

Application Number	11/0262/FUL	Agenda Item	
Date Received	9th March 2011	Officer	Mr Marcus Shingler
Target Date	4th May 2011		
Ward	Queen Ediths		
Site	65 Cavendish Avenue Cambridge Cambridgeshire CB1 7UR		
Proposal	Part two and part single storey rear extension and single storey side extension.		
Applicant	Mr. And Mrs. Ferguson 65 Cavendish Avenue Cambridge Cambridgeshire CB1 7UR		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 65 Cavendish Avenue is an end-of-terrace, two-storey house and its associated front and rear gardens, situated to the north side of the street, about 85 metres west of the junction with Hinton Avenue. The house is at the west end of the terrace and both end houses in their original form projected both very slightly forward of and behind the houses in the centre of the terrace. There were also gables to the front and rear of the end houses. The application house is finished in cream render (as is the rest of the terrace) under a tiled roof and has been extended previously with a flat roof single storey extension that projects out of the rear gable at the western side of the rear elevation. There are single storey garage structures to the west of the house, between the main house and the common boundary with the non-attached house, No. 63.
- 1.2 The area is residential in character containing a mix of detached, semi-detached and terraced two-storey houses, which vary widely in scale and are finished indifferent materials. The houses to the west are set back about 5 metres further from the street than the application house. The two houses at

the eastern end of the terrace, 69 and 71, have both had substantial extensions to the rear.

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

2.0 THE PROPOSAL

- 2.1 The application follows the withdrawal of an earlier application seeking planning permission for a part single and part two-storey rear extension (10/1179/FUL) and again seeks permission for a part single and part two-storey rear extension to the existing property. The proposed extension will measure 5m deep at ground floor level reducing to 4.0m at first floor level and will be 5.5m wide with a hipped and pitched roof rising to a maximum height of 7.3 m; the extension will be set 1.9m off the common boundary with the attached property to the east (67), and 3.8m off the common boundary with the property to the west (63).
- 2.2 The application is reported to Area Committee for decision at the request of Councillor Swanson.

3.0 SITE HISTORY

Reference	Description	Outcome
10/1179/FUL	Part single part two-storey rear extension.	W/D

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 None received although it is noted that the neighbours at 67 Cavendish Avenue supported the previous proposal for development.

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 extension will be only partially visible from the street as it is predominantly set to the rear of the property and thus any impact will be limited to what can be seen from the street to the southwest. The scale of what is proposed and that the houses to the west are set back 5 metres further from the street than the application property, means the rear extension will be more visible than it would be in many other circumstances. That notwithstanding I consider the views will be relatively oblique and given the scale of some other housing nearby, I do not consider that the character and appearance of the locality would be harmed by the extension. The development although of significant bulk and scale is of an acceptable design which will, subject of the use of appropriate matching materials, integrate satisfactorily as a harmonious and clearly subsidiary addition to the existing property. The proposed extension is of significant depth at 5m at ground floor but the rear garden of the property is generous at 36m overall and I do not consider that the rear garden environment would be harmed by the development. The single storey side porch is limited in scale and set back from the frontage and will not in my opinion detract either from the appearance of the house or the street. The proposals are thus considered to be acceptable from the visual perspective.
- 8.3 In my opinion and from the visual perspective alone, 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 Of greater concern in this instance is the potential impact on neighbouring residential amenity. The extension will be set 3.8m away from the common boundary with the unattached neighbouring property to the west, 63 Cavendish Avenue, and 6.3m from the dwelling. Given that 63 is set 5m further back from the street than the application dwelling, I consider that extension will for the most part align with the flank wall of 63. Despite ground floor windows in that elevation, I consider any impact on light to or outlook from 63 would be limited and not so harmful as to justify refusal. Although the porch is closer to the common boundary with 63, the only property it might be considered to have a bearing upon, it is a porch covering an

existing access and although there might be some light spillage, I do not consider it will have a material bearing upon 63 and nor will either element of the proposal materially affect the privacy to that dwelling.

- 8.5 The relationship with the attached dwelling to the east, 67 Cavendish Avenue is my greatest concern. The rear gable of the original dwelling means that 65 has always projected about 1.8 metres beyond the rear wall of 67, hard on the common boundary. The proposed extension has been set off the common boundary by 1.9m and projects, at ground floor, a further 5.90 metres out into the garden, 6.8 metres in all. At first floor level the current proposal, which has been reduced from that first suggested in the previous application, has been reduced to 4m in length at first floor level (5.8m in all behind 67), with the roof being hipped back. While these reductions and amendments undoubtedly reduce the impact of the development, the combination of the existing projection and the extension proposed still gives an overall depth of 6.8m at ground floor and 5.8m at first floor level. At a position that remains relatively close to the boundary, I am of the view that the proposed rear extension is unneighbourly and harmful to the neighbouring property. I consider the development will be overbearing in its relationship with 67 and create an unacceptable sense of enclosure for 67 imposing on the outlook and eroding the amenity of 67, resulting in a loss of natural daylight. In forming this opinion, I have been very aware of the substantial extensions to 69 and 71 Cavendish Avenue and that the neighbours at 67 were supportive of the previous proposal for development. I do however consider that the timing and scale of the extensions at the other end of the terrace do mean that they can be properly be seen in a different light from this proposal and I remain of the opinion that the rear extension is not acceptable.
- 8.6 In my opinion the proposal fails to adequately respect the residential amenity of its neighbours or the constraints of the site and I consider that it is in clear conflict with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4 and 3/14.

9.0 CONCLUSION

9.1 The proposals are considered to be unacceptable and refusal is thus recommended.

10.0 RECOMMENDATION

REFUSE for the following reason:

1. The proposed two-storey rear extension, because of its height and its length, its proximity to the common boundary and its position slightly south of due west the neighbouring property at 67 Cavendish Avenue, would have a material adverse impact on that property. It would unreasonably dominate and be overbearing in its relationship with 67, causing the occupiers of that property to suffer an undue sense of enclosure, to the detriment of the level of amenity they should reasonably expect to enjoy. It would also cause a loss of light to the rear of that house and its rear garden area and would erode the quality of the outlook from the property. The development is for these reasons contrary to policy 3/14 of the Cambridge Local Plan 2006. It follows that the development also fails to respond to its context or to relate satisfactorily to its surroundings and is therefore also contrary to policy ENV7 of the East of England Plan 2008, to policy 3/4 of the Cambridge Local Plan 2006 and to advice provided by Planning Policy Statement 1 - Delivering Sustainable Development (2005).

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

or by visiting the Customer Service Centre at Mandela House.



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