
(Reason - To protect the privacy of adjoining residents).
4. The extension hereby permitted shall not be used at any time other for purposes ancillary to the residential use of the dwelling known as 11 Shearling Drive.
(Reason - To ensure that the use of the annexe remains linked to the main dwelling in the interests of protecting the residential amenity of adjacent dwellings and preventing a loss of highway safety).
5. SC26: Restriction of Use of Power Operated Machinery during construction.
(Reason - RC26).

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:**
P1/3 (Sustainable design in built development)
 - **South Cambridgeshire Local Plan 2004:**
HG12 (Extensions and Alterations to Dwellings within Village Frameworks)
TPI (Planning More Sustainable Travel)
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

Other

It is noted that Condition 2 of planning application S/6102/00/RM requires the permanent space to be reserved for parking and turning on each dwelling to be provided before the occupation of each dwelling and thereafter maintained. As a result, planning permission would be required for the conversion of the garage to an alternative use.

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 Applications Ref: S/6297/05/F, S/6102/00/RM, S/6284/05/F and S/6293/05/LDC

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