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| Application Number | 15/0999/FUL | Agenda Item | |
| Date Received | 27th May 2015 | Officer | Elizabeth Thomas |
| Target Date | 22nd July 2015 | | |
| Ward | Petersfield | | |
| Site | 161 Gwydir Street Cambridge CB1 2LJ | | |
| Proposal | Rear roof extension | | |
| Applicant | Mr And Mrs Parry 161 Gwydir Street Cambridge CB1 2LJ | | |

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|------------------------------|---|
| <p>SUMMARY</p> | <p>The development does not accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposed rear roof extension would read as a third storey on a traditional modest mid-row Victorian terrace property. <input type="checkbox"/> The proposed scale and bulk appearance significantly detracts from the traditional roof form <input type="checkbox"/> The proposed development is a form of poor design contrary to Local policy and national policy <input type="checkbox"/> The proposed development does not preserve or enhance the Conservation area, which would cause substantial harm. |
| <p>RECOMMENDATION</p> | <p>REFUSE</p> |

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The property is located in an area of predominately Victorian terraced properties. The mid-terraced property is east facing and has a long rear garden. The site falls within the Central Core Conservation Area and is within a controlled parking zone.

2.0 THE PROPOSAL

2.1 The proposal is for a rear roof extension to create two linked dormers which would cover the majority of the rear roof space.

2.2 The application is accompanied by the following supporting information:

- Existing and proposed drawings
- Design and access statement

3.0 SITE HISTORY

| Reference | Description | Outcome |
|-------------|--|----------------------------|
| 14/1083/FUL | Rear roof extension (including raising ridge height) | Refused (appeal dismissed) |

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 Local Plan 2006 | 3/1 3/4 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 Ministerial Statement (1 st December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government) |
| Supplementary Planning Guidance | Sustainable Design and Construction (May 2007) |
| Material Considerations | <u>City Wide Guidance</u> Roof Extensions Design Guide (2003) |
| | <u>Area Guidelines</u> Cambridge Historic Core Conservation Area Appraisal (2006) Mill Road and St Matthews Conservation Area Appraisal (1999) |

5.4 Status of Proposed Submission – Cambridge Local Plan

5.5 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.

- 5.6 For the application considered in this report, there are three policies in the emerging Local Plan that are of relevance these are: Policies 55, 56, 58 and 61.

6.0 CONSULTATIONS

Conservation Officer

- 6.1 Not supported. The conservation officer replicates their comments made on the previous refused application (14/1083/FUL) because the application fails to address the issues of the previous refusal and inspectors appeal decision that determined the roof extension reads as a third storey. The scale and bulk detracts from the traditional roof form, which does not preserve or enhance the character of the conservation area. Subsequently considers the proposed development contrary to local plan policies 3/4, 3/14 and 4/11.
- 6.2 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:

159 Gwydir Street (Neutral comment):

- 7.2 The comments are in relation to the following:

- Orientation of the stairs to face the back of the property where ownership matters are.
- Party wall above the flying freehold
- Ceiling height is not clear
- Concerned about the size of the proposed roof extension and the boundary between
- Unclear about construction and utilities

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 The proposal is for a rear dormer consisting two double pitch dormers with a flat roof link in between.

Review of dismissed appeal decision of application 14/1083/FUL:

8.3 The dismissed appeal decision in respect of application 14/1083/FUL identifies that the main issue is whether the proposal would preserve or enhance the character or appearance of the Central Conservation Area. The inspectors report concluded the traditional form of the terrace is for the most part unaltered so that it makes a positive contribution to the conservation area.

8.4 The proposed rear roof extension would appear as a substantial third story addition, the scale and bulky appearance would detract from, and significantly alter the traditional roof form of the dwelling house and terrace. Subsequently the proposed development would not provide high quality design, contrary to paragraph 17 of the National Planning Policy Framework. The inspector had also taken into account the smaller rear roof slope of number 161 compared to that of nearby dwellings.

8.5 The appeal decision also identifies the proposal would be in conflict with Local Plan policy 3/4 and 3/14 and The Roof Extension Design Guide due to the adverse affect on the

character and appearance of the conservation area and the dominance in the traditional roof space.

- 8.6 Overall the appeal decision concluded substantial harm of the proposed development overrides the benefit of the proposed development. The appeal decision is attached as appendix 1.

Comparison of this proposal with refused application 14/1083/FUL

- 8.7 In comparing this proposal with the previous refusal the main differences are:
- The proposed extension roof height has been reduced in height by 0.2 metres. The roof line would remain level with the existing pitch.
 - The Juliet Balcony in between the proposed linked dormers has been removed
 - The width of the proposed dormer has been brought in slightly from the party wall line by approx. 0.3 metres.

Issues still remaining:

- 8.8 The general scale and bulk design of the proposed development remains broadly the same as that under application 14/1083/FUL because the proposed development fills the majority of the roof space. The proposal protrudes out from the existing roof pitch line out to the existing eaves, which in effect creates the effect of a third storey element and box appearance on a traditional modest Victorian terraced property. Consequently the proposed dormer would not appear subservient in the existing roof. Therefore, the proposal does not preserve or enhance the conservation area and would be contrary to policies 3/4, 3/14 and 4/11 of the Cambridge Local Plan.

Impact on the Conservation area

- 8.9 The proposed development is considered significantly harmful as the proposed development does not comply with Local Plan policies 3/4 3/14 and 4/11. The proposed development does not respond positively to features of historic or architectural merit and the proposed development conflicts with The Roof

Extension Design Guide due to the over dominant roof proposal, which would overwhelm the immediate and modest setting.

- 8.10 Paragraphs 64 of the National Planning Policy Framework states permission should be refused for development of poor design that fails to take the opportunity available for improving the character and quality of an area and the way it functions. Paragraph 132 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Therefore, it is considered the proposed development does not meet the criteria or objectives of National policy.
- 8.11 I am mindful there has been a similar rear dormer allowed at 171 Gwydir Street, but in my opinion this does not set a precedent for future poor design rear roof extensions or determine the prevailing character of the area the area as a whole is undisturbed. Furthermore, I also consider the proposed development would have a detrimental cumulative impact upon the Gwydir Street terrace overall, which makes further development of this scale and bulk contrary to planning policy. The recent inspectors appeal decision is also a material consideration and the issues relating to the previous refusal have not been overcome.
- 8.12 In my opinion the proposal is contrary with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.13 The proposed dormer is unlikely to adversely affect the amenity of the neighbouring properties in terms of daylight/sunlight, outlook and privacy.
- 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 and 3/7.

Third Party Representations

8.15 The third party representation from number 159 Gwydir Street raises concerns in relation to internal arrangements, party wall matters, size of roof extension and unclear drawings. I address each matter in turn as follows:

Internal arrangements

8.16 Internal alterations do not directly affect this application materially and any roof ownership matters would need to be addressed through building regulations and the party wall act.

Party wall above the flying freehold

8.17 The party wall act is separate legislation and the grant of planning permission would not remove the need to comply with all relevant legislation.

Concerned about the size of the proposed roof extension and the boundary between

8.18 The scale and bulk of the proposed development I have addressed from paragraph 8.8.

Unclear about construction and utilities / ceiling height is not clear

8.19 In reviewing the submitted drawings I am satisfied the information is clear for the purpose of assessing for planning permission. If the application was to be approved further technical drawings may need to be sought for construction.

9.0 CONCLUSION

9.1 The rear roof extension is considered unacceptable as it dominates the rear roof slope of the building and is out of character and appearance with the building and the wider Conservation Area.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. The scale and bulk of the rear roof extension will fundamentally alter the rear roof shape creating the appearance of a third storey on a modest traditional Victorian terraced property, which will not preserve or enhance the character and appearance of the Conservation area resulting in a detrimental cumulative impact on the Gwydir Street terrace. As such the rear roof extension is contrary to Cambridge Local Plan (2006) policies 3/4, 3/14, 4/11 and the Cambridge Roof Extensions Design Guide.

Appendix 1 – appeal decision



Appeal Decision

Site visit made on 9 March 2015

by **Sue Glover BA (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 March 2015

Appeal Ref: APP/Q0505/D/14/2229518

161 Gwydir Street, Cambridge, CB1 2LJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Parry against the decision of Cambridge City Council.
 - The application Ref 14/1083/FUL was refused by notice dated 9 September 2014.
 - The development proposed is the erection of a rear roof extension (including raising the ridge height).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Central Conservation Area.

Reasons

3. This part of the conservation area is characterised by terraces of houses closely positioned to the street. At the rear of no. 161 and nearby dwellings there is a more open aspect with long narrow gardens. No. 161 is within a traditional terrace of 4 houses. There are some extensions at the rear of the terrace, but none to the front or rear roof slopes. The traditional form of the terrace is for the most part unaltered so that it makes a positive contribution to the conservation area.
4. The proposal is a rear roof extension that would occupy most of the rear roof slope appearing as a substantial third storey addition. There would be 2 pitched roofs with a flat interconnecting roof, central glazed doors and a Juliette balcony. The slight raising of the roof beyond the existing ridge line would not be visible from street level.
5. There would be matching materials, but the proposal on account of its scale and bulky appearance would detract from, and significantly alter, the traditional roof form of the dwelling house and terrace. There would not be a high quality of design, contrary to paragraph 17 of the National Planning Policy Framework. In reaching this conclusion, I have taken into account the smaller rear roof slope of no. 161 compared to that of some nearby dwellings.
6. The proposal would neither preserve nor enhance the character and appearance of the Central Conservation Area contrary to Policy 4/11 of the Cambridge City

Council Local Plan 2006 (LP). There would also be conflict with LP Policy 3/4, which requires development to respond positively to features of historic character, and with LP Policy 3/14, which expects extensions not to adversely affect the character and appearance of conservation areas. The proposal would conflict with The Roof Extensions Design Guide, which indicates that extensions should not over dominate the roof or overwhelm the immediate setting.

7. The development plan policies are compatible with the objectives of the Framework in these respects. Paragraph 64 of the Framework says that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 132 of the Framework says that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The proposal does not meet the objectives of the Framework in these respects.
8. Although there is a larger rear roof extension of a similar design visible from no. 161 further along the street, and there are other roof extensions in the locality, these other extensions do not justify an unacceptable development at the appeal dwelling. The appellants have questioned the Council's approach to roof extensions, but this is a matter for the Council. I find no more overlooking into nearby gardens from the proposed second storey windows than might reasonably be expected between closely positioned dwellings in a residential area.
9. I am mindful that the proposal would provide additional living space for the appellants and their family and it would improve the safety of the existing loft conversion. These matters are material to my decision and I place some weight on them. I have also considered all other matters, including all the policies in the Framework, and other national planning guidance. However, all these matters do not override the substantial harm that I have identified to the character and appearance of the conservation area from the appeal proposal. The appeal does not succeed.

Sue Glover

INSPECTOR