

<b>Application Number</b>	12/0834/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	2nd July 2012	<b>Officer</b>	Mr Toby Williams
<b>Target Date</b>	27th August 2012		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	39 Long Road Cambridge Cambridgeshire CB2 8PP		
<b>Proposal</b>	Extend house to rear and side including raising of roof ridge height by 300mm.		
<b>Applicant</b>	Mrs I Page 39 Long Road Cambridge Cambridgeshire CB2 8PP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>-The extensions would not be overbearing or cause any significant loss of amenity in terms of light or privacy to neighbouring properties.</li> <li>-The character of the house and its impact on the street scene would be preserved</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The subject site comprises a detached, two-storey dwelling and its associated front and rear gardens, situated on the northern side of Long Road, close to the junction with Sedley Taylor Road. The property is finished in light brown brickwork under a tiled roof. The neighbouring dwelling to the east at No. 37 Long Road contains a lime and silver birch tree to the rear garden and relatively close to the boundary with the subject dwelling. The neighbouring dwelling to the west is enclosed on its sides by high conifer hedging.

1.2 The northern side of this section of Long Road contains a number of detached properties, while opposite, on the southern side is the Long Road 6<sup>th</sup> Form College and Addenbrooke's Hospital campus.

1.3 The site does not lie within a Conservation Area.

## **2.0 THE PROPOSAL**

2.1 The applicant seeks planning permission for the following:

- part two-storey, part single-storey rear extension on the eastern boundary with No.37, which will incorporate a roof terrace;
- ground, first and second floor extensions above the existing garage on the western boundary adjacent to No.41;
- ground floor glazed extensions to new dining room and sitting room space;
- a raising of the eaves and ridge of the house by 300mm;
- new windows, including a dormer window in the rear elevation at 2<sup>nd</sup> floor level;
- a new front porch.

2.2 The application follows three earlier refusals (11/0811/FUL, 08/0978/FUL and 09/0112/FUL) and a subsequent appeal for 09/0112/FUL, which was part approved and part dismissed. The Inspector considered that although the proposed porch was relatively large, its design was consistent with the style of the area and allowed the appeal in so far that it related to this element. However, in relation to the proposed two-storey proposal, the Inspector considered that it would be very dominant in the outlook from No.37, which has several main rooms at both ground and first floor, facing west towards No.39 and would create a strong sense of enclosure which in his view would be overbearing and detract from the enjoyment of the patio area and the garden which lies between the extension at No.37 and the boundary with No.39. I attach this appeal decision to the appendix of the report.

2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Pre-Development Tree Survey

2.4 The application is brought before Committee at the request of Councillor Birtles for the following reason:

- The application raises amenity issues that need to be considered under policy 3/14 Extending Buildings in relation to overlooking, overshadowing and visual dominance.

### 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
11/0811/FUL	Part two storey, part single storey rear extension incorporating roof terrace, first floor extension above garage, roof extension incorporating dormers to front, side and rear for rooms in roof and new front porch.	Part Refused, Part Approved
09/0112/FUL	Two storey rear extension, first floor side extension and front porch.	Refused and appeal with split decision
08/0978/FUL	Two-storey side and rear extension with glass link and replacement porch to the front	Refused
04/0948/FUL	Two storey rear extension and first floor extension above existing garage and front porch.	Approved

### 4.0 PUBLICITY

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

## 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	EN7
Cambridge Local Plan 2006	3/4, 3/7 , 3/14, 4/4

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Arboricultural Strategy Cycle Parking Guide for New Residential Developments

	Roof Extensions Design Guide
	Suburbs and Approaches Study: -Long Road

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Engineering)

- 6.1 The application form removes a garage, but provides no existing or proposed parking layout. The applicant must provide information regarding the proposed parking arrangements to inform the decision making process. Please provide this information to the Highway Authority for comment

## 7.0 REPRESENTATIONS

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

- 37 Long Road
- 41 Long Road

- 7.2 The representations can be summarised as follows:

- The roof terrace would overlook no. 37 and lead to a loss of privacy
- Existing hedging is diseased and will not remain or mitigate the impact of the extension on no. 37
- The pre-development tree survey is out of date.
- The scale of the extensions are out of proportion with the house and are too big for the site
- The extension on the eastern boundary will threaten the mature trees and compromise them;
- New windows will reduce the privacy to the garden of No.41, particularly if a tree is to be removed;
- The western extensions and the rooflights would be out of keeping with the area and, because they come closer to No.41, will considerably reduce the light to the three windows on the eastern elevation of No.41 with the front

extension standing well forward of the front elevation of No.41 by some 3.6 m;

- There are inaccuracies in the drawings
- There are inaccuracies on the application form.
- The proposed changes in the application are not dissimilar to its predecessors and are only this big to satisfy generous internal layouts.
- Concern that the property may be changed to a guesthouse;
- Believe that the reasons that the Inspector gave have not been satisfied in this application.

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. Trees
3. Residential amenity
4. Third party representations

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

8.2 The proposed front porch will be visible in the street scene, but will partially screened by the existing front boundary hedging. Given that the existing dwelling is set well back from Long Road itself, I do not consider that the porch would be intrusive in the local street scene or townscape.

8.3 The proposal seeks to widen the existing forward projecting gable and build over the existing garage to accommodate additional study, sitting room space and a toilet at ground floor level and additional bedroom and toilet space at first floor level. The gable remains hipped on the front elevation.

8.4 The previous scheme incorporated a front dormer and two side 'blind' dormers, which would have been visible within the street scene. That scheme (11/0811/FUL) was refused on the

inclusion of these elements alone by virtue of the dormers' design, scale and massing and relationship with the existing roof form having appeared as dominant and intrusive elements in the roofscape.

- 8.5 Given that the revised scheme no longer includes any of these elements and instead retains a front hip and incorporates velux windows into the western and southern roof slopes, I consider the reason for refusal is overcome.
- 8.6 The proposed rear extension will not be visible in the street scene but will be mostly visible within the rear garden environment of no. 37, from The Perse Boys playing field and from limited parts of the garden of no. 41.
- 8.7 The rear extension adjacent to no 37 is 8m long and set marginally off from the boundary. I have given consideration as to whether it is disproportionately so, however, I consider that given that the rear garden of the property is very deep with an overall depth of about 35m and the design is of itself acceptable, I consider that the part two-storey, part single-storey rear extensions would integrate appropriately as a harmonious and subsidiary addition to the existing dwelling, subject to the use of appropriate materials. The single-storey rear glazed extension is of a modest scale and I consider that this element will integrate satisfactorily with the existing dwelling.
- 8.8 The eaves and ridge of the proposed house are both raised by 300mm. A street scene front elevation showing the proposed house alongside nos. 37 and 41 accompanies the application. This demonstrates that the increases are modest and would sit comfortably and harmoniously with adjacent eaves and ridge heights. I have no concerns regarding the introduction of the modest dormer at 2<sup>nd</sup> floor level.
- 8.9 It is my opinion that from a visual perspective, the proposal is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4 and 3/14.

### **Trees**

- 8.10 The proposed two-storey extension is no deeper than previously proposed. Within the Inspector's report relating to the

previous application, he considered that if the appeal had been allowed, a condition could have been imposed to ensure that protection measures were in place to protect the trees during construction works.

- 8.11 I note that the tree report is now some 4 years old, but I see no reason to deviate from the Inspector's logic. Subject to appropriate conditions, the proposal will not harm the trees and is compliant with policy 4/4 of the Cambridge Local Plan 2006.

### **Residential Amenity**

- 8.12 Impact on amenity of neighbouring occupiers
- 8.13 This is the key issue for consideration in determining the application, as objections have been received from neighbours either side of the site. I have visited both sets of neighbours to ascertain the likely impact of the development on their respective residential amenity.
- 8.14 Of the two neighbours, I consider that it is the potential impact on the neighbouring amenity of the occupants of no. 37 Long Road, which has formed reasons for refusal previously and in the Inspectors decision, that needs the most careful consideration.
- 8.15 The proposed part two-storey, part single-storey rear extension has been reduced in dominance from that proposed previously and dismissed at appeal. The depth of the extension has not been reduced, but in the previous application, this extension was a full two-storeys at a depth of 8 m.
- 8.16 The Inspector considered that the extension would have been very dominant in the outlook from No.37, which has several main rooms at both ground floor and first floor, facing west, towards No.39.
- 8.17 In order to reduce this dominant appearance, the current application proposes a rear extension, which remains a total of 8 m in depth, but which is of a subservient two-storey form with lowered eaves for only 4 m, closest to the existing rear elevation of the property and then with a reduced single-storey element (with terrace above) for the remaining 4 m.



- 8.18 I have given consideration as to whether this revised form is sufficient enough to allow me to conclude that the proposals are now acceptable in terms of their impact on outlook from and enclosure of no 37.
- 8.19 I note that no.37 has a two-storey form for the length of the property, the rear elevation of which would sit approximately 400 mm short of the finished rear elevation of the proposed rear extension at no.39. However, the extension at no.37 sits 9 m from the common boundary, with a patio area in the space between the western flank elevation of no.37 and the boundary with no.39.
- 8.20 The proposed two-storey form would encroach to some extent into the patio area of no. 37, but at 4m in depth and given the length of the gardens and the outlook, which No.37 has out over the playing fields, it is difficult to argue that this reduced form would have a detrimental impact upon the amenity of the neighbours to a significant extent. No.37 would still have a patio area further to the north, which could be utilised and would not be adjacent to the two-storey form.
- 8.21 After the initial 4m at two storeys, the extension then reduces to a single storey for a further 4 m. The eaves of this element would be 2.2 m, which is considered to be acceptable rising away from the boundary to a ridge of 3.7 m. These dimensions are not considered to be un-neighbourly and I believe that the proposals have now been revised to an extent to consider the development acceptable.
- 8.22 On the roof of the single-storey element, there is a roof terrace proposed which leads from a first floor bedroom. It is this element that appears to be giving the occupants of no.37 a great deal of concern. The sloping roof of the single storey element provides what is effectively a parapet wall to the terrace. I am concerned that this height is not sufficient to mitigate against overlooking entirely into no.37 and that more could be done to reduce the extent of the terrace area. I have asked for the applicants to revise the plans to reduce the extent of the terrace and improve the screening to it to remove potential overlooking. This may not entirely overcome the objection from no.37, but I consider that with these revisions the presence of the terrace would be acceptable. I will report the nature of these revisions on the amendment sheet, as I am yet

to receive them.

- 8.23 Moving to the proposed first floor side extension on the western flank of the property, adjacent to No.41. this largely replicates that proposed in the previous planning application that was appealed. The Inspector considered that the first floor extension would respect the form of the existing dwelling and would have no harmful effect on the living conditions at the neighbouring property to the west. Clearly, the extensions would come closer to the occupants of no 41, but I do not consider the impact, either to the front or to the rear, to be significant. I have considered whether there would also be an undue loss of light to existing rooms, but I consider any loss would be marginal and would not be to main habitable rooms but a utility room and to a lesser extent a stairwell.
- 8.24 I note that the occupants of no. 41 have concerns regarding the privacy in their rear garden, which is almost entirely private, being surrounded by a tall conifer hedge. I do not consider that the scheme would impinge upon this privacy but have asked the applicants to include a privacy hood to a north facing 2<sup>nd</sup> floor bedroom window to alleviate these concerns in their revised plans.
- 8.25 On balance, I consider that the revisions to the design of the proposed development are significant enough to allow the approval of the application. The extensions have been altered in such a way that they do address previous reasons for refusal and those given by the Inspector.
- 8.26 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 Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

### **Third Party Representations**

- 8.27 The majority of neighbour concerns have been addressed within the main report, although there are two points, which remain. The first of these is that the property may be changed into a guesthouse
- 8.28 If the applicants decide to use the property as a guesthouse, then a further planning application will be required for a change

of use. As direct neighbours of the property, No.37 and No.41 will be notified if such an application is submitted and given the opportunity to comment. However, such concerns cannot be considered as part of this application as such proposals have not been included and a reason for refusal could not be based on an alleged intention.

8.29 The second point relates to inaccuracies in the plans and application forms. I have asked the applicants to address these.

## **9.0 CONCLUSION**

9.1 The application adequately respects the amenity of its neighbours and would not be out of keeping with the street scene.

## **10.0 RECOMMENDATION**

### **1. APPROVE subject to the following conditions and reasons for approval:**

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)

3. The first floor roof terrace shall be constructed with the proposed privacy screens in place prior to its use and shall not increased in size beyond the approved dimensions.

Reason: In order to safeguard residential amenity (Cambridge Local Plan 2006).

## **Reasons for Approval**

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

Cambridge Local Plan (2006): 3./4, 3/7 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](http://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 on the City Council website at: [www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess) or by visiting the Customer Service Centre at Mandela House.