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| Application Number | 14/0974/FUL | Agenda Item | |
| Date Received | 16th June 2014 | Officer | Mrs Angela Briggs |
| Target Date | 11th August 2014 | | |
| Ward | Petersfield | | |
| Site | 27 Tenison Avenue Cambridge CB1 2DX | | |
| Proposal | First floor rear extension and internal alteration | | |
| Applicant | Mr Marshall And Mrs Kissane-Marshall 43 Lensfield Road Cambridge CB2 1EN | | |

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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 proposal would not have a detrimental impact on the character or appearance of the Conservation Area; <input type="checkbox"/> The proposal would not have a significant impact on sunlight to no.25 Tenison Avenue; <input type="checkbox"/> The proposal would not create an unacceptable sense of enclosure to neighbours. |
| RECOMMENDATION | APPROVAL |

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is situated on the south side of Tension Avenue, towards the northern entrance to Highsett. The area is predominantly residential in character and within a Conservation Area. The majority of Tenison Avenue and adjacent streets are characterised by a mix of substantial Victorian semi-detached villas on moderately sized plots. Beyond the rear boundary is the St. Collette's site, which has extant planning permission for residential development.

- 1.2 No.27 Tenison Avenue is a detached house, built against the eastern boundary with the plot of no.25. It has a passage from the front to rear on its western boundary with no.29 and is approximately just over 1m wide. The property is a large two storey property with an additional attic storey.
- 1.3 To the rear (south) was a lean-to conservatory. A single storey, flat-roof, rear extension, replacing the conservatory, is currently under construction and is being erected under permitted development rights.

2.0 THE PROPOSAL

- 2.1 The application seeks planning consent for a first floor extension, to the rear of the property, on the western boundary of the site. The extension measures 4.5m in width, 3m in depth and rises to 3.9m, above the single storey ground floor extension, currently under construction. The design follows the traditional architecture of the existing dwelling and has a hipped roof. The proposed extension would be set away from the eastern boundary with no.25 by approximately 2.5m.
- 2.2 The application is accompanied by the following supporting information:
1. Design & Access Statement/Heritage Statement
 2. Plans
- 2.3 A sun path diagram was requested and has been received which illustrates the over-shadowing impact on the neighbour at no.25. The two diagrams show before and after impacts and are taken during the Spring, Summer and Winter equinoxes and at specific times of the day: 9am, 12pm, 3pm and 6pm.
- 2.4 The application is brought before Committee at the request of Councillor Robertson.

3.0 SITE HISTORY

| Reference | Description | Outcome |
|------------------|---|------------------------|
| 14/0527/FUL | Two storey rear extension and new conservatory. | Application withdrawn. |

4.0 PUBLICITY

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|------------------------|-----|
| 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 | 3/1 | 3/4 | 3/7 | 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 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 |
| Material Considerations | <u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (2011) |

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, there are no policies in the emerging Local Plan are of relevance/the following policies in the emerging Local Plan are of relevance:

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No comment.

Urban Design and Conservation team

6.2 No conservation policy issues.

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:

- 13, 17, 23, 25, 29 Tenison Avenue
- 61, 82 Highsett

7.2 The representations can be summarised as follows:

- The proposal would completely overshadow neighbouring properties, especially in the afternoon;
- The proposal would create an unacceptable sense of enclosure, especially when the development at St. Collette's site is built;

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. Impact on the Conservation Area
3. Residential amenity
4. Third party representations

Context of site, design and external spaces

8.2 The application follows a previously withdrawn scheme for a larger development, which included a new ground floor extension (Ref: 14/0527/FUL). Concerns were raised relating to the impact on no.25 and 29 Tenison Avenue. Subsequently the application was withdrawn.

8.3 The applicants were aware that a ground floor extension could be erected under permitted development rights, and therefore proceeded to build this element. This application refers solely to the first floor rear extension.

8.4 The site is of a modest size and is bounded by close boarded fencing. No.27 Tenison Avenue is the only detached dwelling along this immediate row of semi-detached properties. However it is very close to no.25, to the east, which is separated by a 1m passageway between them.

8.5 The proposal would essentially sit on top of the single storey ground floor extension, currently under construction. In terms of its architecture, it would follow the design cue of the existing dwelling and in my view, would be subordinate to the host dwelling. The proposal would add an additional 15.3m² of first floor area to the dwelling, which, in comparison to the host dwelling, is a modest extension, in my view. The proposal would also be set back slightly from the ground floor extension,

so that there is a clear separation between the built elements and to help to 'break-up' the rear elevation. The window detailing is considered to be acceptable and reflects the existing sash windows on the host dwelling. There would be no additional windows on either sides of the extension.

- 8.6 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14.

Impact on the Conservation Area

- 8.7 The site lies within a Conservation Area and as such the Mill Road Area Conservation Area Appraisal (2011) is relevant. The Conservation Officer has raised no objections to the design of the proposal. The proposal would not be visible from the public domain, and therefore the impact on the character and appearance of the Conservation Area would be minimal. In terms of the design, I consider that it accords with the scale and proportions of the existing architecture and, provided high quality materials are used in the construction, I consider the proposal to be a sympathetic addition.

- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/11

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 A number of neighbours have raised objections to the proposal. In my view, the neighbour who would be most affected would be no.25, to the east. No.29, to the west, is set quite away from the boundary and therefore, in my view, the proposal would have a lesser impact in terms of loss of light and sense of enclosure.
- 8.10 The neighbour at no.25 has a single storey conservatory building attached to the rear of their house. This is their main living area because it is a well-lit area. I requested sun path studies from the architect to demonstrate the impact on no.25. The study does not include no.29, because the shadows would be cast away from no.29, due to the sun's path and property orientation.

- 8.11 From the sun path study, it is clear that there would be some impact on sunlight in late afternoon during spring, summer and autumn. This is shown on the diagrams at 3pm and 6pm. No significant impact on sunlight is shown on the 3pm diagrams. A more noticeable impact is shown in the 6pm diagrams, but I note that the conservatory is shown as almost entirely in shadow at this time without the proposed extension. Representations submitted contest this assessment, but I have no reason to suppose that the submitted sun path diagrams are incorrect. It appears that any impact on sunlight to the conservatory at No.25 would be confined to the evenings in spring, summer and autumn, and that the scale of the impact would be limited. I do not consider that this level of shadowing warrants refusal of the application.
- 8.12 In terms of the over-bearing sense of enclosure, the proposal is stepped away from the boundary with no.25, leaving the existing first floor window of the host dwelling exposed. This set-back, in my view, helps to minimise the bulk of the proposal and retains a reasonable gap between properties, which is also characteristic of Victorian architecture.
- 8.13 The neighbours have mentioned the potential cumulative impact of the proposal with the development approved on the St Colette's site. The concern is the unacceptable sense of enclosure that would be created if this proposal were to be approved. Even taking into account the proposals for the St Colette's site, I do not consider that the addition of a first floor rear extension on this site would lead to an unacceptable degree of enclosure. The proposed extension, in my view, is of a modest domestic scale that blends in with the host dwelling and does not detract from the character of the area.
- 8.14 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

- 8.15 I have addressed the neighbour concerns.

9.0 CONCLUSION

- 9.1 In conclusion, I consider that the proposal is acceptable and approval is recommended.

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)