

<b>Application Number</b>	12/1583/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	18th December 2012	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	12th February 2013		
<b>Ward</b>	West Chesterton		
<b>Site</b>	21 Belvoir Road Cambridge CB4 1JH		
<b>Proposal</b>	Side and rear roof extension		
<b>Applicant</b>	Mr Ian Jolley 21 Belvoir Road Cambridge Cambridgeshire CB4 1JH		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"><li>1. The proposal would have a significant detrimental impact on the character and visual appearance of the house; and</li><li>2. The proposal would be overbearing and dominant and would therefore have a significant detrimental impact on the occupiers of 19 Belvoir Road</li></ol>
RECOMMENDATION	REFUSAL

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

- 1.1 21 Belvoir Road is located on the west side of the street, about 30 metres south of the junction with Aylestone Road. It is the southern half of a pair of semi-detached bungalows, which when built each had an L-shaped footprint, combining to form a U-shape; the main roof of the pair has a ridge parallel with Belvoir Road and was high enough to allow some accommodation in the roof and was hipped at the ends, with lower ridges at 90 degrees to the main ridge, projecting down the gardens over the rear 'wings'.

- 1.2 At some time both properties have introduced small additions (not as deep as the rear 'wing') to the centre of the 'U'. No 21 has had a flat roof, timber-clad, 'garden room' built a short distance back from the rear wing.
- 1.3 In late 2008 works were commenced to the roof of 21 Belvoir Road. The works comprised a change to the main roof involving the introduction of a gable to the southern end instead of a hip, and behind the newly extended main ridge a substantial 'box' dormer projecting out from just below the ridge; it is 6 metres wide (from the new gable to the chimney), 3.6 metres deep and stands 3.0 up from a point about 300 mm above the eaves. A further addition was made above the rear wing, projecting a further 3.2m out from the back of the box dormer already referred to (7.0 metres in all from the ridge) at the same height as the 'box dormer' with a lean-to over the last 1.4m of the 'wing'. Tiles have been used on the front of the hip to gable element and the box dormers are finished in painted timber. To the rear a casement window is shown in the study/bedroom and French doors and a 'juliet' balcony have been introduced to the bedroom. These works do not have the benefit of planning permission, having been refused and the subsequent appeals dismissed (see Section 3 below).
- 1.4 The site falls within the De Freville Conservation Area, an area dominated by late 19th and early 20th century houses but with small pockets of more recent development, including the appeal premises.

## **2.0 THE PROPOSAL**

- 2.1 The proposal as submitted seeks retrospective planning permission for the roof extension and alterations to the 'as built' structure by substituting a mono-pitched roof form over the rear wing to reduce the 'box shaped mass' of the main roof extension.
- 2.2 The application is accompanied by the following supporting information:

Design and Access Statement

- 2.3 The application has been brought before North Area Committee because the Committee has been fully involved in the lengthy and complicated planning history of this site and in the opinion of Officers that approach should continue.

### **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
08/0625/FUL	Addition of new first floor accommodation. Rooms in new roof with dormers to side and rear.	Refused
09/0798/FUL	Loft conversion with roof extension	Withdrawn
09/1089/FUL	Loft conversion with roof extension (retrospective)	Refused Appeal dismissed
11/0405/FUL	Proposed alterations to reduce bulk of existing loft rooms.	Refused Appeal dismissed
12/0322/FUL	To reduce height of dormer.	Refused
12/1096/FUL	Side and rear roof extension	Refused Appeal pending

- 3.1 Copies of the Decision Notices and Planning Inspector Appeal Decisions can be found attached at Appendix 1 of this report

### **PUBLICITY**

- |     |                        |     |
|-----|------------------------|-----|
| 4.1 | Advertisement:         | Yes |
|     | Adjoining Owners:      | Yes |
|     | Site Notice Displayed: | Yes |

### **5.0 POLICY**

- 5.1 See Appendix 1 for full details of Central Government Guidance, 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
Cambridge Local Plan 2006	3/4 3/14 4/11

## 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>  Roof Extensions Design Guide Practice Guide
	<u>Area Guidelines:</u>  Conservation Area Appraisal:  De Freville

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Engineering)

#### 6.1 No comment.

## **Urban Design and Conservation Team**

- 6.2 Due to the size and design of the roof extension, and the use of timber cladding, this application is not supported as it is detrimental to the character and appearance of the conservation area.
- 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 objecting to the application:

- ☐ 19 Belvoir Road
- ☐ 23 Belvoir Road
- ☐ Pear Tree House, Hutton Magna, County Durham

- 7.2 The representations can be summarised as follows:

- ☐ Impact on privacy
- ☐ The whole extension should be removed as it is unsightly
- ☐ Overbearing in mass
- ☐ Overshadowing
- ☐ Impact on outlook
- ☐ The materials are out of character
- ☐ Fire risk of timber
- ☐ Unsympathetic design
- ☐ Precedent
- ☐ Stress and distress caused by the number of applications

- 7.3 The owners/occupiers of the following addresses have made representations in support of the application:

- ☐ 20 Belvoir Road
- ☐ 24 Belvoir Road
- ☐ 25 Belvoir Road
- ☐ 27 Belvoir Road
- ☐ 28 Belvoir Road
- ☐ 36 Belvoir Road
- ☐ 1 Aylestone Road

7.4 The representations can be summarised as follows:

- ☐ The property was developed for more family space and not for money
- ☐ It should remain a family home
- ☐ The proposed changes will mean that it is no longer overbearing
- ☐ It is not visible from the street
- ☐ Vindictive neighbours have objected to the application
- ☐ There are a lot of roof extensions in the area

7.5 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 The site is in the Conservation Area and the development has been undertaken without the benefit of planning permission. There have been five previous retrospective planning applications, all of which were refused; two of these decisions have subsequently been appealed and dismissed by Planning Inspectors, while the most recent, 12/1096/FUL presently has an appeal in progress. Notwithstanding that background, this further application needs to be properly assessed; the current application proposes adding a mono-pitched roof form over the rear wing. The most recent Planning Inspector came to the view that there were two main issues:

- (i) the effect of the development upon the character and appearance of the De Freville Conservation Area; and
- (ii) the effect upon residential amenity of the occupiers of nearby dwellings owing to overlooking and loss of privacy or the creation of an overbearing effect.

8.2 The proposed development has been altered in a relatively minor way from those that have been decided previously and for this reason I consider those are the still the main issues to consider.

## **Design, Context and the effect of the development on the character and appearance of the De Freville Conservation Area**

- 8.3 As built, the design of the retrospective roof extensions are cumbersome and heavy handed. The very square form of what is built and the materials are such that I have some sympathy with the comment that its appearance is not unlike a storage container. From neighbouring gardens, particularly No.19, the 'as built' rear additions appear disproportionate and intrusive, overwhelming the rear roof of the dwelling and not reflecting or successfully contrasting with the existing form.
- 8.4 In the appeal decision dated 23 November 2010 (planning application 09/1089/FUL), the Planning Inspector recognised that there are a number of dormers in the rear roofs of houses which are visible in the local street scene and that they formed part of the character of the Conservation Area when it was designated in 2009. It was accepted that the upper part of the rear dormer at No.21 'as built' was clearly visible from Aylestone Road, but he took the view that it was not intrusive and that the proposal had no harmful impact upon the character and appearance of the Conservation Area, which, he stated, could be preserved.
- 8.5 In 2011, an application to alter the built roof extension by chamfering off the northern top edge of the block above the rear 'wing', and replacing the timber cladding on the chamfer and the north facing side with tiles was submitted (11/0405/FUL). In the appeal decision relating to that application the Planning Inspector agreed with the previous Inspector that the character and appearance of the Conservation Area could be preserved by the development, but dismissed the appeal (partially) because the proposal would introduce an awkward design that would be discordant in relation to the main dwelling.
- 8.6 The alterations to the built structure proposed in this application relate to the roof extension that projects over the original single storey rear wing of the property. To reduce the mass and 'boxiness' of the extension, it is proposed that a monopitch roof is substituted on the rear 'wing' of the roof extension. In my opinion, like the alterations proposed under the 2011 application, this proposal responds poorly to the existing building. The mono-pitch design would slope steeply down

from a ridge level with, but at right angles to, the rear edge of the main roof extension 'box' to eaves more or less level with the top of the rear 'lean-to', and the glazing proposed at the end would have no relationship with the fenestration either of the original house or the 'as built' box on the main roof. This would result in a roof extension just as awkward in appearance as the chamfered design proposed under 11/0405/FUL. The two sections of extension would in my opinion be disjointed in design and oblique views of this could be seen from the neighbouring road, Aylestone Road.

- 8.7 As the Inspector did with respect to the 11/0405/FUL chamfered design, I consider that the proposal fails to reflect or successfully contrast with the form, materials and architectural detailing of the main house, and is therefore in conflict with the Cambridge Local Plan (2006) policies 3/4, and 3/14, and with government guidance in paragraphs 58 and 64 of the Framework.

**Effect upon residential amenity of the occupiers of nearby dwellings owing to overlooking and loss of privacy or the creation of an overbearing effect**

- 8.8 In the previous applications, save for the most recent (12/1096/FUL), small amendments were proposed to the 'as built' form, which would have secured minimal improvements to the existing living conditions of the occupiers of neighbouring properties. Consequently, both Officers and Planning Inspectors considered that the proposed development in each case remained harmful to the neighbouring occupiers.

Overlooking and loss of privacy

- 8.9 Neighbours have raised objection to the continued presence of full height French doors and Juliet balcony, which serve the main bedroom. It is argued that the presence of such a feature does result in a loss of privacy to the neighbour at No.19, and has affected their ability to use the garden in the manner which they desire. Prior to the construction of the development, No. 21, unlike No.19, had no windows in the roof.
- 8.10 Officers recommended refusal, partly on this basis, of an earlier application. North Area Committee followed the recommendation, but the Planning Inspector, in his decision of



23 November 2010, concluded that the degree of overlooking was not significant enough to amount to a reason for refusal of planning permission.

- 8.11 The Inspector considered that the effect of these windows would be mitigated by the presence of net curtains, and that as the doors relate to a bedroom, the number of occasions when overlooking might occur would be limited. Such overlooking is commonplace at the rear of two storey houses and these predominate in the area. There is a dormer window to No.17, to the north of No.19, which overlooks the latter garden, and the 'as built' Juliet at No.21 does not provide views over any area of the garden that is not also overlooked by No.17. Therefore, taking the Inspectors' decisions as material considerations and coming to my own view, I do not consider that there is an unacceptable impact created by the presence of French doors upon the amenity of No.19 Belvoir Road.

#### Overbearing

- 8.12 Previous appeal decisions have judged both the 'as-built' form and proposed amendments to it as having a harmful, overbearing and dominant impact on No.19, thereby causing the occupants of that property to suffer a sense of enclosure.
- 8.13 The Inspector's decision of 23 November 2010 acknowledged that the impact of the projecting extension, although closer to No.23, has a greater impact on No.19, a view with which the Council concurred. The Inspector went on to describe this element as stark in appearance and noted the view of the Conservation Officer that it was 'very angular' and that in order for the development to be less imposing the extension over the rear extension should be entirely removed. The Inspector went on to say that the size of the rear projection was particularly intrusive and had a harmful overbearing impact on No.19. The second appeal decision concurred with this view.
- 8.14 In order to respond to these comments, the applicants have revised the roof form of the proposed extension that projects over the existing single storey wing. In an attempt to reduce the overbearing impact, the design is a mono-pitch roof which rises from eaves, at 4.3m above ground facing the garden of No.19, to its ridge, close to the common boundary with No. 23, which remains at the same height (6m) as former applications.

- 8.15 It is the view of officers that the overbearing nature of the proposed extension remains and although the height of the edge nearest to No.19 has been reduced, the design now requires the occupier of No.19 to view a 3.1m long expanse of tiled roofing that sits awkwardly with the retained form of the main roof dormer. The proposal maintains the ridge height, scale and visual impact, which have caused previous iterations of this development to be refused permission both by the Council and Planning Inspectors. For this reason, I consider that the proposed development is unacceptable and is in conflict with policy 3/14 of the Cambridge Local Plan (2006), which requires an extension, amongst other things, not to unreasonably overlook, overshadow or visually dominate the neighbouring properties.

### **Third Party Representations**

- 8.16 The issues raised in the representations received have been addressed under the headings above.

## **9.0 CONCLUSION**

- 9.1 The proposal would have a significant detrimental impact on the character and visual appearance of the property and would also have a significant detrimental impact on 19 Belvoir Road as it would be overbearing and dominant. The application is therefore recommended for refusal.

## **10.0 RECOMMENDATION**

### **REFUSE for the following reason/s:**

1. The scale, massing, materials and fenestration of the proposed rear projection do not reflect or successfully contrast with the form or materials of the existing building. The monopitch roof is juxtaposed awkwardly with both the box form on the main roof and the lean-to on the ground floor, while the proposed windows make no reference to those in the original house or the 'as built' roof extension. The resulting disjointed design would be prominent in views from adjoining gardens and could be seen obliquely from Aylestone Road. It follows that the proposal has failed to respond to its context or to draw inspiration from key characteristics of the surroundings and is therefore contrary to Cambridge Local Plan 2006 policies 3/4 and 3/14 or to government guidance in Section 7 of the Framework.
2. The additions proposed are intrusive and have a harmful, overbearing and dominating affect upon No.19 which will cause the occupants of that property to suffer a sense of enclosure that will unduly detract from and be harmful to the level of amenity they should reasonably expect to enjoy. For these reasons the proposal is contrary to Cambridge Local Plan 2006 policy 3/14.