

Application Number	10/0295/FUL	Agenda Item	
Date Received	1st April 2010	Officer	Mr Marcus Shingler
Target Date	27th May 2010		
Ward	Queen Ediths		
Site	11 Kinnaird Way Cambridge Cambridgeshire CB1 8SN		
Proposal	Erection of two storey front and rear extensions.		
Applicant	Mr & Mrs Gough 11 Kinnaird Way Cambridge Cambridgeshire CB1 8SN		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 11 Kinnaird Way is a detached two-storey dwelling situated on the northern side of Kinnaird Way and finished in red brick and tiles. The area is predominantly residential in character containing mainly detached two-storey dwellings in a variety of design styles, there being no common design theme. The property has an existing attached flat roof garage to the west elevation and a modest front porch canopy.
- 1.2 The site does not lie within a conservation area or the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The application follows the earlier refusal and subsequent approval of applications for a two-storey front side and rear extension (08/0422/FUL and 08/0886/FUL) and again seeks permission for a two-storey front, side and rear extension to the existing dwelling.
- 2.2 The two-storey front extension measures 7.1m wide by 1.6m deep and with a pitched roof over of maximum height 7.2m. The

proposed two-storey side extension will replace the existing single storey side garage and measures 8m deep by 3m wide and with a pitched roof over of maximum height 8.2m. The proposed rear extension measures 8.4m wide by 3.8m deep reducing to 3m as it runs across the rear face of the dwelling and with a pitched roof of maximum height 7.8m falling to 4m.

2.3 The following is a description of the development that has already been approved on the site:

‘The two-storey front extension measures 6.95m wide by 1.6m deep and with a pitched roof over of maximum height 7.5m. The proposed two-storey side extension will replace the existing single storey side garage and measures 8m deep by 2.8m wide and with a pitched roof over of maximum height 8m. The proposed rear extension measures 8.4m wide by 3m deep and with a pitched roof of maximum height 8m.’

2.4 The plans also show a single storey extension that is to be erected to the eastern end of the rear elevation adjacent to the boundary with 15 Kinnaird Way. This development has the benefit of a Lawful Development Certificate and does not need planning permission provided that it is completed before other works commence.

2.5 The application is reported to Committee for determination at the request of Councillor Baker.

3.0 SITE HISTORY

Reference	Description	A/C,REF,W/D
10/0059/CL2PD	Certificate of lawfulness for a single storey rear extension.	Granted
08/0886/FUL	Two-storey front, side and rear extension.	A/C
08/0422/FUL	Two-storey front, side and rear extension.	REF

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 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.

5.5 East of England Plan 2008

ENV7 Quality in the built environment

5.6 Cambridge Local Plan 2006

3/4 Responding to context

3/14 Extending buildings

8/10 Off street car parking

5.7 Supplementary Planning Documents

- 5.8 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 The parking layout is not shown and should be provided showing dimensions.
- 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:

15 Kinnaird Way

- 7.2 The representations can be summarised as follows:

Objection is raised on the same grounds as the previously refused scheme, namely that the rear extension will lead to a loss of light, outlook and will be unduly enclosing on their property, which includes flank windows that serve a lounge.

Concern is expressed about the length of time over which consents have been given on the site and it is questioned whether there is a serious intention to develop the permitted extension if the larger scheme fails.

Concern is expressed that this extension could be built in conjunction with a single storey extension that could be constructed under permitted development and for which a Lawful Development Certificate has already been granted (10/0059/CL2PD).

The objector considers this will set a precedent and that the application should be viewed in conjunction with the single storey extension.

- 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. Impact on Car Parking
4. Third party representations

Context of site, design and external spaces

- 8.2 In order to assess the development, I will address the proposals in their constituent elements:-

Two-storey front extension

- 8.3 The proposed two-storey front extension will be clearly visible in the street scene and careful assessment of its impact upon the character and appearance of the locality is required. In this respect, the extension is of significant scale, being very wide and I have considered whether this is unacceptably intrusive. However, site inspection reveals that the area is very mixed in design terms and other properties nearby have front two-storey

wings not dissimilar to that proposed in this instance. In these circumstances, I consider that it would be difficult to justify refusal of permission on the grounds of the front extension causing harm to the appearance of the locality. In reaching this view I am mindful that this element is similar to that which formed part of the previously approved scheme (08/0886/FUL) and no objections were raised to this element of the development in design terms.

Two-storey side extension

- 8.4 The proposed side extension will also be visible in the street scene but I do not consider that it would impact adversely upon its character and appearance. The side extension replaces an existing flat roofed side garage and will read as a continuation of the existing dwelling, being flush at main ridge and with the main front elevation of the property. Subject to the use of matching materials, I consider that the side extension will integrate satisfactorily as a harmonious addition to the dwelling. The side extension will be set off the common boundary with the unattached neighbouring dwelling to the west at No. 9 Kinnaird Way by 600mm and therefore the development would be unlikely to give rise to the creation of a terracing effect. In reaching this view I am mindful that this element is similar to that which formed part of the previously approved scheme (08/0886/FUL) and no objections were raised to this element of the development in design terms.

Two-storey rear extension

- 8.5 This element of the proposals will not be visible in the street scene and will have no impact therefore upon its character and appearance. The rear extension is of significant scale but I consider it would integrate satisfactorily with the existing dwelling, subject to the use of matching materials. The rear extension will be 3.8m deep at its greatest, but reduces to 3m and the rear garden is circa 15m deep and I do not consider that the rear garden environment would be harmed by the proposals. This element is also very similar to the approved scheme.
- 8.6 Overall the development is undoubtedly of significant scale but is similar to that approved under reference 08/0886/FUL and 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.

Residential Amenity

8.7 Again dealing with the constituent parts of the development: -

Two-storey front extension

8.8 The two-storey front extension is of significant width but of modest depth at 1.6m and given the separation distance to the front windows of the neighbouring dwellings at No's 9 and 15, I do not consider that either dwelling would be adversely affected by way of loss of light or outlook and nor would privacy be compromised as a result of the proposed front extension.

Two-storey side extension

8.9 The two-storey side extension is set to the western flank of the existing dwelling and thus the only potentially impacted property is that to the west at No. 9 Kinnaird Way. The main flank of this dwelling is about 4m from the common boundary and there are no main windows in the flank and thus any impact on light or outlook would not be of a significant scale.

Two-storey rear extension

8.10 The proposed rear extension is of significant scale but will be about 4m distant from the main rear windows of No. 9 Kinnaird Way and I do not consider that this property would be adversely affected by way of a significant loss of light or outlook and nor would privacy be unduly impacted.

8.11 The impact of the rear extension upon the unattached neighbouring dwelling to the east at No. 15 Kinnaird Way will be more marked. This dwelling has windows to the western flank that currently serve a lounge. These windows are not the only source of light to the lounge however, since there are also patio windows to the main rear elevation. The two-storey extension is set about 6.4m from the common boundary with No. 15 and given the 3m depth at its closest point, although there will inevitably be some impact, most particularly on the flank windows of this property, I do not consider that it would be of a degree that would merit refusal.

8.12 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site. In

reaching this view I am mindful that the impact upon residential amenities of this scheme is not markedly different from that which would arise should the approved scheme (08/0886/FUL) be implemented. I consider that the development is compliant with East of England Plan (2008) policy ENV7, East of England Plan (2008) policy ENV7, Cambridge Local Plan (2006) policies 3/4 and 3/14.

Impact on Car Parking

- 8.13 I note the comments made by the officer of the Highways Authority. The garage is to be replaced as part of the development and in my view there is space on the driveway to park a car. The development accords with Cambridge Local Plan 2006 policy 8/10.

Third Party Representations

- 8.14 I have fully addressed the concerns of the objector about the impact of the rear extension that forms part of this application above. I can appreciate the concerns that result from a protracted planning history but these cannot be regarded as material planning considerations. This also applies to the question of whether or not development is carried out once a Certificate of Lawfulness is granted. In my view it is that part of the overall development that can be carried out in advance as 'permitted development', which will have the greatest impact on the amenity of the neighbour. This does not form part of the application proposals and cannot form part of the consideration of the application.

9.0 CONCLUSION

- 9.1 The proposals are considered to be acceptable and approval is recommended.

10.0 RECOMMENDATION

1. 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. The extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 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: ENV 7

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

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 details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

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.