

Application Number	16/0824/FUL	Agenda Item	
Date Received	4th May 2016	Officer	Mairead O'Sullivan
Target Date	29th June 2016		
Ward	West Chesterton		
Site	29 Hawthorn Way Cambridge Cambridgeshire CB4 1AT		
Proposal	Rear dormer, two storey side/rear and single storey front extensions.		
Applicant	Mr Ali 29 Hawthorn Way Cambridge CB4 1AT United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> It does not have a significant adverse impact on the character of the area <input type="checkbox"/> It does not significantly harm the amenity of the surrounding occupiers
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 29 Hawthorn Way is a two storey, end of terrace house situated in a square on the western side of Hawthorn Way. The surrounding area is predominantly residential in character, mainly consisting of semi-detached and terrace houses. There are allotments directly to the north of the property.

1.2 There are no site constraints.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought for a two storey side/rear extension, single storey front extension and rear dormer. The application is retrospective.
- 2.2 Previously an application (12/1534/FUL) was approved for a two storey side/rear and single storey rear extensions. The development does not accord with the approved plans and this application therefore seeks to regularise the works as constructed.
- 2.3 The two storey side extension sits in line with the principal elevation. This has a width of 4.6m and depth of 9m extending past the existing rear wall of the dwelling by 2.5m. This is subservient to the main ridge with a height of 6.9m dropping to 4.9m at the eaves.
- 2.4 A two storey extension is proposed to the rear of the property. This protrudes 4.6m from the rear elevation. This element is also subservient to the main ridge. The rear extension is set away from the attached neighbour by 1.5m. The previously approved proposal included a single storey rear extension running hard against the boundary with No. 27. This has been removed from the current application. The two storey extension is closer to the neighbouring boundary than the previously approved proposal; changing from a set away of 2.1m to the current 1.5m.
- 2.5 The application also proposes a single storey front extension. This extends across the side extension and part of the original dwelling. The front extension has a total height of 3.5m dropping to 2.6m at the eaves. It is set away from the attached neighbour at No 27 by 3.4m and from No 31, to the east, by approx. 4.9m.
- 2.6 The description of development has been amended to include the rear dormer. The height of the dormer rises marginally above the ridge line. As a result the dormer does not fall within the remit of permitted development. The height of the dormer was not correctly shown on the original plans. The applicant has submitted revised proposed and existing elevations to rectify this discrepancy.

3.0 SITE HISTORY

Reference	Description	Outcome
15/2234/FUL	Erection of single storey front extension	Withdrawn
12/1534/FUL	Two storey side/rear and single storey rear extensions.	Permitted

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, 3/7, 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 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)

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 that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No comments

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:

- 14 Chesterton Hall Crescent
- 25 Hawthorn Way
- 27 Hawthorn Way

7.2 The representations can be summarised as follows:

- The extension has already been substantially built
- Out of character
- Overdevelopment

- Breaks the symmetry of the square
- Breaks the building line
- Window to the front directly overlooks kitchen of No.31
- Extension is no longer set away
- Roof form is inelegant
- Appears it will not be rendered to match existing
- 2 storey rear extension blocks light to No.27
- Rear extension has side windows which overlook 27
- Increase in size of the property will increase traffic and noise nuisance
- Additional demand for parking
- Loft conversion not permitted development
- Covers main drain
- Likely to be used as HMO in future
- Question over quality of building; have there been building control inspections
- The plans are not accurate and do not reflect the extension as built
- Changes have been made to the extension since the application was submitted; a velux window has been added to the front extension and a door now replaces the window nearest the boundary with No.27.
- Concern about downpipes

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. Highway safety and car parking
4. Third party representations

Context of site, design and external spaces (and impact on heritage assets)

8.2 29 Hawthorn Way is an end of terrace house adjacent to allotments. The side of the site is screened from view from the street by the adjacent neighbour at 31 Hawthorn Way. No. 29

sits at a tight angle to no. 31. A path runs between the two properties which provides access to the allotments.

- 8.3 In the previous proposal the side extension was stepped back from the principal elevation. The current application proposes the side element to be flush with the main building line with a further single storey extension to the front of the property. The ridge line of the proposal remains subservient to the main ridge. As a result the extension clearly reads as an addition to the host dwelling.
- 8.4 Local residents expressed concern that the proposal breaks the symmetry of the square. The proposed side extension is large but is stepped down in height. As a result it appears subservient to the main house and clearly reads as an extension. I note from the case officer's assessment on the previously approved application, reference 12/1534/FUL, that the side garden, where the extension is situated, was previously screened by a close boarded fence. As a result this space, as an open green area, was not considered to form part of the street scene.
- 8.5 The front extension did not form part of the previously approved scheme. This sits forward of the building line and runs in front of the original dwelling and the side extension. Whilst none of the other properties on the square have been extended to the front, a number of properties in the wider area have front porches and larger front extensions. As a result I do not consider that this element of the proposal is harmful to the character of the area.
- 8.6 At the time of my site visit the extension was unfinished. The drawings show the extension to be brick bottomed with render to the top. This would match the host dwelling. I recommend a matching materials condition to ensure the extension is finished to match the host dwelling and surrounding terrace.
- 8.7 The dormer window does not fall within the remit of permitted development so also forms part of the current application. The dormer rises marginally above the ridge height. This is not visible from the street scene and can only be observed from the allotments to the north of the site. As a result I do not consider this element harmful to the character of the area.
- 8.8 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

- 8.9 The attached neighbouring dwelling at no.27 Hawthorn Way is located due south of the site. The previously approved scheme permitted a rear extension with a depth of 4m. The current application proposes a rear extension which projects a further 0.6m from the rear wall and extends 0.6m closer to the boundary. This extension breaks the 45 degree rule when taken from the nearest upper floor window in No.27. However, due to the orientation and separation between the extension and the boundary the impact on this neighbour in terms of overshadowing and enclosure will not be significant enough to warrant a refusal.
- 8.10 The nearest ground floor window at No.27 is a small high level window. The kitchen is served by a larger window to the south which I consider to be the primary window. While the proposal does clip the 45 degree line when taken from this window I consider that due to the orientation and separation distance the impact on this neighbour in terms of overshadowing and enclosure will not be significant enough to warrant a refusal.
- 8.11 The side extension looks toward a flank wall of No. 31. There is a window to the ground floor side elevation of No.31 directly adjacent to the window in the front extension. The window at No.31 is a secondary kitchen window and as per the previous application, I therefore consider the inter-looking does not warrant a refusal. The current proposal runs closer to No.31 as the front protrudes 1.5m from the principal elevation. The applicant has stated that the window to the front extension will be obscure glazed to prevent any direct overlooking. I consider this to be an acceptable solution. A condition will be added to ensure this front window will be obscure glazed.
- 8.12 The dormer window has a height marginally greater than the ridge of the host dwelling. However given that it is set up from the eaves and only marginally greater in size than that permissible under permitted development, it is my view that this element does not visually enclose or overshadow the adjoining occupier.

8.13 The windows to the side elevation of the rear extension face towards the garden of No.27. These are at ground floor level and as a result I do not consider that these will result in any overlooking of this neighbouring garden.

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

Highway Safety and Car Parking

8.15 The application is to extend a family home. I do not consider that the additions will result in a significant increase in demand for parking in the area. The Highway Authority has no objection to the proposal.

8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/2 and 8/10.

Third Party Representations

8.17 I have addressed the majority of the issues raised in the representations within the body of my report. I will address any outstanding issues below.

8.18 Issues regarding obstructions of drains are not a material planning consideration.

8.19 The property could be occupied as a HMO for up to 6 people. If the property were to be occupied by over 6 people planning permission would be required for a change of use to HMO (sui generis).

8.20 The representations have raised concerns regarding the accuracy of the plans. I have been on site and measured the extensions and am satisfied that the proposal is in line with the submitted drawings.

8.21 A representation has raised concern regarding further alterations to the property. I am not concerned that these changes will impact on residential amenity but have requested amended plans to reflect the changes. I will update the amendment sheet once I have received amended plans.

8.22 Issues relating to building control are not material planning considerations.

9.0 CONCLUSION

9.1 The application site is not located within a Conservation Area. The design will not harm the character of the immediate area. The rear extension appears dominant when viewed from the neighbouring property however I do not consider this impact to be significantly harmful to warrant a refusal. The window to the ground floor of the front element of the side elevation is to be obscure glazed. I consider that this will prevent any significant overlooking issues.

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 extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (Cambridge Local Plan 2006 policies 3/4, and 3/14)

3. The window on the east elevation at ground floor level and windows on the north elevation at first floor level shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use of the extension and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/14