

<b>Application Number</b>	10/0996/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	25th October 2010	<b>Officer</b>	Mr Marcus Shingler
<b>Target Date</b>	20th December 2010		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	255 Hills Road Cambridge Cambridgeshire CB2 8RP		
<b>Proposal</b>	Single storey rear extension.		
<b>Applicant</b>	Ms Michelle Pearl 5 Fendon Road Cambridge		

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## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 255 Hills Road site is situated on the east side of Hills Road, immediately north of its junction with Glebe Road. It is a two-storey, semi-detached Edwardian dwelling, with some further space in the roof, which has several gables and is a strong presence on the corner. The forecourt of 255 is used for parking, which is screened from the road by a 2 metre dark brown stained timber fence, which runs along the west and south boundaries which abut, respectively, Hills Road and Glebe Road.
- 1.2 The majority of the buildings in the immediate locality are big two storey semi-detached or detached houses, but they vary widely in architectural style and benefit from good sized gardens. That said, behind the Hills Road frontage, on either side of Glebe Road, there are single storey dwellings
- 1.3 The property is not identified as a Building of Local Interest (BLI) and is not listed.
- 1.4 The site is located outside the Controlled Parking Zone (CPZ) and is not within a Conservation Area.

## 2.0 THE PROPOSAL

- 2.1 The application follows an earlier refusal of planning permission for a single storey extension (10/0714/FUL) and again seeks planning permission for the erection of a single storey rear extension to the dwelling, as it is to be extended under the permitted development limitations recognised by the issuing of a Certificate of Lawfulness under the reference 10/0997/CL2PD. The extension will form an addition to the kitchen/sun lounge.
- 2.2 The proposed extension has been reduced in size since it was first submitted. It is now 3.75 metres wide, 2.5 metres deep and 3.1 metres high to the top of the flat roof. In order to accommodate concerns of the neighbour it has been 2.4 metres off the common boundary with 253 Hills Road, rather than the 1.5 metres shown when the application was submitted. All three walls of the extension are glazed.

## 3.0 SITE HISTORY

Reference	Description	Outcome
08/1462	Erection of outbuilding and garden store.	A/C
08/1571	Front porch and front and rear dormers.	A/C
08/1717	Demolition of outbuildings and construction of 2no. annexes.	REF
09/0599	Demolition of outbuildings and construction of 2no. annexes.	A/C
10/0714	Single Storey Rear extension	REF and appeal dismissed
10/0997	Certificate of Lawful Development for a single storey extension to the dwelling house	Issued

## 4.0 PUBLICITY

- 4.1 Advertisement: No  
Adjoining Owners: Yes  
Site Notice Displayed: No

## **5.0 POLICY**

### **5.1 Central Government Advice**

Planning Policy Statement 1: Delivering Sustainable Development (2005)  
Circular 11/95 – The Use of Conditions in Planning Permissions

### **5.2 Cambridge Local Plan 2006**

3/4 Responding to context  
3/14 Extending buildings

### **5.3 Supplementary Planning Documents**

Cambridge City Council (May 2007) – Sustainable Design and Construction:

## **6.0 CONSULTATIONS**

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

No Objection

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 An objection has been received from the neighbour at 253 Hills Road. The issues can be summarised as  
*In combination with other extensions to be built under permitted development rights and earlier granted permissions, this would lead to a loss of light, overshadowing and loss of amenity and an undue sense of enclosure to 253 Hills Road;*  
*The extension would break the building line at the rear that has been respected by other properties in the locality.*

Reference is also made to other earlier applications and to the potential number of occupiers of the property, but these are not pertinent to the current proposal and cannot be considered here.

7.2 No written comment has yet been received about the amended plan, which takes the proposed extension off the common boundary by a further 900mm. Any comment received will be reported to Committee.

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

### **Context of site, design and external spaces**

8.2 The proposed single storey flat roof extension will be visible from Glebe Road but will not be prominent or intrusive and I do not consider that there will be any harm to the character and appearance of the street scene of the locality as a result of the development. The extension will project beyond the line of the rear exterior wall of the existing dining room, which projects deepest into the garden, but only by 2.5 metres. The permitted development extension to which it will be added is under construction. Given the scale of the house and its garden I do not consider the proposal to be out of proportion with the house or the design inappropriate and I do not consider that the rear garden environment would be adversely harmed by the proposal. The development is thus considered to be acceptable from the visual perspective.

8.3 In my opinion, from the visual perspective alone, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/14.

### **Residential Amenity**

8.4 Of greater concern on this occasion as in previous instances with this site is the potential impact on neighbouring amenity.

The extension will be distant from all neighbouring dwellings other than the attached property to the north, 253 Hills Road. The patio area to the rear of that house is very slightly set down from the floor level of 255.

- 8.5 In coming to a conclusion on this matter, I have had regard to the Council's earlier consideration that a 4m deep extension on the boundary was unneighbourly and would have undue impact on 253 Hills Road. The permitted development extension is 3m deep on that boundary as is allowed. In coming to a conclusion on this matter, I have had regard to the Council's earlier consideration that a 4m deep extension on the boundary was unneighbourly and would have undue impact on 253 Hills Road and to the decision to refuse planning permission for a single storey rear extension under reference 10/0714/FUL. In that case the extension was 4.2 m deep on the boundary and then stepped in 800mm off the boundary before projecting another 1.2 m down the garden. In the appeal decision against the refusal of that application, the Inspector comments: -

*The overall arrangement is one which would materially erode the amount of sunlight able to reach the rear part of No 253 and its immediate garden as well as having a significant overshadowing effect upon this part of the property.*

*In addition I am certain that the proposed extension would be considerably overbearing and create a strong and unpleasant feeling of enclosure, which would substantially reduce the outside amenity value of the neighbouring patio.*

*Taken together I am satisfied that all of these effects of the proposal would have a seriously harmful impact upon the living conditions of those at No 253. I note what the appellant says about certain aspects of the scheme being within permitted development limits, however I have determined this appeal on the basis of the proposal before me and for the reasons which I have given find it unacceptable. It is a proposal, which would have an unreasonable impact upon the quality of the residential environment at No 253 and is therefore contrary to policy 3/14 of the Cambridge Local Plan 2006. It also follows that in this respect it fails to have proper regard to its surroundings at odds with the provisions of policy 3/4 of the local plan.*

8.6 This proposal is for the rear bay only and had it been only 1.5 m off the boundary as first envisaged I would have considered it too imposing. Set another 900mm off the boundary, 2.4m in all, I consider that the proposal does overcome the concerns of the Inspector and that the height and depth and positioning due south of 253 would no longer cause such a loss of light and outlook, nor overpower that property and lead to the creation of such a sense of enclosure as to warrant refusal of the application. For these reasons I consider that the development is in accord with Cambridge Local Plan (2006) policies 3/4 and 3/14.

8.7 In coming to that view I have also been concerned about the potential infringement on the privacy of 253 as a result of the full glazing of the northern wall. To protect the privacy of that neighbour a condition is suggested to require that the glazing in the northern wall of the extension is obscure glazed.

## **9.0 CONCLUSION**

9.1 The proposals are now considered to be acceptable and therefore approval is thus recommended.

## **10.0 RECOMMENDATION**

### **FOR RECOMMENDATIONS OF APPROVAL**

#### **1. 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 glass in the north facing wall (that facing 253) of the extension hereby approved shall be obscure glazed when first introduced and shall remain so thereafter to the satisfaction of the local planning authority

Reason: In the interests of the amenity of the neighbouring dwelling (Cambridge Local Plan policies 3/4 and 3/14)

## **Reasons for Approval**

1. This development has been approved, conditionally, because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

East of England Plan (2008) Policy ENV7

Cambridge Local Plan (2006) Policies 3/4, 3/14

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at [www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess) or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected on the City Council website at:  
[www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess)  
or by visiting the Customer Service Centre at Mandela House.