

<b>Application Number</b>	08/1296/FUL	<b>Agenda Item</b>	9.4
<b>Date Received</b>	19th September 2008	<b>Officer</b>	Mr Marcus Shingler
<b>Target Date</b>	14th November 2008		
<b>Ward</b>	Newnham		
<b>Site</b>	31 Gough Way Cambridge Cambridgeshire CB3 9LN		
<b>Proposal Applicant</b>	Single storey and two storey extensions. Mr & Mrs Roger Harding 31 Gough Way Cambridge Cambridgeshire CB3 9LN		

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## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The subject site comprises a detached two-storey dwelling and its associated front and rear garden zones situate to the southern side of this section of Gough Way. The property is finished in render, light brown brickwork and sits under a concrete tiled roof. The area is largely residential in character comprising a number of large detached properties in generally spacious grounds. The subject dwelling has a single storey garage that links to that of the neighbouring dwelling at No. 33 Gough Way.
- 1.2 The site does not fall within a Conservation Area or the Controlled Parking Zone but is identified as an area at risk of flooding by the Environment Agency.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks planning permission for the following constituent elements: -
- A single storey front extension measuring 4.8m wide by 1.5m deep and with a flat roof of height 3.3m;
  - A utility extension to the rear of the existing garage incorporating a glazed passage roof and a new roof above the existing garage;

- A two-storey rear extension measuring 3.2m deep by width 8.9m and with a shallow metal roof above of maximum height 5.9m.

2.2 The application is accompanied by the following supporting information:

1. Design & Access Statement
2. Flood Risk Assessment

2.3 The application is brought before Committee at the request of Councillor Reid on the grounds of quantum of development and potential flood risk.

### **3.0 SITE HISTORY**

None relevant.

### **4.0 PUBLICITY**

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No

### **5.0 POLICY**

#### **5.1 Central Government Advice**

5.2 **PPS1 Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 **PPG13 Transport (2001):** This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and

services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.

5.4 **PPS25 Development and Flood Risk (2006):** States that flood risk should be taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and that development should be directed away from areas at highest risk. It states that development in areas of flood risk should only be permitted when there are no reasonably available sites in areas of lower flood risk and benefits of the development outweigh the risks from flooding.

5.5 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

5.6 **East of England Plan 2008**

SS1 Achieving sustainable development  
ENV7 Quality in the built environment

5.7 **Cambridge Local Plan 2006**

3/1 Sustainable development  
3/4 Responding to context  
3/14 Extending buildings  
4/16 Development and flooding

5.8 **Supplementary Planning Documents**

**Cambridge City Council (May 2007) – Sustainable Design and Construction:** Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006.

Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

## **6.0 CONSULTATIONS**

6.1 Cambridgeshire County Council (Engineering)

6.2 Comments are awaited. These will be reported on the amendment sheet or verbally at the meeting.

6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

7.1 The owners/occupiers of the following addresses have made representations:

39 Gough Way  
27 Gough Way  
29 Gough Way  
52 Gough Way

7.2 The representations can be summarised as follows:

- The site lies in a Flood Risk Zone and has been badly flooded in 1978 and 2001. The subject dwelling was seriously flooded in 2001 and the statements submitted in the Flood Risk Assessment are incorrect;
- An extension has been permitted at 52 Gough Way but at this time it was believed that a balancing pond was to be constructed;
- Flood alleviation works are not likely to be forthcoming in the near future;
- The mass and height of the extension is excessive and will significantly increase surface water runoff;

- The two-storey extension is a poor design that will impact adversely on sunlight to No. 29 Gough Way.
- Concern about lack of access to plans.

7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

## **8.0 ASSESSMENT**

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Context of site, design and external spaces
2. Residential amenity
3. Third party representations

### **Context of site, design and external spaces**

8.2 The proposed single storey front extension and to a lesser degree the new roofing at the side will be visible in the street scene but I do not consider that these elements would impact adversely upon the character and appearance of the locality. The single storey front extension is modest in scale and replaces an existing front canopy and I consider that it will integrate satisfactorily as a harmonious and subsidiary addition to the existing dwelling. The new roof is a relatively minor change that will have limited impact visually and will result in an improvement over and above the existing situation. The small utility area to the rear garage and the two-storey rear extension will not be publicly visible and will have no impact therefore upon the character and appearance of the locality. The utility area is of modest scale also and again will integrate satisfactorily with the existing dwelling.

8.3 The proposed two-storey rear extension is of a significant scale but is of a satisfactory modern design that will create some visual interest to the rear of the main dwelling, incorporating a shallow mono-pitched metal roof and the use of timber boarding in sections of the rear and side elevations. I consider that this element will integrate satisfactorily with the main dwelling. The extension projects rearwards of the existing rear elevation by 3m and I have given consideration as to whether this would be

likely to impact adversely on the rear garden environment. The rear garden to No. 31 has a depth of circa 19m however and in these circumstances I do not consider that the rear extension would give rise to harm being caused to the rear garden environment.

- 8.4 In my opinion the proposal is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4, and 3/14 from the visual perspective.

#### Residential Amenity

- 8.5 The proposed front extension is modest in scale and will be distant from both immediate neighbouring dwellings at No' 29 and 33 Gough Way and no loss of light, outlook or privacy will accrue as a result of this element of the proposals. The utility area and new roofing details sit to the western flank of the existing dwelling and thus the only potentially impacted neighbouring property is that to the west at No. 33 but given that the main property itself is circa 5m distant and the single storey nature of these elements, no significant loss of light or outlook would accrue and nor would privacy be affected.
- 8.6 The proposed two-storey rear extension is a more substantial structure but the depth is limited to 3m at both levels. The extension will impact to some degree on light and outlook to both neighbouring dwellings at No's 29 and 31. However, given the separation distance with No. 29 flank to flank of 2.9m it is not considered that the impact on light or outlook would be so severe as to merit refusal and subject to a condition preventing the insertion of further flank windows without obtaining prior approval from the Local Planning Authority, privacy can be adequately protected. The two-storey extension will be circa 8m distant from the flank of No. 33 and thus any impact on light or outlook would be very modest and nor would privacy to this property be affected. No other neighbouring properties are adversely affected by the development.
- 8.7 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4 and 3/14.

### **Third Party Representations**

- 8.8 The issues raised in third party correspondence are considered above except in respect of flooding. The site lies within a Flood Risk area therefore PPS 25 and policy 4/16 are relevant to the consideration of the application. PPS 25 applies a sequential test and exceptions test to new development in areas of flood risk. The sequential test needs to establish whether the development could be located on another site. Clearly in this case the extension to the house cannot be located outside the flood risk area. The exceptions test then needs to be applied, however PPS 25 excludes minor development including 'Householder' development: e.g. sheds, garages, games rooms etc. within the curtilage of the existing dwelling in addition to physical extensions to the existing dwelling itself from this test, which means that such development is acceptable in principle. The exceptions test would apply to a new dwelling.
- 8.9 Policy 4/16 also acknowledges that some forms of development within areas of flood risk are acceptable where 'they do not consume a significant amount of storage capacity and/or do not interrupt the flow of floodwater'.
- 8.10 The existing house, garage and shed occupy approximately 91m<sup>2</sup> of floorspace. The proposed development would occupy approximately 153m<sup>2</sup>. This represents a 68% increase in floorspace. In an attempt to mitigate the impact of the scheme in terms of surface water run off the applicants intends to adopt a Sustainable Urban Drainage (SUDS) approach to new hard surfaced areas and to use water butts to store surface water. The proposed development still allows for the retention of a good sized garden.
- 8.11 The Environment Agency does not comment on relatively minor development for residential extensions and indeed much of the development proposed here, could, with minor amendment, be constructed under the new "permitted development" regime set out in the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 and thus without the requirement for planning permission.
- 8.12 It is my opinion that a decision to refuse permission on the grounds of flood risk could not be justified or successfully defended. Planning guidance does not support the restriction of

'householder' development within flood risk areas and in any event the scale of extension is not excessive in my view. The fact that the development may result in flooding of the house itself is a matter for the applicant to consider not a material planning consideration.

## **9.0 CONCLUSION**

9.1 For the reasons set out above, the proposals are considered to be acceptable and approval is thus recommended.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/14)



## **Reasons for Approval**

1. This development has been approved, conditionally, because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

East of England plan 2008: ENV7

Cambridge Local Plan (2006): 3/4, 3/14 and 4/16

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

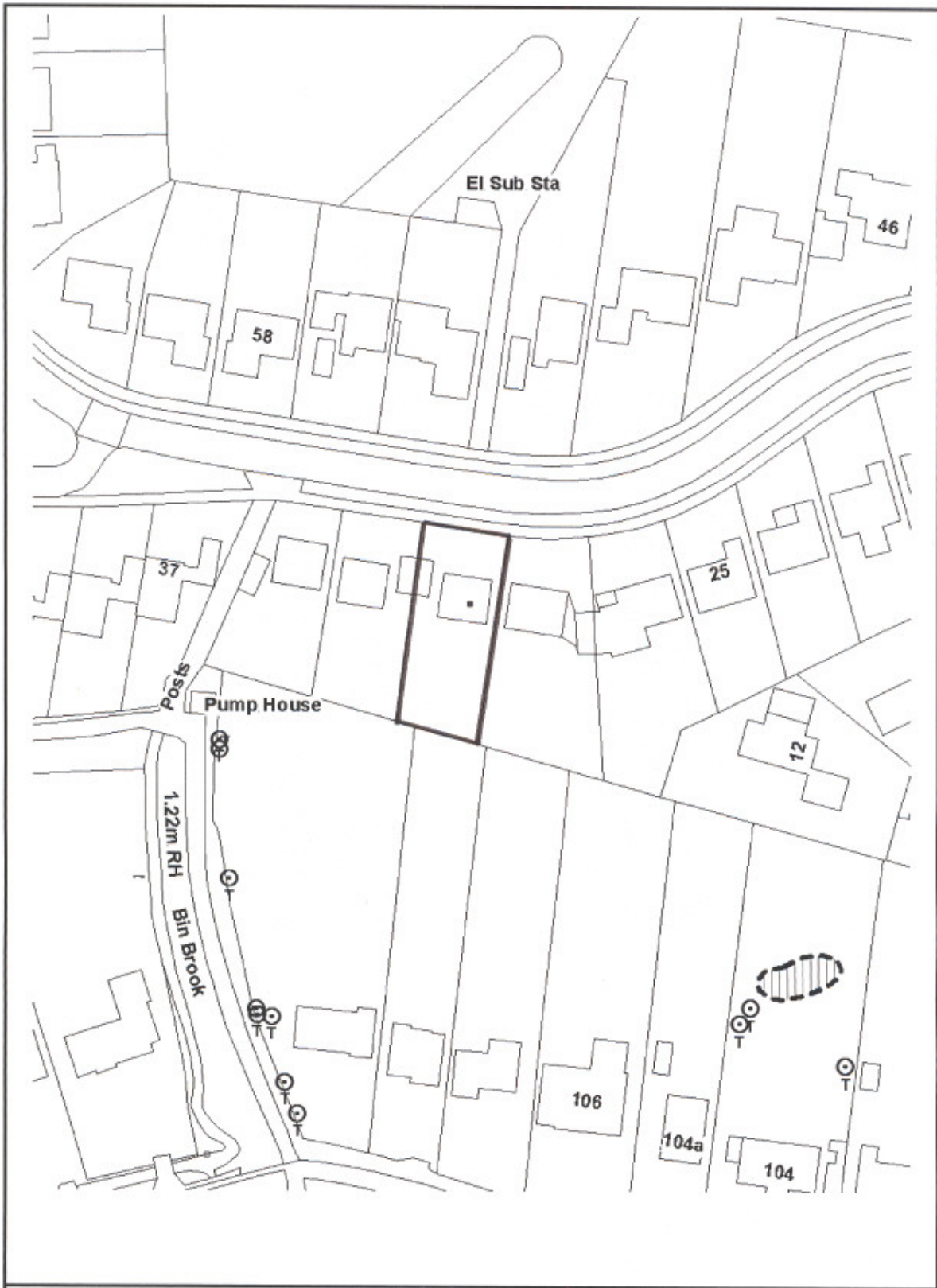
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.



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