

<b>Application Number</b>	16/0748/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	9th May 2016	<b>Officer</b>	Lorna Gilbert
<b>Target Date</b>	4th July 2016		
<b>Ward</b>	Castle		
<b>Site</b>	133 Oxford Road Cambridge Cambridgeshire CB4 3PJ		
<b>Proposal</b>	Part two storey part single storey rear extensions and shed in rear garden (amended description).		
<b>Applicant</b>	Mr & Mrs Readhead 133 , Oxford Road Cambridge Cambridgeshire CB4 3PJ United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposal would preserve the character and appearance of the conservation area.</li> <li><input type="checkbox"/> It is considered it would not adversely harm neighbours' amenities.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The property is a two storey mid-terrace house. It is bordered by No.131 Oxford Road to the south-west and to the north-east by No.135 Oxford Road. There is an access path that runs behind the rear garden of the application site and beyond this is Fitzwilliam College Playing Fields to the north-west.

1.2 The site falls within the Castle and Victoria Road area of the Central Conservation Area.

**2.0 THE PROPOSAL**

2.1 Amended drawings were received on 12<sup>th</sup> August 2016. The application proposes:

- A single storey wrap around extension to the rear. It measures between 1.2m and 4.35m in width and between 1.8m and 7.1m in length and 2.3m and 3.2m in height. Velux windows are proposed along the roof of the extension.
- A part first floor and part two storey extension that extends 3.2m in width, 2m in length and between 5.3m and 6.75m in height. A first floor side obscure glazed window is proposed to serve a bathroom.
- A garden shed is proposed at the rear which measures 3.35m wide by 3.35m long and between 2.2m and 3.1m high with a pitched roof.

2.2 The original drawings submitted (that have been superseded) included alterations to the roof of the front bay window and front door and the addition of a pergola at the rear. The proposed wrap around extension has also been dropped in height by the boundaries with No.131 and 135 Oxford Road and flank windows have been removed. The differing ground levels on site have also been shown on the amended drawings.

### **3.0 SITE HISTORY**

3.1 There is no planning history for this site.

### **4.0 PUBLICITY**

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	3/4 3/7 3/11 3/12 3/14 4/4 4/11 4/13 8/2 8/6 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  Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
	<u>Area Guidelines</u>  Castle and Victoria Road Conservation Area Appraisal (2012)

## 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 The Highway Authority does not consider that this application has any implications that merit comment by the Highway Authority.

### **Urban Design and Conservation Team (response to amended drawings)**

- 6.2 The development proposed is acceptable.
- 6.3 The revised plans show that it is no longer proposed to recess the front door. This was the Conservation Team's only concern with the application, so therefore it can now be supported.
- 6.4 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 Councillor Hipkin has requested that the application be called into committee. His comments refer to the original drawings. The alterations to the front of the property have subsequently been removed from the amended drawings. The reasons for the committee call in are:
- The incongruity of the door and bay designs in the streetscape (conservation area), overlooking into the bedroom of No.131 from directly opposite first floor window and the loss of light to the habitable living room caused by the close proximity of the

extension wall to the living room northern window. Also concerned that the proposal is overbearing.

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

- 127, 131, 135, 140, 144 Oxford Road

7.2 The representations below are in response to the original drawings submitted. No further responses were received to the amended drawings. The comments can be summarised as follows:

- Rear extension would cause severe shading to the patio and garden of No.135.
- Kitchen extension to boundary of No.131 too dominant; also extending too obtrusively beyond line of existing neighbours' building.
- Rear extension is located directly on the boundary with No.131. Concerned would cause severe shading to the kitchen window and dining room window. It would also feel very claustrophobic looking out of the dining room window and only seeing an expanse of brick wall.
- Proposed windows will overlook No.131.
- BBQ could cause smells near the boundary.
- Rear extension would prevent access to communal drain.
- The proposed garden shed and bin access must not impede the rear passage right of way which is shared by all the residents.
- There were also concerns with the original proposal with regard to altering the roof of the front bay window and recessing the front door, flank side windows on the infill extension and a rear pergola. These elements have been removed from the amended drawings.

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 (and impact on heritage assets)
2. Residential amenity
3. Highway safety
4. Third party representations

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

#### Response to context

- 8.2 The amended drawings received on 12<sup>th</sup> August 2016 omit the proposed alterations to the front of the property, pergola to the rear and the flank windows on the infill extension. It also lowers the height of the single storey extension by the neighbours' boundaries.
- 8.3 The proposed two storey rear extension extends to the same depth as a similar extension at the adjoining property of No.135 Oxford Road. This neighbour's extension was approved planning permission in December 1999 reference C/99/1075. In my opinion the proposed extension harmonises with the appearance of the property and the surrounding area.
- 8.4 The proposed single storey wrap around extension extends to between 2.3m and 2.4m high adjacent to the neighbours' boundaries as shown on the amended drawings. In my opinion this helps to lessen the bulk of the proposal. There are examples of single storey wrap around extensions along Oxford Road such as at No.72 Oxford Road (reference 16/0005/FUL) and No.35 Oxford Road (reference 15/1559/FUL). I consider the proposal will harmonise with its surroundings. The proposal to use matching materials would complement the appearance of the house.
- 8.5 I consider the proposed garden shed would be acceptable in terms of its scale and siting and would harmonies with the surrounding area.

#### Impact on the Conservation Area

- 8.6 The site is located within the Central Conservation Area. The proposal as amended relates to alterations and extensions to the rear of the property. These complement the design of the

dwelling and will not be visible from public views. The Urban Design and Conservation team consider the proposed amended drawings to be acceptable. In my opinion the proposed additions and alterations at the rear of the property would preserve the character and appearance of the conservation area.

- 8.7 The original proposal included a recessed doorway on the front elevation. The Urban Design and Conservation team objected to this part of the proposal. This was removed from the amended drawings and therefore the Urban Design and Conservation team has since removed their objection.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, 3/14 and 4/11.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

#### Relationship with adjacent dwellings

- 8.9 The property is a mid-terrace house. The adjoining properties of No.131 and 135 Oxford Road would be most affected by the proposal.

#### *Impact on No.131 Oxford Road*

- 8.10 The amended drawings omit the pergola, flank windows on the single storey infill extension and reduce the height of this extension to 2.3m by the shared boundary. This single storey infill extension extends out 7.1m along the boundary with this neighbour. The proposal also includes a part first floor and part two storey extension that extends the existing two storey outrigger by a further 2m in depth. This is set in 1.2m from the boundary with No.131 Oxford Road. No.131 Oxford Road is located to the south-west of the application site. I consider the orientation of this neighbouring property helps lessen the impact of the proposal in terms of loss of light. No.131 Oxford Road has ground floor windows serving a dining room and kitchen located close to the proposed extensions. In my opinion the proposal would not result in an unacceptable loss of light to this neighbour. The proposed flank wall of the single storey infill extension would increase the height along the shared boundary,

however the proposed wall would be 0.3m higher than could be constructed under permitted development, therefore I do not consider it would result in an unreasonable sense of enclosure to the ground floor windows of this neighbour or to the garden. The proposed first floor extension would match the depth of the attached two storey extension at the opposite neighbour of 135 Oxford Road. In my opinion the combination of the set in of the proposed first floor extension from the shared boundary and the position of a similar extension at No.135 Oxford Road helps lessen the impact of the proposal and I consider No.131 Oxford Road would not experience a detrimental sense of enclosure.

8.11 Rooflights are proposed on the single storey infill extension and I do not consider these would harm the privacy of this neighbouring property. An obscure glazed first floor flank window is proposed. I recommend a condition to retain the obscure glazed window. I therefore do not consider it would harm this neighbour's amenity.

8.12 I consider the location of the BBQ to be acceptable. The proposed BBQ is not directly adjacent to neighbours' windows and therefore I do not consider it would adversely harm this neighbour. Planning permission is not required to construct the proposed BBQ.

8.13 The proposed shed is set away from this neighbour's boundary and is low in scale. I do not consider it would harm this neighbour's amenity.

#### *Impact on No.135 Oxford Road*

8.14 This neighbouring property is located to the north-east of the application site. It has been extended at first floor level at the rear. The proposed two storey element of the proposal adjoins this neighbour's extension. The proposed upper floor extension will be the same depth as this neighbour's extension. A single storey rear extension projects out 1.8m beyond the rear wall of the property and extends to 2.4m high by this neighbour's boundary. I consider the depth and height of the single storey extension would not harm this neighbour's amenity in terms of loss of light or outlook. No flank windows are proposed facing towards this adjoining property.

- 8.15 The proposed garden shed abuts this neighbour's boundary. I do not consider it would harm the amenity of No.135 in terms of sense of enclosure or loss of light due to its scale and position at the rear of the garden.
- 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 and 3/7.

### **Highway Safety**

- 8.17 I agree with the Highways Authority and consider there are no highways implications as a result of the proposed extensions to a family dwelling.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Third Party Representations**

- 8.19 Access to a drain at No.133 Oxford Road has been raised by some neighbours. This is not a material planning consideration. However, I recommend an informative be included if planning permission were to be granted to highlight that permission would need to be sought from Anglian Water if the proposal affects a drain.
- 8.20 The proposed plans indicate that the garden shed would not affect the rear pedestrian access route.

## **9.0 CONCLUSION**

- 9.1 I recommend the application be approved with the appropriate safeguarding conditions as I considered the proposal would preserve the character and appearance of the conservation area and would harmonise with the surrounding area and would not adversely harm neighbours' amenities.

## **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. 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)

4. The first floor window in the south-west elevation identified as having obscured glass on drawing number C1214.P.111 Rev.C 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).

5. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

**INFORMATIVE:** If the approved building works affects a drain on the site then you should notify Anglian Water prior to commencing works.