

Application Number	14/0754/FUL	Agenda Item	
Date Received	15th May 2014	Officer	Mr Amit Patel
Target Date	10th July 2014		
Ward	Cherry Hinton		
Site	12A Drayton Close Cambridge Cambridgeshire CB1 9EY		
Proposal	Alterations to provide dependant relative's annex single storey side and rear extensions (retrospective).		
Applicant	Mrs S Jenson And Mr J Paul 12A Drayton Close Cambridge Cambridgeshire CB1 9EY		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The proposal is not out of keeping with the character of the area.</p> <p style="padding-left: 40px;">The proposed changes do not have an adverse impact on the neighbours.</p> <p style="padding-left: 40px;">The proposal is for an annex and does not have a significant impact on the highway.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 12a Drayton Close is the northern half of a pair of semi-detached houses located at the end of the cul-de-sac/turning area at Drayton Close. The property has recently been re-numbered from No.13 to 12a and is referred to as such throughout this report. Numbers 12, 12a and 14 were all built at the same time and are of a similar design. 12a has been extended to the north-east with a two storey extension.

- 1.2 The surrounding area is characterised by semi-detached two storey houses. Some of the houses benefit from extensions, which are mainly single storey but there are two storey extensions and some of the ground floor additions are of a substantial size.
- 1.3 The site does not fall within a Conservation Area and there are no Listed Buildings, Buildings of Local Interest or protected trees in the vicinity. The site falls outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 This application seeks retrospective approval for single-storey extensions to the existing kitchen and living area. The larger wing has already gained permission under planning reference 11/0873/FUL but this element has not been built in accordance with the approved plans and therefore permission is also sought for this.
- 2.2 This application is to regularise the works that have been carried out on site. The main changes to this application compared to the approved scheme are:
- The addition of the rear extension to the existing living room which measures 3.5m by 4.5m by 2.6m to the eaves and 4.2m to the highest part of the roof with a lean-to roof.
 - The addition of a rear extension to the existing dining room which measures 3.5m by 5m which tapers down to 4.7m by 2.6m to the eaves and 4.2m to the highest part with a lean-to roof.
 - The side extension which already gained approval for a 12.6m deep extension but this has been extended by 1m to 13.6m.
 - The ground floor window in the north elevation has moved to accommodate the extension to the existing kitchen.
- 2.3 There is a discrepancy in the depth of the previously approved side extension. The layout plan on drawing number shows this to be 13.6m deep, however, on the same plan the north elevation shows the depth of this element to be 12.6m. The agent has confirmed that this is a discrepancy and a revised north elevation drawing will be formally sent to update the drawings. In light of this, I have assessed the proposal as being 13.6m deep.

2.4 This application was removed from the agenda at South Area Committee. Cllr Dryden had requested the application be heard at Area Committee on the grounds of over-development.

2.5 The application is now being brought back after further investigations have taken place by Officers.

3.0 SITE HISTORY

Reference	Description	Outcome
11/0873/FUL	Alterations to provide dependant relative's annex single storey side and rear extension.	A/C

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 8/2 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014
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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:

Policies 1, 55, 56, 58, 80 and 82.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 There will be no adverse impact upon highway safety but could cause residential amenity problems with car parking on street.

Head of Refuse and Environment

- 6.2 No comments to make on this application.
- 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:

- 28 Bridewell Road

7.2 The representations can be summarised as follows:

- Changed from a four bed to a seven bed house
- The building comes close to the boundary with 28 Bridewell Road
- Overlooking
- Refusal of an application in Trumpington is similar to this application as a house was being extended and was not supported due to overdevelopment of the site.

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 representation 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. Highway safety
4. Car parking
5. Third party representations
6. Planning Obligation Strategy

Context of site, design and external spaces

8.2 The houses in Drayton Close are of the same design with generally red brick walls under a pitched and hipped roof. The terrace of 9-12 Drayton Close, which is finished in white render, is an anomaly that gives the end of the cul-de-sac a distinctive character. Most of the houses in the Close have some form of extension and therefore additions are not out of character. 12a Drayton Close benefits from a two storey extension, however the location of the rear extensions does not allow any views from the street.

8.3 The extensions are not highly visible in the street but are visible above the boundaries of nos. 12 and 14 Drayton Close and from first floor windows from Bridewell Road. 12a Drayton

Close is unusual in that it occupies a corner plot and has a larger garden than some neighbouring houses. Although the extensions occupy a large footprint it is my view they are acceptable because a sufficiently large garden is retained to preclude overdevelopment of the plot and it has limited impact on the visual amenities of the area.

- 8.4 The side element mirrors the roof design on the existing house and the lean-to roofs to the rear have a similar angle to the existing roof which is compatible with the design of 12a Drayton Close and they are constructed in bricks and tiles which match existing.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.6 Comments received raise concerns regarding the side extension coming closer to the rear boundary with Bridewell Road causing privacy concerns. In terms of the physical presence of the extensions, the neighbours most affected by the development are the occupiers of 12 and 14 Drayton Close. Although the approved single-storey side extension extends 1m further towards number 12, I consider that the single storey nature of the extension mitigates its impact to a significant degree as do the 1.8 metre high boundary fences to the boundaries with the neighbours. With respect to the properties on Bridewell Road this amended proposal does not come closer to their boundary. I do not consider that there is any significant difference on impact to these properties from the previous approved scheme.
- 8.7 The single-storey extension to the dining room is hard up on the boundary with the neighbour at no.14. The proposal is marginally more than what could be constructed under permitted development. It is 0.5m deeper by 0.2m higher than what could be constructed under permitted development. I do not consider that there is a significant impact in terms of loss of light or outlook.

- 8.8 There are no new windows proposed but two doors in the rear elevation serving the extensions to the dining room and kitchen. These are at ground floor level and considering that there is a 1.8m boundary treatment, I do not consider there is a significant loss of privacy to the neighbours.
- 8.9 Comments have been received regarding this being a seven bedroom property. The proposed development does not lead to the creation of a new dwelling or separate planning unit. In these circumstances a refusal on the grounds of additional noise and disturbance could not be justified.
- 8.10 The proposal creates an annex for dependent relatives. Although there are no fundamental issues relating to this, I note that this could easily be converted into a separate unit. This would, in my opinion, need further assessment as the impacts are significantly different. I recommend a legal agreement to control this.
- 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 3/14.

Highway Safety

- 8.12 The Highway Authority has raised no objection. I do not consider that it would be reasonable to recommend refusal on the grounds of highway safety.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car Parking

- 8.14 The annex is for dependent relatives and there is potential that they will have their own vehicle. The proposal will have a car parking space to the front of the dwelling. The car parking standards require a 3 or more bedroom house to have no more than 2 car parking spaces. The proposal has space off road for 2 spaces and is therefore acceptable. This site is outside the controlled parking zone and therefore car parking on street would not be out of the question. Illegal car parking is a matter

for the Highway Authority. It would not be reasonable to refuse the application on these grounds.

- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

Third Party Representations

- 8.16 The third party concerns have been addressed in the main body of the report above.
- 8.17 The issue concerning a comparable proposal being refused planning permission in Trumpington has not been addressed as each site is individually assessed and the context may be different.

Planning Obligation Strategy

Planning Obligations

- 8.18 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The proposal is for a retrospective application for the annex to the side of the existing house and extensions to the rear. It is considered that a condition alone is not sufficient to control the use as this element can be easily converted into a separate unit internally. In my opinion, in this case the ancillary use of the annex should be tied up legally through a section 106 which prohibits its independent use as a separate house.

I consider that this meets the three tests as set out above.

9.0 CONCLUSION

- 9.1 In my opinion the proposed development at 12a Drayton Close is sensitive to its context and is appropriate in scale to the surrounding area. The development does not have any adverse impact upon either the surrounding area or the amenities of neighbouring residents. The application is therefore acceptable and is recommended for approval.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no change of use to C4 is permitted.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/14)