

Application Number	17/0998/FUL	Agenda Item	
Date Received	7th June 2017	Officer	Charlotte Burton
Target Date	2nd August 2017		
Ward	Trumpington		
Site	98 Paget Road Cambridge CB2 9JH		
Proposal	Two storey side, and single storey front and rear extensions		
Applicant	Mr & Mrs Brooks 98 Paget Road Cambridge CB2 9JH		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal would not have a significant adverse impact on the residential amenity of the neighbouring properties.</p> <p>The extensions would be in-keeping with the character of the property and the surrounding area.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No.98 is a two-storey semi-detached property on the southern side of Paget Road. The property is constructed in render at ground-floor level and metal cladding at first-floor level with a pitched tiled roof. There is parking at the front and a garden to the rear.
- 1.2 The surrounding area is residential in character and is formed of similar sized semi-detached properties. The attached property is No. 100 and the neighbouring property to the west is No. 96, with which the applicants share a footpath between the properties.
- 1.3 The site is not within a conservation area and there are no relevant site constraints.

2.0 THE PROPOSAL

- 2.1 The proposal is for a two storey side extension, single storey rear extensions, and single storey front projection. The proposal includes rendering the property. The extensions would be in brickwork.
- 2.2 The two storey side extension would be up to 2.5m wide and would extend to the boundary with No. 96, and would be stepped in at the front to take account of the shared access. The eaves and ridge height would be stepped down from the main house approximately 0.2m. The side extension would provide space for a bike store and workshop.
- 2.3 The front extension would be single storey and would comprise a hall way and double-gates to the workshop. The extension would project approximately 1.5m from the front elevation and the eaves height would be approximately 2.5m with a sloped roof to a maximum height of 3.8m.
- 2.4 The rear extensions comprise an extension to the living room along the boundary with No. 100, and an extension along the boundary with No. 96 to provide a gym which would be separated from the rear elevation by a courtyard. During the course of the application, the following amendments were submitted:
- ☐ Reduction in the length of the living room extension from 6m to 4m;
 - ☐ Reduction in the length of the gym extension from 8m to approximately 6.8m
 - ☐ Stepping the side elevation of the gym extension approximately 0.1m off the boundary with No. 96.
- 2.5 The extensions would be 2.5m high to the eaves and the ridge height of the gym and living room extensions would be approximately 3.4m and 3.8m respectively.

3.0 SITE HISTORY

3.1. The planning history for the site is as follows:

Reference	Description	Outcome
16/1202/FUL	Two storey side extension and single storey front and rear extensions	Refused

3.2 The previous application was refused under officer delegated powers on the grounds that:

The combination of the substantial depth, height and proximity of the proposed single-storey rear extensions to the western boundary would result in the proposed works having an unacceptable enclosure impact on the garden of no.96 Paget Road. The proposed extensions would also project 8m in depth, very close to the eastern boundary, and this would visually enclose the garden and nearest ground-floor rear window of no.100 Paget Road. As such, the proposal would harm the amenities of the occupiers of both neighbouring properties through its overbearing impact and be contrary to policies 3/4 and 3/14 of the Cambridge Local Plan 2006, as well as conflicting with paragraph 17 of the NPPF (2012).

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 Plan 2006	Local	3/4 3/7 3/11 3/14 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 – The Use of Conditions in Planning Permissions (Annex A)
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 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 The owner/occupier of the following address has made representations objecting to the proposal:

☐ 96 Paget Road

- 7.2 The representations can be summarised as follows:

- ☐ The height and length of the proposed rear extension would be obtrusive
- ☐ There is no hedging masking the building
- ☐ Concerns about noise levels from the proposed gym extension
- ☐ Noise and disturbance from the proposed workshop side extension
- ☐ The proposed front extension would go across the shared pathway which will not be permitted.
- ☐ The revised plans submitted during the course of the application does not seem to be much of an amendment.
- ☐ The expanse and proximity of the proposed side extension.

- 7.3 Councillor Avery has called in the application on the grounds that the proposal has not made significant changes since the previous refused application, that Members should consider the revised proposal and that the third parties should have the opportunity to present their views to the committee.

- 7.4 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
4. Car and cycle parking
5. Third party representations

Context of site, design and external spaces

- 8.2 The visual impact of the proposed extensions was not a reason for refusal of the previous application which was considered to be in-keeping with the character of the area. Compared to the previous scheme, the two storey side extension would have the eaves and ridge set below the existing roof profile, and the first floor would be stepped back from the existing property. This gives the extension a subservient feel which in my opinion would be appropriate to the street scene.
- 8.3 The proposed single-storey front extension is of a relatively modest scale and there are other examples of front extensions in the surrounding area. The property is one of the last remaining examples of metal cladding on the first floor along Paget Road and detracts from the street scene. The proposal includes rendering the property which would significantly enhance the appearance. The side and front extensions would be in brick which would be in keeping with the material palette in the surrounding area.
- 8.4 The proposed single-storey rear extensions would not be visible from any public viewpoints. Nonetheless, the extensions would be in-keeping with the character of the existing property and the surrounding area in terms of the form, scale and materials.
- 8.5 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

- 8.6 The main consideration is the impact of the proposed works on the occupiers of the two adjacent properties at Nos. 96 and 100 Paget Road. This was the sole reason for refusal of the previous application. I have addressed these and responded to the objections received by the occupants of No. 96 in my assessment below.

☐ *No. 96*

- 8.7 I have received objections from the occupants of this property concerned about the impact of the expanse and proximity of the proposed side extension, the impact of noise from the proposed workshop and gym, and the obtrusive impact of the proposed rear extension. I have visited this property and assessed the impact for myself.
- 8.8 This property has a single storey element on the side elevation which includes ground floor windows. This is used as a store room and as an extension to the kitchen and I do not consider this to be habitable space. I am not therefore concerned about the impact of the two storey extension on this element. There is a first floor window on the side elevation of No. 96, however this serves a hallway and is not habitable space. Therefore, while I accept that the two storey extension would be closer to the neighbouring property and would have some enclosing impact, No. 96 has no windows serving habitable rooms that would be impacted, so the extension would not harm the residential amenity of the occupants of this property.
- 8.9 The occupiers of No. 96 have expressed concern about the 'canyoning effect' of the side extension. There is a passageway along the side of No. 96 which would be enclosed along the boundary by the proposed extension, however this is not amenity space and does not provide access to the main entrance to this dwelling which is on the front elevation, so the impact on this passageway would not harm residential amenity in my opinion. Moreover, the side extension is similar in scale to the previous proposal and this element was not a reason for refusal.

- 8.10 Turning to the proposed gym extension, this element has been reduced in height and length since the previous application and during the course of the application in response to officers' concerns about the overbearing impact on the neighbouring property. Compared to the previous application, the side elevation has been reduced in height from 3.8m to 2.5m with a pitched roof approximately 3.8m high. The length has been reduced from 8m as previously proposed to 6m during the course of this application, and the side elevation has been stepped off the boundary by 0.1m. I appreciate that the proposal does not include a hedge along this boundary, however the neighbours could reasonably plant a border on their side to soften the visual impact, should they wish to.
- 8.11 The gym extension must be assessed in the context of the existing buildings on the site and a fall-back permitted development scenario. The existing site plan shows the footprint of outbuildings on the site. These comprise wooden structures the rearmost of which is a relatively modest shed structure. These outbuildings are positioned on the boundary with No. 96 and the proposed extension would cover a similar length. I appreciate that the extension would be taller and more visually 'solid' than the existing structures, however the applicants could erect an outbuilding under permitted development in this location with an eaves height of 2.5m. The extension would have a higher ridge height than a permitted development outbuilding and would be attached to the house, however in my opinion this would not have a significant impact in terms of overbearing and enclosure on the neighboring garden or the ground floor windows on the rear elevation compared to the existing or fallback situation. I am satisfied that the revised proposal is acceptable.
- 8.12 The proposal would not have an adverse impact in terms of overlooking. No windows are proposed on the side (west) elevation and the view from the first-floor window on the rear elevation of the side extension would be similar to that of the existing rear first-floor windows which allow for views across this neighbour's garden at an oblique angle.
- 8.13 The levels of light reaching this neighbouring dwelling would not be diminished to such an extent as to adversely impact on this neighbour's amenity. The proposed two-storey side extension does not project any further to the front or rear than the existing

building line. The first-floor landing window at No.96 would lose a degree of light but as this window does not serve a habitable room, this impact is considered to be acceptable. The proposed single-storey extension running adjacent to the boundary of this neighbour would likely lead to a loss of light over the rear garden of this neighbouring dwelling in the early morning hours. However, the levels of light reaching the garden in the late morning and afternoon hours would not be significantly affected by the proposed works.

- 8.14 The occupants of No. 96 have raised concerns about the impact of noise from the use of the side extension as a bike store and workshop and the use of the rear extension as a gym. The applicants have said that this use would be domestic and related to hobby use. It would not be commercial in nature. The applicants could not run a commercial business from the site that would amount to a change of use without planning permission for change of use. I have recommended a condition to prevent the commercial use of the extensions. In my opinion, these uses would not generate significant noise that would harm residential amenity. I do not consider this would be reasonable grounds to recommend refusal of this application.

No. 100

- 8.15 The proposed living room extension would extend along the boundary with No. 100. The side elevation would be 2.5m high with a pitched roof to 3.8m. This property has a large patio at the rear and ground floor windows serving habitable rooms. The occupants of No. 100 have not objected, however I had concerns about the enclosing impact of the extension, which was initially proposed to be 6m long. In response to these concerns, the length was reduced to 4m by the applicant. This has been sufficient to overcome my concerns, particularly as an extension of this length and height could be erected under the prior approval permitted development process, which is a relevant consideration.
- 8.16 I am satisfied that the impact on residential amenity during construction can be controlled through conditions to restrict construction hours and that this would be reasonable due to the proximity to neighbouring properties.

- 8.17 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.

Amenity for future occupiers of the site

- 8.18 The property would retain a good sized garden and the extension would provide a high quality living environment. I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14.

Highway Safety

- 8.19 The Highways Authority has not objected to the proposal and I accept their advice. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

- 8.20 I have considered the objections from the occupants of No. 96 within my assessment. For clarity, these have been addressed as follows:

Representation	Response
The height and length of the proposed rear extension would be obtrusive	Paragraphs 8.10-8.11
There is no hedging masking the building	Paragraph 8.10
Concerns about noise levels from the proposed gym extension	Paragraph 8.15
Noise and disturbance from the proposed workshop side extension	
The proposed front extension would go across the shared pathway which will not be permitted.	The use of the shared pathway is a civil matter and is not a relevant planning matter that I can give weight to.

The revised plans submitted during the course of the application does not seem to be much of an amendment.	I have assessed the amendments that have been submitted during the course of the application within the relevant sections of this report. In my opinion, the changes have addressed previous concerns and the proposal is now acceptable.
The expanse and proximity of the proposed side extension.	Paragraphs 8.8-8.9

9.0 CONCLUSION

- 9.1 I acknowledge the objections I have received from the occupants of No. 96 Paget Road and I have visited this property as part of my assessment. I am satisfied that the current application has responded to the previous reason for refusal relating to the overbearing impact of the rear extensions, and the proposal as amended during the course of this application would not have a significant adverse impact on residential amenity, particularly when considering the existing outbuildings and the fall-back permitted development scenarios. In my opinion, the previous reason for refusal has been overcome and the proposal is acceptable.

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 workshop and gym extensions hereby permitted shall not be used at any time for commercial activity.

Reason: To protect the amenity of neighbouring occupiers
(Cambridge Local Plan 2006, policies 3/4, 3/14 and 4/13).