
Application Number	17/0715/FUL	Agenda Item	
Date Received	26th April 2017	Officer	Michael Hammond
Target Date	21st June 2017		
Ward	West Chesterton		
Site	65 Humberstone Road Cambridge CB4 1JD		
Proposal	Erection of ancillary outbuilding in rear garden.		
Applicant	Mrs Coimbra		
	65, Humberstone Road CAMBRIDGE CB4 1JD		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none">- The design of the proposed outbuilding is considered acceptable and would preserve the character and appearance of the Conservation Area.- The proposed outbuilding would not have a significant adverse impact on the residential amenity of neighbouring occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is a two storey terrace property on the north side of Humberstone Road. There is a private lane which runs along the rear of the terrace and is accessed from Humberstone Road. This is a predominately residential area within the De Freville Conservation Area. The area is characterised by terraced houses including some outbuilding structures in the rear gardens.

2.0 THE PROPOSAL

- 2.1 The application, as amended, seeks full planning permission for the erection of an outbuilding in the rear garden. The proposed outbuilding would have a mono-pitched roof measuring

approximately 2.5m to the eaves and 4m to the ridge. It would be constructed in a combination of brick and timber weatherboarding with a slate roof. The proposed outbuilding would contain a bathroom, storage room, sleeping area and hobby area.

2.2 The application was originally sought permission for a one-and-a-half storey outbuilding (5.3m high) but this was subsequently amended following concerns raised by officers in relation to this appearing out of keeping with the character of the Conservation Area.

2.3 The application has been called into planning committee by Councillor Sargeant on the grounds that the proposed outbuilding would be higher than other existing and recently approved outbuildings in the area.

3.0 SITE HISTORY

3.1 There is no planning history.

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	3/1 3/4 3/7 3/12
		4/11 4/13

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 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>Area Guidelines</u> De Freville Conservation Area Appraisal (2009)

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 application form states that there is no change in parking provision within the site, but provides no other details of existing or proposed provision. The application removes a rear access

and, possibly, off street parking. The applicant must provide information regarding any existing parking arrangements to allow informed comment upon the full impact of the proposals.

- 6.2 The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

Urban Design and Conservation Team

Comments on original proposal (25/05/2017)

- 6.3 The height of the proposed outbuilding is such that it would not read as being suitably subservient to main building. The application is not supported.

Comments on amended proposal (07/08/2017)

- 6.4 The proposed development is acceptable. The option for a dual pitched roof could be explored which would likely bring the ridge height down to a lower level. Roofing detail condition recommended.
- 6.5 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:

52 Montague Road	54 Montague Road
60 Montague Road	66 Montague Road
69 Montague Road	67 Humberstone Road

- 7.2 The representations can be summarised as follows:

- The proposed ridge height is higher than the planning department allowed for the studio at 52 Montague Road (15/1540/FUL). This was 3.45m.

- The building will likely be occupied and/or let out as a separate dwelling and this is unenforceable.
- Poor design/ out of character with the area
- If the building was to be used as a separate dwelling it would increase parking pressures in the area and be difficult to access by emergency vehicles.
- Overlooking from first-floor bedroom.
- There should not be any windows/ openings onto the private lane.
- The cross-section is inaccurate as there are no outbuildings at 60 or 62 Montague Road.
- There are ongoing negotiations regarding the land ownership of the private lane boundary and its position in relation to the application site garden.

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. Third party representations

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

8.2 The proposed outbuilding would not be visible from the public highway but would be visible from the private lane at the rear.

8.3 The context of the rear gardens of properties along Humberstone Road and Montague Road is comprised of narrow but reasonably sized gardens, many of which have a single-storey outbuilding at the end of their gardens, backing onto the private lane. The only structure that appears alien to this pattern of development is the nursery building to the east which is a large one-and-a-half storey structure. However, this was developed as a sub-division of no.29 Elizabeth Way and I am of

the opinion that this is viewed in a separate context to the domestic scale of built form present in the gardens of this area.

- 8.4 Permission was originally sought for a one-and-a-half storey structure which was not supported by the Conservation Team and this advice was agreed with. It would have appeared out of character with the domestic and single-storey scale of the surrounding area, whereby outbuildings are read subserviently to the original dwellinghouses.
- 8.5 In response to the concerns raised above, the proposal was amended to reduce the scale of the outbuilding down to single-storey and the ridge height lowered down from approximately 5.3m to 4m in height. The existing outbuildings in the two adjoining gardens both appear to be around 2.5m high. It is acknowledged that third parties have pointed out the fact that the outbuilding recently approved at no.52 Montague Road (15/1540/FUL) was limited to 3.45m in height and that the proposal would exceed this ridge height. Whilst I accept this proposal would be higher than that of the outbuilding at no.52 Montague Road, I do not consider this to be an upper limit that development should necessarily conform to. Each application is assessed on its own merits and it may have been the case for example that the 3.45m height suggested by the planning officer on this separate application may have been required to ensure the amenity of neighbours was protected. As such, I am of the opinion that the approval of this nearby permission does not set a precedent to dictate the maximum height of other outbuildings in the area.
- 8.6 The proposed outbuilding would read as a single-storey structure in my view that is appropriately proportioned to its surrounding context. There would still be a reasonable quantum of garden space left over between the outbuilding and the original dwellinghouse and the proposed outbuilding would not appear cramped or represent an overdevelopment of the plot in my opinion. The scale and mass would appear domestic in appearance which is benefited from the steep pitch of the roof, rising from 2.5m to 4m. The fenestration of the building would be relatively simplistic and in keeping with the surrounding area.
- 8.7 The Urban Design and Conservation Team is supportive of the proposed works and I agree with this advice. I have not recommended the roofing details condition as the materials

would be listed on the approved drawings and the use of slate is appropriate. The Urban Design and Conservation Team has enquired whether the ridge height could be lowered further by changing the pitch of the roof from a mono-pitched roof to a dual-pitched roof. Whilst this may result in a lower ridge height, I do not consider it necessary for the applicant to undertake this exercise as the proposal is considered acceptable in its current format. The Urban Design and Conservation Team has not raised this as necessary to overcome an objection and subsequently I am of the opinion that it would be unreasonable to require the applicant to amend the scheme in respect of the point that it is supported at present.

- 8.8 Overall, I consider the proposed outbuilding would be of a scale and form that is sensitive to the surrounding context and preserves the character and appearance of the Conservation Area.
- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.10 The neighbour at no.67 Humberstone Road to the east has a single-storey outbuilding at the rear of the garden which abuts the application site boundary. The proposed outbuilding would have a deeper footprint than that of the neighbouring outbuilding but it would occupy a similar position at the end of the garden. There are no habitable outlooks on this outbuilding and the proposed works would be over 16m from the rear windows of the main building of this neighbour. The position of the proposed outbuilding and its single-storey form would ensure that no harmful overshadowing or visual enclosure would be experienced at this neighbouring property.
- 8.11 No.63 to the west has a similar relationship to the application site as that of no.67, whereby the end of no.63's garden is occupied by a single-storey outbuilding. The proposed development would be set approximately 0.8m away from this neighbour's boundary and the proposed mono-pitched roof would be at its lowest point, 2.5m, near this neighbour's boundary. As a result, I am confident that no harmful loss of

light or visual dominance would be experienced at this neighbouring property.

8.12 The views from the hobby/sleeping area back towards these neighbours would be limited given the position of the window and separation distances involved.

8.13 I do not consider the likely comings and goings to and from the outbuilding to the rear of the property would be significant enough to adversely impact on neighbours in terms of noise and disturbance. The use of the outbuilding for sleeping accommodation is considered to be acceptable due to the position of the outbuilding at the end of the garden and away from the main tranquil areas of neighbouring gardens.

8.14 It is acknowledged that the majority of the third party representations have raised concerns over the potential for the outbuilding to be occupied as an independent dwelling. The application has been submitted as an ancillary outbuilding, which includes sleeping accommodation that is associated with the main dwellinghouse and must therefore be assessed on this basis. I have however recommended a condition to ensure that the outbuilding is not separately used, occupied or let.

8.15 The Highway Authority has requested further information regarding existing and proposed car parking arrangements and have highlighted the possibility that the loss of a car parking space may impose additional parking demands on the surrounding area. I have visited the site and can confirm that the existing outbuilding is not used for car parking and that therefore there would not be an impact on residential amenity in terms of parking pressure on surrounding streets.

8.16 In my opinion, subject to condition, 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, 3/12 and 4/13.

Third Party Representations

8.17 The third party representations have been addressed in the table below:

<u>Comment</u>	<u>Response</u>
The proposed ridge height is higher than the planning department allowed for the studio at 52 Montague Road (15/1540/FUL). This was 3.45m.	This has been addressed in paragraph 8.5 of this report.
Poor design/out of character with the area	This has been addressed in paragraph 8.6 of this report.
The building will likely be occupied and/or let out as a separate dwelling and this is unenforceable.	This has been addressed in paragraph 8.14 of this report.
If the building was to be used as a separate dwelling it would increase parking pressures in the area and be difficult to access by emergency vehicles.	The building is not proposed to be used as separate dwelling and has been assessed as an ancillary outbuilding as this is what has been applied for.
Overlooking from first-floor bedroom. There should not be any windows/ openings onto the private lane.	These elements have been removed from the amended proposal.
The cross-section is inaccurate as there are no outbuildings at 60 and 62 Montague Road.	I am aware that there are no outbuildings at nos.60 and 62 Montague Road.
There are ongoing negotiations regarding the land ownership of the private lane boundary and its position in relation to the application site garden.	This is a civil/legal matter and not a planning consideration.

9.0 CONCLUSION

- 9.1 The proposed outbuilding would not be visible from the public realm. It is of an appropriate scale and considered to be in keeping with the prevailing form of development. The proposed development would preserve the character and appearance of the Conservation Area. The outbuilding is not considered to have any significant adverse impact on the amenity of the surrounding occupiers. Approval is recommended.

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. 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)

4. The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 65 Humberstone Road, Cambridge, and shall not be separately used, occupied or let.

Reason: To protect the amenity of the adjoining residential properties and to avoid the creation of a separate planning unit. (Cambridge Local Plan 2006 policies 3/4 and 4/13).