

Application Number	18/1050/FUL	Agenda Item	
Date Received	28th June 2018	Officer	Mary Collins
Target Date	23rd August 2018		
Ward	Arbury		
Site	107 Hazelwood Close		
Proposal	Part two storey, part single storey rear extension. Single storey front extension with alterations to convert existing garage to habitable space and incorporate into main dwelling.		
Applicant	Mr Fokrat Jamal 107, Hazelwood Close		

SUMMARY	The development accords with the Development Plan for the following reasons: The proposal would not unreasonably overlook, overshadow or visually dominate neighbouring properties. The proposal would not be detrimental to the character and appearance of the surrounding area.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is a two storey terraced dwelling house with a single garage to the front and is situated on the southern side of Hazelwood Close. The surrounding area is residential predominantly made up of terraced dwellinghouses. There are no relevant site constraints.

2.0 THE PROPOSAL

2.1 The application seeks full planning permission for a part two storey, part single storey rear extension, and a single storey front extension with alterations to convert the existing garage to habitable space and incorporate it into the main dwelling.

2.2 Planning permission was previously refused, reference 18/0579/FUL, for a part two storey, part single storey rear extension and a single storey front extension with alterations to convert the existing garage into a habitable space incorporated into the main dwelling.

2.3 This application differs from the original application in the following ways:

- The depth of the first floor rear extension has been reduced from 3.1 metres to 2.6 metres and reduced in width from 3.7 metres to 3.2 metres and would be set in further from each side boundary. The ridge height has been reduced from 6 metres to 5.6 metres whilst the eaves height remains the same at 4.6 metres.
- The single storey rear extension would project 4 metres from the rear wall of the host dwelling and would span the full width of the property. The eaves would be 2.5 metres high and the ridge, which would abut the first floor extension, would be 3.4 metres high

2.4 The application is accompanied by the following supporting information:

1. Plans

2.5 The application has been called into Committee by Councillor Todd-Jones.

3.0 SITE HISTORY

18/0579/FUL: part two storey, part single storey rear extension and a single storey front extension with alterations to convert the existing garage into a habitable space incorporated into the main dwelling. Refused.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1, 3/4, 3/7, 3/14 8/10

5.2 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework 2018 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A consideration)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

5.3 Local Plan Inspectors' reports

On 3 September 2018, South Cambridgeshire District Council and Cambridge City Council published the Inspectors Reports on the South Cambridgeshire Local Plan and Cambridge Local Plan. The Inspectors have concluded that both Local Plans are 'sound' subject to a number of modifications being made. The South Cambridgeshire Local Plan, taking account of the Inspectors conclusions, will be recommended for adoption at a meeting of full Council on 27 September 2018. The Cambridge Local Plan, taking account of the Inspectors conclusions, will be

recommended for adoption at a meeting of full Council on 18 October 2018.

Consistent with NPPF paragraph 48, the publication of the Inspectors' Reports increases substantially weight that can be attributed to the Local Plans in decision making. The examination process has now concluded. The Inspectors' have concluded that the Local Plans are sound (subject to the modifications which they have recommended) and, as such, there are no longer unresolved objections to the Local Plans. As such, substantial weight may now be attached to the policies of the Local Plans when making planning decisions.

The adopted development plan, in technical terms, remains the starting point for planning decision making. The Local Plans are however a material consideration to which substantial weight may now be attached.

Given the state of advancement of the Local Plans in the process toward adoption, it is considered that, generally, in the context of a planning decision, where there is a conflict between the outcome which arises from the application of policies of the adopted development plan and those of the Local Plans, the Local Plans will generally outweigh the adopted plan and will prevail. Where there is consistency, then the policies of the Local Plan add substantial weight in favour of the outcome which accords with the application of policies of the adopted development plans and those of the Local Plans.

- 5.4 For the application considered in this report, the following policies in the emerging Local Plan are of relevance:

Policy 1: The presumption in favour of sustainable development
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 58: Altering and extending existing buildings
Policy 82: Parking management

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

- 6.1 The Highway Authority has no comment to make upon this application.
- 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 Councillor Todd-Jones requests that the application be referred to Planning Committee unless Officers are minded to refuse the application. Notwithstanding the slight reduction in the width, depth and height of the first floor rear extension compared to the previously refused scheme, the reasons for refusing that application apply to the current proposal. These reasons are:

- The size of the first floor rear extension and its proximity to the boundary would cause an unreasonable sense of enclosure to Nos. 106 & 108 particularly when viewed from the ground floor windows.
- The first floor rear extension would also cause unacceptable overshadowing of No.108's ground floor kitchen window and outdoor patio space.

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

- 69 Hazelwood Close
- 106 Hazelwood Close
- 108 Hazelwood Close

- 7.3 The representations can be summarised as follows:

- The development will lead to an increase in noise and disturbance in the area as it will be rented to a large number of separate individuals. Family homes are turning into small flats affecting safety and crime in the area.
- The development will lead to an increased demand for on-street parking.

- The proposal will change the character of the whole terrace of houses and is an overdevelopment of the site.
- There would be a view of a brick wall from the bedroom windows and lack of direct sunlight into the rear garden of No.108 as a result of the development.
- The construction process would be disruptive for residents especially contractor's parking.
- The development would impact the sunlight enjoyed by No.108 – the morning light would be affected in the first floor bedroom and ground floor living room. The light to both neighbouring gardens will also be affected. The impact on No.108 would be particularly harmful in the winter months.
- The size and appearance would be overbearing on the immediate neighbours.
- This would set a negative precedent and would encourage others to build extensions of a similar size.

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

Context of site, design and external spaces

- 8.1 The front extension would be visible from Hazelwood Close; the rear extensions would be visible from the public footpath and playground to the rear of the property.
- 8.2 The front extension would project 1m from the front building line, this would connect the existing single garage to the host property. The garage is proposed to be converted into a bedroom. The extension would have a lean to roof with eaves height of 2.4m and ridge height of 3.3m. It would be constructed from materials to match the host dwelling. The design of the proposed front extension is considered to be acceptable. Although no other houses on the terrace have extended to the front in this way it would not have a significant visual impact from the street as the garage blocks most of the view. The change from a garage door to windows would have no significant impact on the character. It is therefore considered that the front extension and garage conversion would preserve the character of the terrace.

- 8.3 The first floor rear extension is centrally located and the ridge would sit below the ridge of the host dwelling. It is considered that the extension would read as subservient to the host dwelling and is acceptable in terms of design. The materials are proposed to match the host dwelling. The ground floor element relates well to the central two-storey element with the roof wrapping around this section. The extension is considered to be in proportion with the rear elevation of the dwelling.
- 8.4 In my opinion the design of the extension is acceptable and the proposal is compliant with adopted policies 3/4, 3/7 and 3/14 and Policies 55, 56 and 58 the Cambridge Local Plan 2014: Proposed Submission (as amended by the Inspector's main modifications) which carries substantial weight.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.5 Earlier this year, an application to extend to the rear of the property was refused as a combination of the size of the first floor extension and its proximity to the side boundaries was considered to have an unduly enclosing impact upon both neighbouring properties and to cause an unacceptable degree of overshadowing of No.108's ground floor rear windows and patio. In the current proposal, the first floor element of the extension has been amended so that it is set in from each side boundary by at least 2m and approximately 0.25m further away from each side than the refused scheme. Additionally, the depth and ridge height of the first floor have been reduced by 0.5m and 0.4m respectively.
- 8.6 In the previous scheme, the first floor extension failed the BRE 45 degree test, when assessing the impact upon the No.108's ground floor French doors serving the kitchen, on both the horizontal and vertical planes. The revised first floor extension now only fails the BRE 45 degree test on the vertical plane. This property (No.108) lies to the west of the proposed extension and there would be a degree of overshadowing impact to these windows and the terraced area of the garden directly outside particularly in the early morning in the spring and summer months. However I am of the opinion that, whilst there would be some impact upon No.108, the proposal would be compliant with the BRE guidance (without the requirement for a Daylight

and Sunlight Assessment to be carried out) and would not have a seriously detrimental impact upon the occupiers of this property.

- 8.7 No.106 lies to the east of the proposed extension and has a lean to structure that already shades their ground floor windows, therefore the overshadowing impact on this neighbour is less significant.
- 8.8 The ground floor rear extension would be 4m deep and have a hipped roof that would slope away from the boundaries and from the rear of the extension. Due to the low height of this extension and the fact the roof slopes away from both side boundaries, I consider it would not have a seriously harmful impact upon No.108. Notwithstanding this, I am mindful that a single storey extension could be constructed on the boundary with an eaves height of 3 metres and a projection of 3 metres as permitted development and without the requirement for planning permission, and that the single-storey element would have a lesser impact than the permitted development fallback position..
- 8.9 When assessed as a whole, it is my opinion that given the inset of the two storey element by at least two metres from the side boundaries and with the ground floor element with its low eaves height, roof sloping away from the boundary with its hipped end and compared to the fall- back position that on balance the combination of ground and two storey extension would not have a detrimental impact on neighbouring properties.
- 8.10 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 adopted policies 3/4 and 3/14 and Policies 55 and 58 the Cambridge Local Plan 2014: Proposed Submission (as amended by the Inspector's main modifications) which carries substantial weight.

Car Parking

- 8.11 While the car parking space in the garage would be lost as part of this development the existing provision for up to three cars on the front driveway of the property would remain. This is higher than the maximum standard outside the Controlled Parking Zone (2 cars) but as it is the existing situation it is acceptable

that this is retained. Third party representations have been received raising concerns about the level of parking provision. It is considered that this site is in a sustainable location within cycling distance of the city centre and with good public transport links on nearby Histon Road. The parking provision is therefore considered more than adequate for a three-bedroom dwelling.

- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/10 and Policy 82 the Cambridge Local Plan 2014: Proposed Submission (as amended by the Inspector's main modifications) which carries substantial weight.

Third party representations

- 8.13 Third party representations have been received concerning parking provision during construction works. As mentioned above there is a large amount of off-street parking as well as on-street parking in the vicinity. It is not expected that there would be significant amounts of contractors requiring parking at the same time. Therefore the impact on the amenity of neighbouring occupiers in terms of parking during construction is not considered major enough to be a reason to refuse this application.
- 8.14 With regard to the use of the property as a House of Multiple Occupancy, planning permission would not be required for up to six unrelated persons living as a single household and sharing communal facilities.

9.0 CONCLUSION

I consider that the proposal has addressed the reasons for refusal of previous application ref: 18/0579/FUL. Therefore in conclusion the proposal as amended would have an acceptable impact on the amenity of the occupiers of adjoining properties and would not have a detrimental visual impact to the surrounding area.

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: 0800hours 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 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policy 35)

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

Reason: To ensure that the extensions are in keeping with the existing building. (Cambridge Local Plan 2006 policies 3/4, and 3/14; and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policies 55 and 58)