

<b>Application Number</b>	15/0842/S73	<b>Agenda Item</b>	
<b>Date Received</b>	5th May 2015	<b>Officer</b>	Miss Alison Twyford
<b>Target Date</b>	30th June 2015		
<b>Ward</b>	Newnham		
<b>Site</b>	6 Hardwick Street Cambridge Cambridgeshire CB3 9JA		
<b>Proposal</b>	Section 73 application to vary condition 2 of application (Approved Drawings) 14/0946/FUL to allow amendments to be made to the design of the extension and ground levels (retrospective)		
<b>Applicant</b>	Dr G Apic 6 Hardwick Street Cambridge Cambridgeshire CB3 9JA		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>-The proposed changes to the previously approved scheme are acceptable and do not have a significant impact on neighbouring amenity.</li> <li>-The proposed changes are visually acceptable</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application site, no.6 Hardwick Street, is a two storey brick built terraced property situated on the west side of Hardwick Street. To the south and east there are similar sized terraced properties, to the west there are larger detached properties with spacious gardens and large trees. St Marks Church is to the north-west and there is also a public house to the north. The area is predominantly residential in character.

1.2 The site falls within the Newnham Croft Conservation Area.

## 2.0 THE PROPOSAL

2.1 The proposal seeks retrospective planning permission to reflect changes to previously approved plans granted under planning reference 14/0946/FUL

2.2 The changes to the approved drawings of planning application 14/0946/FUL that this application seeks to regularise are:

-Brick arches constructed over the existing windows in lieu of blown pre-stressed concrete lintels to the kitchen

-changes to the ground levels at 6 Hardwick Street which show a 230mm drop down from the original rear door adjacent to No.8, and 230mm step up near the new side elevation door and a further 50mm step up 2.9m from the rear most part of the extension.

-change to the point at which the mono-pitch roof meets the flat roof

-an increase in width of the brick pier between the door to the kitchen extension and new glazed doors which has resulted in a 30cm increase to the depth of the ground floor extension.

-increase in height of the parapet adjacent to No.4 of 15mm

-reduction of the height of the extension roof by 30mm

2.3 The application is accompanied by the following supporting information:

### 1. Drawings

2.4 An amended plan was requested to replace the drawing marked L(PL)HS.04 B to correctly show the ground level on the Side (facing No4) elevation. The revised drawing has been labelled L(PL)HS.04 C.

## 3.0 SITE HISTORY

Reference	Description	Outcome
14/0946/FUL	Rear Ground floor kitchen extension.	Permitted.
14/1945/FUL	Roof conversion, with rear dormer (cladding facade raising above	Permitted

main ridge height)

#### 4.0 PUBLICITY

4.1 Advertisement: No  
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 Local Plan 2006	3/4 3/7 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 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
	<u>Area Guidelines</u> Newnham Croft Conservation Area Appraisal (2013)

## 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.

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Engineering)**

6.1 No implications that will affect the highway network.

### **Conservation team**

6.2 No material conservation issues.

## 7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses and groups have made representations:

2 Hardwick Street

4 Hardwick Street

12 Hardwick Street

And the Newnham Croft Conservation Group.

7.2 The representations can be summarised as follows:

-changes not considered to be minor and will have significant effect on the amenity of neighbouring homes.

-to allow a breach of what was previously approved could set a precedent that would be detrimental to the Conservation Area

- concern that ground level has been stepped up by 300mm
- extension is too high (referenced as 3m)
- a coping stone will make works higher than they are already
- reference to a development in Owlstone Road that was reduced following concerns raised.
- Not considered appropriate for the conservation area
- not in line with policies
- the proposal is not considered to enhance or preserve the character of the area
- highly visible from the Church Hall entrance
- considered it should comply with the previously approved 2.7m height
- the retention as built could set a precedent within the row.
- the extension unreasonably over shadows the rear house and kitchen of No. 4 and has an adverse effect on the amenity of the occupiers
- extension is highly dominant and causes overlooking to the garden of No.4
- the extension is visually unattractive and out of keeping
- contrary to policies 3/4, 3/14 and 4/11
- a new application is considered more appropriate to cover all of the issues in "breach"
- further issues have been raised with the Council regarding this site and the possible breaches of planning control

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 and impact on the Conservation Area**

8.2 Part of the application seeks to address a change in the ground level at the rear of the site which shows the built form and

finished ground levels on site, as opposed to a flat level shown on the previously approved plans.

- 8.3 It is noted in the third party comments that the application does not address all of the reported issues on the site that relate to a possible larger increase to the ground level. The application reflects the built form and its impact has been assessed to consider the full built form.
- 8.4 Third party representations have also been made about the impact of the extension as a whole. I have noted these comments, however I am only able to assess the additional impact caused by the changes detailed in the application. The impact of the extension as approved would have been considered as part of the previous planning application. This application seeks to regularise the changes between the approved scheme and that constructed and does not seek to establish the acceptability of the extension per-se.
- 8.5 Consultee comments from the Council's Conservation Officer have not raised any material conservation issues. I note that third parties do not consider the extension to be in keeping or appropriate to the Conservation Area but I do not consider that the changes concerned are inappropriate or alter the scheme to the extent where it would harm the character of the building or Conservation Area.
- 8.6 The height of the extension on the plans compared with that previously approved is 15mm higher on the parapet. Third party comments state that the ground level has been raised by an additional 30cm. This difference was noted as visible from the neighbouring property at No.4 and the height of the extension therefore appears higher from the garden of No.4. It is unclear when the change in ground levels may have occurred. Having viewed the extension from the application site and the neighbouring property I am satisfied that the level of overlooking and the impact of the size of the extension experienced by the adjacent property is not of a level that would warrant refusal of the application.
- 8.7 The roof of the rear extension when measured on the application site was confirmed as 2570mm in height during my site visit which is actually lower than the 2.6m height previously approved.

8.8 I do not consider that the changes of the concrete lintels to brick arches , the enlargement of the brick pier to the extension or the change to the position of where the mono pitch roof meet the flat roof have a significant impact on the previously approved design

8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14 and 4/11.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

8.10 The changes to the approved scheme most directly affect the adjacent neighbours at numbers 4 and 8. The works are also visible from the rear of the site from a church, (as noted in the third party comments) to a lesser extent. As part of my assessment I visited the application site and the neighbouring property at No.4.

8.11 The changes comprise:

- an additional 15mm to the height of the parapet adjacent to No.4,
- replacement of the concrete lintels above the windows facing No.8 with brick arches,
- changes to the ground levels adjacent to No.8 and to the rear of the entire site,
- a change to the point where the mono-pitch roof meets the flat roof
- and an increase in the size of the brick pier of 30cm between the door to the kitchen extension and the new glazed doors.

8.12 The change to ground levels adjacent to No.8 result in a step down on the site. This will therefore not increase any impact of loss of light or privacy.

8.13 The changes to the design of the building that include brick arches in place of lintels, the change to the meeting point of the roofs will not alter the angle or height of the roof and therefore will not have any increased impact to any loss of light, privacy or sense of overbearing.

- 8.14 The increase to the height of the parapet adjacent to No.4 of 15mm is not significantly different from that originally approved. As such I do not consider that it will have any further adverse harm to the amenity of the neighbouring property.
- 8.15 The increase in the brick pier does result in the extension increasing in depth by 30cm. I have assessed this additional impact and I do not consider that this additional depth will cause the previously approved extension to be overbearing on the neighbouring properties to a significant level. I also do not consider that it causes any additional issues of enclosure or loss of light.
- 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 In addition to the issues that I have addressed above third party comments also raise issues relating to:
- an increase to the ground level of 300mm,
  - a coping stone that may increase the height of the extension further,
  - a similar development on Owlstone Road,
  - the setting of a precedent within the row
- 8.18 I have confirmed with the agent that the works on site which were inspected during my site visit were the final works intended. No coping stone is intended to be added to the extension as built and this is not shown on the submitted plans. I am therefore satisfied that the height has been correctly assessed.
- 8.19 The comments made in relation a development on Owlstone Road would not be something that I can give great weight to as each application should be considered on its own planning merits and cannot necessarily be compared to another site.
- 8.20 In relation to the setting of a precedent, each application would have to be considered on its own merits. The previous planning application that approved the extension under reference 14/0946/FUL will have considered what would be acceptable in

the area, and the changes proposed to this scheme which are the subject of this application are not considered to alter the scheme so significantly that it would be unacceptable. I do not consider that the changes applied for will set an unacceptable precedent for the area. In addition, that fact that the application is retrospective would not be a material consideration that would affect the consideration of the application.

8.21 In relation the alleged change of ground level this has been considered as part of this application although it may not be clearly detailed on the plans submitted with this application. During my site visit to No.6 I did not see any evidence that would show that a change in the magnitude of the level suggested (30cm) had been recently carried out. When I visited the adjacent neighbouring property at No.4 I noted that the ground level was lower than the adjacent property. I have considered the impact of this on the neighbours and concur with the previous planning officer that the impact of the extension would not be harmful to the residential amenity of the occupiers of No.4.

## **9.0 CONCLUSION**

9.1 I consider that the changes proposed to the original scheme are acceptable and do not alter the scheme to a position that would require any additional conditions.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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 materials approved under planning application reference 14/0946/FUL condition 3 shall be used for any additional development hereby approved.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)