

Application Number	13/1517/FUL	Agenda Item	
Date Received	24th October 2013	Officer	Mr Amit Patel
Target Date	19th December 2013		
Ward	Castle		
Site	33 Woodlark Road Cambridge CB3 0HT		
Proposal	Retrospective application for part two storey part single storey side and rear extension as built		
Applicant	Mr Andrew Michael 33 Woodlark Rd Cambridge Cambridgeshire CB3 0HT		

SUMMARY	The development accords with the Development Plan for the following reasons: The proposal will not have a significant impact upon the neighbours Is acceptable in design terms
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 33 Woodlark Road is a semi-detached two-storey dwelling situated on the north-western side of this section of Woodlark Road. The area is residential in character containing mainly semi-detached and detached two-storey dwellings although to the rear lies a sports ground and tennis courts.
- 1.2 The site does not lie within a Conservation Area or the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 This application is for retrospective permission for a part two storey part single storey and rear extension to the dwelling. Although the description covers extensions, they have already been built but the window at first floor and doors at ground floor rear elevation and side window at ground floor were not

constructed in accordance with the approved plans under planning reference 13/0064/FUL, and therefore this application has been submitted to regularise this.

- 2.2 With regard to the assessment of this application, I consider that the issues will revolve around the changes from the previously approved scheme and not the entire scheme. The changes being the larger first floor window, ground floor door in the rear elevation and side in ground floor window size being altered.
- 2.3 During my site visit I noted that the extensions have been erected and the amended window at first floor and doors at ground floor and the amended ground floor side window have been installed.
- 2.4 The applicants have confirmed that pebble dashing has taken place on the existing house which was already existing and was replaced and therefore the applicants are not rendering the elements as shown on the submitted plans and have submitted plans showing the pebble dashing.
- 2.5 The application is accompanied by the following supporting information:

1. Plans

- 2.6 The application is brought before Committee at the request of Councillor Kightly for the following reasons:
- I suspect that it would be in the public interest for this to come to Area Committee for consideration.
 - The proposal raises issues regarding overlooking and privacy concerns to the neighbours.

3.0 SITE HISTORY

Reference	Description	Outcome
12/1403/FUL	Part two and part single storey side and rear extensions.	Refused
13/0064/FUL	Part two and part single storey side and rear extensions to dwelling.	Approved with Conditions

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, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/14

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction
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) National Planning Practice Consultation

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, the following policies in the emerging Local Plan are of relevance:

Policy 55, 56, 58

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No comment to make on this application.

The above response is 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 Councillor Kightly has commented on this application. His comments are as follows:

- I suspect that it would be in the public interest for this to come to Area Committee for consideration.
- The proposal raises issues regarding overlooking and privacy concerns to the neighbours.

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

- 12 Woodlark Road
- 16 Woodlark Road
- 31 Woodlark Road

7.3 The representations can be summarised as follows:

- The changes have a significant impact upon the street and character, particularly:
 - o Change to the front door
 - o Height increase to the rear window
 - o Changes to the rear door in height and material to aluminium clad
 - o Large amount of solar panels
- Overlooking from the larger window and the side windows;
- Front windows being replaced;
- Use of render instead of pebble dashing
- Reduce the value of the properties
- The materials are not in keeping and the render should be more closely matched

7.4 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 proposal is for a retrospective development for a side and rear extensions. The extensions have already been constructed under planning reference 13/0064/FUL but the window at first floor and doors on ground floor have not been installed in accordance with the approved plans and neither has the side

window at ground floor serving the bathroom. The application, as mentioned, previously seeks to rectify this. Therefore I do not consider that refusing the application for the extensions would be reasonable as their impact was assessed and accepted under planning reference 13/0064/FUL and there has not been a change in policy to come to a different conclusion.

- 8.3 The proposed changes are mainly to the rear elevation although would be partially seen from the road. The side ground floor window serving the bathroom was already proposed in the previous scheme and this has changed in size to be thinner and longer.
- 8.4 There have been objections regarding the use of materials and I consider that this was already considered as part of the original application reference 13/0064/FUL and would be unreasonable to refuse the application on these grounds.
- 8.5 The concerns raised regarding the changes to the existing front door and windows and addition of solar panels are not material. They are all permitted development in the Town and Country Planning Act (General Permitted Development) Order 1995 Class A. It would be unreasonable to refuse this application on these grounds as the applicant does not require specific permission.
- 8.6 Concerns have been raised regarding the use of render. The applicants have confirmed that the use of pebble dashing instead of render will occur. I can confirm that on my site visit I note that the existing property already had pebble dashing and this was a like for like replacement and is considered acceptable, an amended plan for south east elevation shows this.
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 Concerns have been raised about overlooking from the rear and side windows. The assessment of the change in the first floor window revolves around how different this situation is from the

approved scheme as this already had a window in this position, albeit smaller. The dropping of the sill height will open up views from inside the room but if the approved window was installed these views will still be afforded. There are existing windows at first floor level that also afford overlooking into neighbours gardens and I consider that the overlooking from the rear first floor window will not be significantly different to previously approved scheme.

- 8.9 The ground floor side window serving the WC is shown on the previously approved scheme albeit the window has been made thinner and longer. I consider that this window will not afford any direct overlooking as there is an intervening fence and I consider that the proposal would not have any significantly different impact on the adjoining occupiers than the previously approved scheme but I consider that a obscure glazing condition would overcome concerns relating to overlooking and recommend a condition.
- 8.10 The rear French doors are changing from a four leaf to a three leaf design. They are marginally increasing in size. The impact from these would not be significantly different to the approved scheme.
- 8.11 Subject to condition, 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 and 3/7.

Third Party Representations

- 8.12 The issues relating to the change of the windows and doors has been discussed within the sections headed context and design and residential amenity.
- 8.13 The issue relating to the materials, solar panels, change of the front door and replacing the pebble dashing are all considered to be permitted development.
- 8.14 The concern about devaluing property is not a planning matter which could be used to refuse this scheme.

9.0 CONCLUSION

The changes to the windows at first floor and doors on the ground floor in the rear elevation and changes to the side window serving the ground floor bathroom are all acceptable. I consider that subject to the side window being obscure glazed the proposal is acceptable and I recommend APPROVAL.

10.0 RECOMMENDATION

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

1. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

2. The window serving the ground floor wash room on the drawing number CH105/04 B on the south west elevation at ground floor level shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to use of the extension and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).