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| Application Number | 14/0342/FUL | Agenda Item | |
| Date Received | 7th March 2014 | Officer | Mr Sav Patel |
| Target Date | 2nd May 2014 | | |
| Ward | Market | | |
| Site | 14 Victoria Street Cambridge CB1 1JP | | |
| Proposal | Rear 2 storey extension/single storey extension to dwelling to accommodate a platform lift for wheelchair use and small conservatory at ground floor. | | |
| Applicant | Mr Christopher KNOWLES 14 Victoria Street Cambridge Cambs CB1 1JP UK | | |

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| SUMMARY | <p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The design and scale of proposed extension is in proportion with the existing property and would not appear overly dominant. <input type="checkbox"/> The proposed extension would not have a detrimental impact on the character and appearance of the Conservation Area. <input type="checkbox"/> The proposed extension would not have any significant adverse impact on the residential amenity of the adjoining neighbours in terms of overlooking, overbearing or overshadowing. |
| RECOMMENDATION | APPROVAL |

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 No.14 is a two storey, mid-terraced Victorian property, which has been extended at the rear at two storey level. The

surrounding area is predominantly residential mainly consisting of extended terraced houses.

- 1.2 There is an external timber balcony on the first floor of the rear elevation with an external staircase which allows access to the rear garden from the first floor.
- 1.3 Part of the western boundary is defined by a blank two storey wall which forms part of the rear extension to no.13. The eastern boundary is defined by a timber fence with trellis above and climbing plants.
- 1.4 The property is located within a Conservation Area and a Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The proposal is for a part two and part single storey extension enclosing the existing external balcony and staircase and to provide the applicant with a lift to enable him access to the first floor. The proposed structure would be extensively glazed.
- 2.2 The proposed scheme has been submitted following pre-application discussions with officers. The previous scheme, which was withdrawn, was considered to be unacceptable.
- 2.3 The main alterations to the previous scheme are as follows:
 - Chamfered section removed;
 - The layout of extension has been staggered in two stages away from the side boundary with no.15;
 - The extension has been broken down into two sections; a two storey section and single storey section to reduce its massing and scale.
- 2.4 The extension would project from the rear elevation of the property by 4.3 metres and be staggered away from the boundary with no.15. The closest section to the boundary with no.15; the two storey element, would be 513mm off the boundary and project 1.6 metres along the boundary before the next step which pulls the extension a further 500mm away from the boundary and then the extension continues to project a further 2.75 metres. The extension would adjoin the existing two storey extension at no.13. The height of the two storey section

would be 5.45 metres to the ridge, which would be lower than the two storey extension at no.13. The single storey section has been designed with a pitched roof and would be 2.35 metres to the eaves, rising to 3.4 metres to the ridge.

2.5 The application is accompanied by the following supporting information:

1. Planning Statement
2. Plans and CGIs

2.6 The application is brought before Committee at the request of Councillor Bick for the following reasons:

Given the purpose of the application, it is important to all parties that there is full transparency and understanding about the relevant criteria to be used in its determination.

3.0 SITE HISTORY

| Reference | Description | Outcome |
|-------------|--|-----------|
| C/85/0104 | ERECTION OF TWO-STOREY REAR EXTENSION TO EXISTING DWELLING HOUSE | APPROVED |
| C/87/0003 | ERECTION OF TWO STOREY REAR EXTENSION TO EXISTING DWELLING HOUSE. (AMENDED BY LETTER and DRAWINGS DATED 25/3/87) | APPROVED |
| 13/1426/FUL | Rear 2 storey extension to dwelling to accommodate lift. | WITHDRAWN |

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

5.2 Relevant Development Plan policies

| PLAN | | POLICY NUMBER |
|---------------------|-------|--------------------------------|
| Cambridge Plan 2006 | Local | 3/4 3/7 3/11 3/12 3/14 4/11 |

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

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|----------------------------------|--|
| 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 1: The presumption in favour of sustainable development

Policy 55: Responding to context

Policy 58: Altering and extending existing buildings

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No comments.

Urban Design and Conservation Team

6.2 No comments received to date. Comments will therefore be reported to Members at Committee.

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 Victoria Street
- 16 Victoria Street
- 29 Earl Street
- 62 North End, Meldreth
- 35 Earl Street

7.2 The representations can be summarised as follows:

- Materials are non-traditional within this Victorian landscape;

- Vastly disproportionate resulting in no.14 being over-extended;
- Revised extension bigger than previous design;
- The proposal would appear unacceptably dominant and appear out of keeping;
- Impact on views from back gardens
- Overlooking of entire rear gardens;
- Light pollution on the surrounding area;
- Drainage and flooding from rainwater run off;
- The applicant should consider an alternative solution than that proposed;
- The proposal will dominate and overshadow the back entrance and light source into no.15 ;
- The proposal will result in overdevelopment of no.14 which has already been extended;
- The conservation area is being ruined bit by bit;
- Allowing this proposal will set an unwanted precedent;
- Access for construction and disturbance during construction.

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 From standing in the rear garden of no.14, it is clear that many of the properties within the terrace and terrace opposite (in Earl Street) have been extended in various styles, shapes and sizes; ranging from single storey, two storey and roof extensions. Many of the extensions opposite are partially screened by existing boundary shrubs and trees. No.13 has a two storey extension which is located on the common boundary with no.14

and projects approximately 4.3 metres. The side face of the extension has been rendered white to mitigate its dominance.

- 8.3 No.14 has also been extended at two storey level off the original rear elevation. No.15 has also been extended but at single storey level from the original rear elevation of the property. The extended rear elevations of no.14 and 15 both line up with each other. Both extensions are brick built. However, no.14 has an existing timber frame balcony with external, uncovered staircase, which runs alongside the existing two storey extension to no.13.
- 8.4 No.16 has also been extended off the original rear elevation but at two storey level. The extension is a contemporary building, which makes a successful transition from traditional to modern and does not project at two storey level as far down to the garden as the existing extensions at no.14 and 15. It is also worth noting that planning permission has recently been granted for a two storey extension at no.17 Victoria Street (Planning application ref:13/0727/FUL). This application was considered and approved by West Central Area Committee.
- 8.5 The proposed extension to no.14 would essentially enclose the existing external balcony and staircase. This would form the two storey section of the extension. Off this would be a single storey conservatory style structure which would enable the creation of a ground floor room. The extension has been designed to accommodate the specific health needs of the applicant and to provide wheelchair access and movement around the property. However, the extension could, in my opinion, be adapted (i.e. removal of lift) so as to be used as a practical and functional extension without making significant alterations to its size. Nevertheless, in my opinion, the application needs to be assessed in accordance with planning policy and not on the basis of any personal needs.
- 8.6 The design and scale of the extension has been revised from the previous scheme to address the concerns raised. The revised design is both functional and contemporary. The scale of the extension has been modified to reduce its dominance on the adjoining neighbour (no.15) and wider context. The revised design of the extension would contrast with the existing traditional brick extensions in the area. However, I am of the view that this extensively glazed structure would be a

contemporary and positive introduction to this area due to its shape and use of framed windows. The structure has been carefully designed to give a high quality modern appearance which also mitigates its impact on the adjoining neighbours. I have recommended a materials conditions so that officers can agree the type and colour of material to be used in the extension.

- 8.7 The proposed extensions would not in my view appear overdevelopment of the curtilage as there would be sufficient private amenity space left in the rear garden (6.6 metres deep and 4 metres wide).
- 8.8 As for the impact on the Conservation Area, I do not consider the proposal would have a significantly adverse impact on the character or appearance of the Conservation Area, particularly as there are many other larger, utilitarian extensions in the area. The extensively glazed structure would, in my view, add positively to the eclectic style and appearance of extensions in this area. The proposed extension would also preserve the character and appearance of the Conservation Area.
- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.10 Having visited the neighbour at no.15 to assess the potential impact on their residential amenity, I am of the view that, whilst there is likely to be some degree of impact due to the presence of a new structure, I do not consider the impact would be significantly adverse to warrant refusal.
- 8.11 The proposed extension would be extensively glazed and designed to mitigate any significantly adverse impact on the residential amenity of the adjoining neighbor (no.15) by staggering the building away from the boundary and breaking down the extension into two forms; a two storey element and single storey element. The extension would be stepped away from the boundary at two stages. The main two storey section which would accommodate the lift, would project approx.1.6 metres from the rear elevation. This section would be stepped

away from the common boundary with no.15 by 513mm. The single storey section would then be stepped another 500mm away from the boundary. The single storey section has been designed with a pitched roof to further mitigate any overbearing impact. The side elevation of the two storey section is proposed to be obscurely glazed to mitigate the visual impact on the lift movement on the occupier of no.15 Victoria Road.

- 8.12 The revised scale of the extension is not considered to appear unduly dominant or create an adverse overbearing or overshadowing issue on the occupier of the adjoining properties. The glazed frame structure in combination with the reduced height and setback from the boundary would, in my view, reduce the scale and dominance of the extension.
- 8.13 In terms of overdevelopment of the property, in my opinion, the proposed extension would retain an acceptable level of garden space and would not extend the full width of the curtilage. Whilst I appreciate the property has been extended before, the proposed extension would be smaller, in overall size, than the two storey extension at no.13, which is on a similar plot size. Therefore, whilst these are modest terrace properties, I do not consider the proposed extension would overwhelm them such that it would warrant refusal on the basis it would adversely overdevelop the plot.
- 8.14 In terms of overlooking, in my opinion, the proposed development would not create any additional overlooking on the neighbouring and surrounding properties over and above that which they already experience from the dwelling. The proposal is to essentially enclose the existing external balcony and staircase and accommodate a mechanical lift. I have recommended a condition to ensure the side elevation of the two storey section which faces towards the side boundary with no.15 is obscurely glazed.
- 8.15 In terms of overshadowing, I am of the opinion that the proposed development would not cause any significant loss of light or cast an adverse shadow over the private amenity space of the neighbouring property such that it would have a detrimental impact on their residential amenity. The proposed extension would be located due north-west of no.15 and set behind the existing full two storey extension at no.13. Therefore, given the orientation of the terrace and path of the sun, I do not

consider the proposal would cause any additional impact over and above that which is already experienced by the neighbouring properties.

- 8.16 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

- 8.17 I have addressed the main issues and concerns raised in the third party representations in the above section. I set out below my response to the other issues raised.
- 8.18 In terms of internal lighting, the applicant is proposing to use discreetly positioned down lights to mitigate any significantly adverse light pollution. The single storey section would be lit by a light underneath the staircase or balcony. The two storey section is proposed to be lit in various ways which the applicant has not finalised. I have therefore recommended a lighting condition to enable officers to agree the type and location of any lighting within the extensions prior to its development.
- 8.19 In terms of the drainage issue, I do not consider the proposal would create any adverse drainage issue over and above that which is already experienced. If there is an issue with rainwater penetrating the boundary wall and flooding the garden of the adjoining neighbour then this is a boundary dispute, which is a civil matter. Nonetheless, I have recommended a surface water drainage condition.
- 8.20 In terms of disturbance during construction, this is an inevitable and temporary part of development and subject to conditions restricting the hours of construction and collection/delivery during construction, I consider this would mitigate any significant adverse impact on the residential amenity of adjacent residents. As for how construction workers are to access the site, this is not a material consideration.

9.0 CONCLUSION

- 9.1 The proposed extension, in my view, is considered to be acceptable in terms of its glazed design and scale, and would

not due to its glazed design and layout have a significantly adverse impact on the residential amenity of the adjoining neighbours such that it would warrant the application to be refused.

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. 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.

3. 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. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

4. Details of the proposed internal lighting of the extension shall be submitted to and approved in writing by the local planning authority before the development hereby permitted commences. The details shall include the position of any light fixtures, direction of illumination and illumination levels. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity. (Cambridge Local Plan 2006 policies 3/11 and 4/15)

5. Except with the prior written agreement of the local planning authority no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

6. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
 - i) contractors access arrangements for vehicles, plant and personnel,
 - ii) contractors site storage area/compound,
 - iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
 - iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the amenity of the adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 4/13)

7. The windows identified as having obscured glass on drawing number 13.062-SE-301 (Proposed Side Elevation) shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of the extension 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).

8. Except with the prior written agreement of the local planning authority, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

9. No development shall take place until a scheme for the provision and implementation of surface water drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be constructed and completed according to the approved plans.

Reason: To protect the residential amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

INFORMATIVE: New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor Project Officer in the Planning Department (Tel: 01223 457121).