

Application Number	10/0642/FUL	Agenda Item	
Date Received	27th July 2010	Officer	Mr Marcus Shingler
Target Date	21st September 2010		
Ward	Abbey		
Site	152 Stanley Road Cambridge Cambridgeshire CB5 8LB		
Proposal	Second storey extension above existing single storey part of the house, works to include installation of new windows in existing side elevation.		
Applicant	Mr. David Atkinson 152 Stanley Road Cambridge Cambridgeshire CB5 8LB		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 152 Stanley Road is the southeastern half of a pair of semi-detached houses standing on the northeast side of the street about 50 metres southeast of the junction with Riverside. The houses, built in the early 1970's, are set back about 11 metres from the highway and have, behind partial width rear wings, gardens about 7-8 metres in length. In the case of No. 152 the rear wing is single storey only, in the case of the other half, no. 154, the rear wing is of two-storey height with a flat roof.
- 1.2 Stanley Road has a very varied character with commercial and religious properties at the southeastern end but with the majority of the buildings in residential use, though of a wide mix of designs, ages and formats including late Victorian/Edwardian, inter and post war housing as both houses and flats. Immediately to the southeast of 152 is a car park to the flats of Regatta Court, a late 60's early 70's development forming three sides of a courtyard. To the north-west of 154 is a single house close up to the pavement, which looks as if it may originally have been part of a late Victorian/Edwardian terrace, and beyond that a pair of flat roof dwellings and then on the corner of Riverside 3-storey flats

which have relatively recently had a pitched roof added. Opposite on the southwest side of the street are some terraced houses set close but not at consistent distances from the highway and a little to the northwest a house built in the last five years on the back gardens of houses in Riverside. To the north-east behind the rear gardens is a play area on Stourbridge Common and gardens associated with Regatta Court.

- 1.3 The site is not within a conservation area or the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The application seeks planning permission for a first floor rear extension above the existing part width rear wing. When originally submitted this first floor addition was 4.27 metres long and 3.3 metres wide. While the width of the extension has not changed the length has been reduced to 3.0 metres. The top of the flat roof is shown to be 5.1 metres high. A three pane full height window is shown in the northeast (rear elevation) and a single pane window is shown in the south-east wall, facing the regatta Court car park.

3.0 SITE HISTORY

- 3.1 There is no planning history other than for the construction of the two houses.

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)
Planning Policy Guidance 13: Transport (2001)
Circular 11/95 – The Use of Conditions in Planning Permissions

5.2 East of England Plan 2008

ENV7 Quality in the built environment

5.3 Cambridge Local Plan 2006

3/4 Responding to context
3/14 Extending buildings

5.4 Supplementary Planning Documents

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

5.5 Material Considerations

5.6 No additional considerations arise.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No objections.

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 45 Audley Road Saffron Walden, the owners of 154. The grounds for objection are based on the original submission. Further notification of the latest amendment to the proposal has been put to the owners of 154, but no response has been received. They have been advised that the application is to be heard at Committee on the 14th April.

7.2 The basis of the objection made is that the proposal will impact on the right to light of their property. There is particular concern about light to the window in the southeast facing side wall of the rear wing and that, contrary to Building Research Establishment (BRE) good practice guidance a 45 degree angle from the top of the extension to that window would be more than half way up

the window and is therefore unacceptable. The point is made that although there is another window in that room it faces north (*in fact it faces north east*), is not as big as the plans suggest and that there are very substantial trees just beyond the end of the garden on Stourbridge Common at a relatively short distance (6.6m). It is argued that the addition would make the room dark and claustrophobic, requiring greater use of electricity and reduced sustainability. There are also concerns that the proposal will severely restrict light to the rear garden. Errors in the labelling of plans are also rehearsed.

7.3 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.

7.4 Any further comment received will be reported to Committee.

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 Although it is not a form that is usually supported because it is not generally in character, the flat roof matches the deeper flat roof, first floor addition to 154, the other half of the pair. The rear first floor addition to 154 is however, because of the siting of 156 on the street frontage and because 152 acts as a screen, is hardly visible at all from the street. The proposed new first floor flat roof rear extension will be visible from the street. Given, however, that it is set back from the street by about 20 metres and is to some extent screened by existing planting both along the street frontage and in the car park to the south-east side of the house, I am of the view that its impact will not be such as to warrant refusal, particularly when there is a much more intrusive flat roof form in a much more prominent position in the street nearby and the adopted form seeks to minimize the impact on the neighbouring property, 154. I therefore consider the proposal acceptable from the visual perspective.

8.3 In my opinion the proposal is compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4 and 3/14.

Residential Amenity

8.4 The proposed first floor extension, given its location to the north-west of the Regatta Court car park will have no impact upon that property. The proposed flank window is about 20 metres from windows in the northwest flank of Regatta Court, but a combination of the distance and tree planting means that is not an unacceptable relationship.

8.5 The relationship of the proposed first floor extension to 154 is more complex. Had it remained at the 4.27 metres originally promoted, the combination of length, height and aspect would have made it, in my opinion, unacceptable. The applicant has been advised of that and has reduced the overall length to 3.0 metres. That reduction in length changes my perspective of the proposal and is enough to make the proposal acceptable. While I acknowledge that the window to which the neighbouring owner makes specific reference will continue to have a 45 degree angle that intersects above the half way height of that window, the proposed extension now projects no further to the northeast than that window, which is a secondary window albeit to a room dominated by the presence of very substantial trees just beyond the bottom of the garden, at a distance given as less than 7 metres. I am of the view that the light around the end as well as over the top of the extension will mean that the impact on the room in question is not unreasonably oppressive. While there will be some loss of light to and outlook from the rooms in 154, I do not consider that the impact is so severe as to justify refusal.

8.6 In terms of overlooking the large window proposed in the northeast end of the extension will allow some opportunity to overlook the neighbouring garden, but I do not consider this to be materially more severe than would be the case with many other windows in relatively dense urban locations.

8.7 No other neighbouring properties are adversely affected by the development, which is thus considered to be acceptable from the neighbourliness perspective.

8.8 I consider all the points raised by the neighbouring owners have been addressed, but will report to Committee any further comment received in response to the latest consultation. It is my view that the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4 and 3/14.

9.0 CONCLUSION

9.1 Although it is a balanced decision I am firmly of the view that with the reduced length of the first floor extension the proposal is acceptable both from a visual perspective and in its relationship to the neighbour to the northwest and, therefore, approval is recommended.

10. 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 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. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

Reasons for Approval

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

East of England plan 2008: ENV7

Cambridge Local Plan (2006): 3/4 and 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.

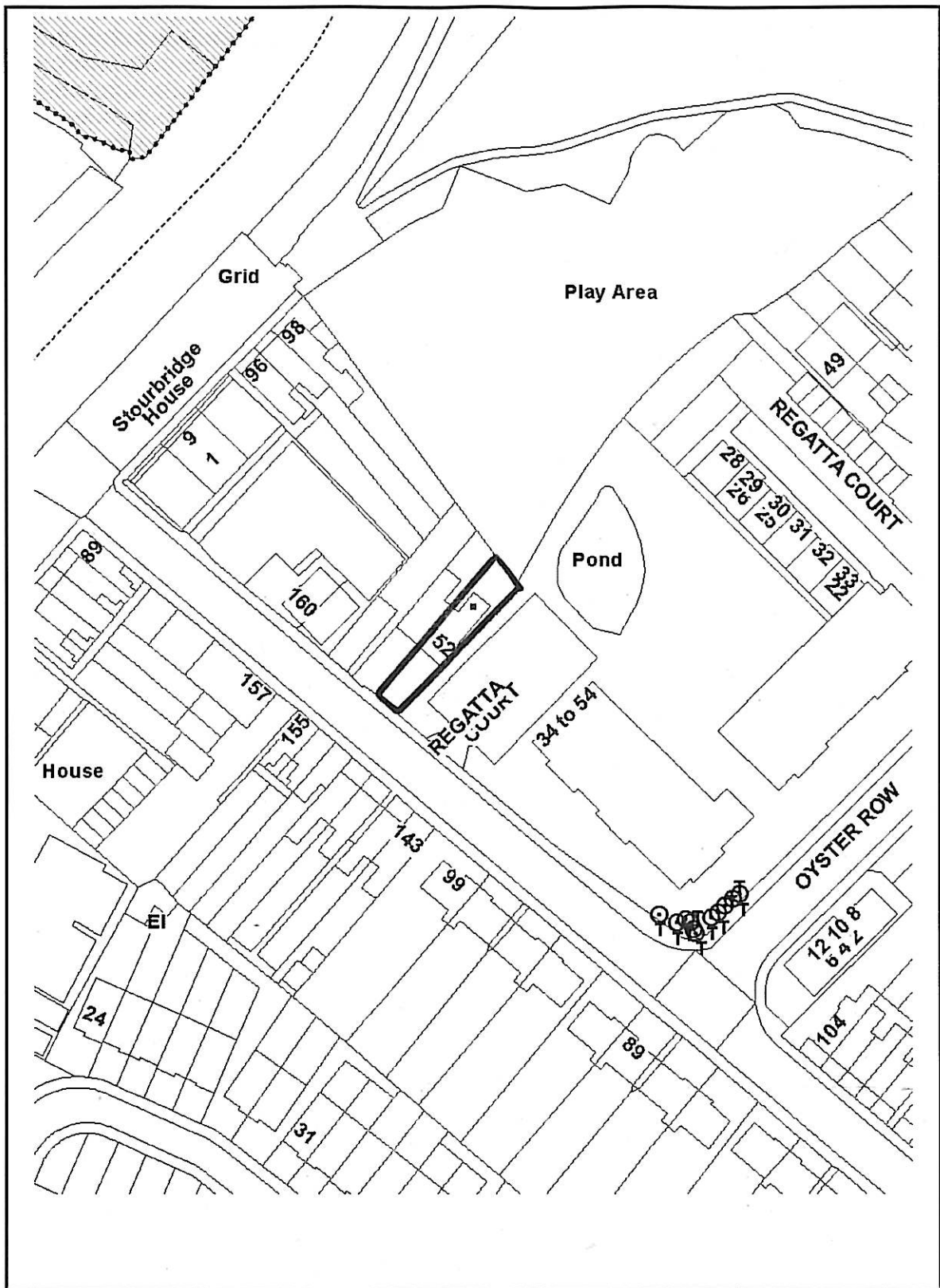
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 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 by contacting John Summers (Ext.7103) in the Planning Department.



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