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|---------------------------|--|--------------------|-----------------|
| <b>Application Number</b> | 20/01568/HFUL  | <b>Agenda Item</b> |                 |
| <b>Date Received</b>      | 6th March 2020   | <b>Officer</b>     | Rebecca Claydon |
| <b>Target Date</b>        | 1st May 2020   |                    |                 |
| <b>Ward</b>               | Arbury   |                    |                 |
| <b>Site</b>               | 23 North Street  |                    |                 |
| <b>Proposal</b>           | First floor roof extension to create 2no. bedrooms and en-suite along with associated works. |                    |                 |
| <b>Applicant</b>          | A Bailey and K Smith<br>23 North Street  |                    |                 |

|                       |  |
|-----------------------|--|
| <p>SUMMARY</p>        | <p>The development does not accord with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The site falls within the Castle and Victoria Road Conservation Area. 23 North Street forms one of a set of three identical dwellings approved under application 10/0404/FUL. It is considered that the proposed extension would disrupt the sense of openness and alter the existing architectural balance of these dwellings and would therefore have an adverse impact to the character of the surrounding area, and would not preserve or enhance the character of the conservation area. Therefore, the proposals would be contradictory to Policies 55, 56, 58 and 61 of the Cambridge Local Plan (2018).</li> </ol> |
| <p>RECOMMENDATION</p> | <p>REFUSAL</p>   |

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The site is 23 North Street. It is a terraced house which has two floors, although this consists of a concealed basement when viewed from the public realm on North Street, and a ground floor level. No. 23 forms the middle property of a set of dwellings that were given approval at planning committee under application 10/0404/FUL.
- 1.2 The site falls within the Castle and Victoria Road Conservation Area. It sits within the Controlled Parking Zone.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is for a first-floor roof extension and associated works, to create an additional 2no. bedrooms and an en-suite.
- 2.2 The proposal would add 1m to the eaves height and 3.5m to ridge height. This would give an eaves height of 3.95m from ground floor level and a maximum height of 6.5m from ground floor level. The proposed extension would cover the majority of the existing roof, including the front porch, although would be set back slightly from the eaves of the rear by approximately 1m.
- 2.3 The extension would use new timber cladding, replacing the existing timber cladding to ground floor level. There would also be zinc cladding and a roof covering to the proposed extension. A large window would be installed to the right-hand side of the roof, when viewed from North Street. A smaller 0.8m x 2.9m window would be installed at the rear elevation of the proposed extension.
- 2.4 Two velux windows and four solar panels would be installed on the roof on the east elevation, and one velux window to the west.

## **3.0 SITE HISTORY**

| <b>Reference</b> | <b>Description</b>  | <b>Outcome</b> |
|------------------|---|----------------|
| 10/0404/FUL      | Erection of 5 two-bed dwelling with associated car/cycle parking and landscaping (following demolition of existing garage serving 59 Histon Road) | Permitted      |

## 4.0 PUBLICITY

|                        |     |
|------------------------|-----|
| 4.1 Advertisement:     | Yes |
| Adjoining Owners:      | Yes |
| Site Notice Displayed: | Yes |

## 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

| PLAN                      | POLICY NUMBER     |
|---------------------------|-------------------|
| Cambridge Local Plan 2018 | 1, 55, 56, 58, 61 |

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

|  |   |
|--|---|
| Central Government Guidance  | National Planning Policy Framework July 2018<br><br>National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards<br><br>Circular 11/95 (Annex A) |
| Previous Supplementary Planning Documents<br><br>(These documents, prepared to support policies in the 2006 local plan are no longer | Sustainable Design and Construction (May 2007)  |

|   |   |
|---|---|
| SPDs, but are still material considerations.) |   |
|   | <u>Area Guidelines</u><br>Castle and Victoria Road Conservation Area Appraisal (2012) |

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

6.1 No comment on behalf of the Highway Authority.

### **Urban Design and Conservation Team**

6.2 The site is within the Castle and Victoria Road conservation area.

No 23 is one of three houses which were designed to appear as single storey buildings behind a walled patio garden. They were approved in 2010 and were one of the first dwellings to be built along North Street. They were considered acceptable as they were subservient and unobtrusive and would preserve the character of the area.

Since 2010 North Street has seen a number of changes with the building of small dwellings on a number of plots that were former garages or parking areas. These have followed a similar design of a pitched roof and gable end to the road and an outbuilding/workshop approach to the design.

As a result of these buildings the character of North Street has changed however there are still a variety of single storey garages, houses and workshops of various designs which give the road its different character within the conservation area as can be seen from the photo of the road provided with the application.

These three contemporary single storey dwellings still perform their function as an interesting and subservient addition to the road and their scale provides a sense of openness in views along the road. Whilst the design of the new floor would be similar in architectural treatment to the recently built and approved dwellings this proposal to add a first floor to the middle of the three will significantly alter the current architectural balance of these houses.

Taking the above into account, I consider that the proposal will not preserve or enhance the character of the conservation area.

The proposals will not comply with Local Plan policies 55 or 61.

With reference to the NPPF and the effect on the significance of the heritage asset, paragraph 196 would apply.

Within the broad category “less than substantial harm”, the extent of the harm is considered to be moderate.

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 owners/occupiers of the following addresses have made representations:

- 2 Canterbury Street (objection)
- 4 Canterbury Street (objection)
- 6 Canterbury Street (objection)
- 8 Canterbury Street (objection)
- 59 Histon Road (objection)
- 65 Histon Road (objection)
- North Street resident, address unknown (objection)
- 20 Benson Street (objection)
- 49 Histon Road (support)
- 69A Histon Road (support)

- 127 Histon Road (support)
- Business Owner, address unknown (support)
- 65 Searle Street (support)
- 40 Linden Close (support)
- Flat 8, 49 Alpha Road (support)
- 33 North Street (support)
- 1 Hive Cottages, North Street (support)
- 18 Windsor Road (support)

7.2 The representations can be summarised as follows:

Objections:

- Plots on North Street are small, catering to small families
- Proposal would be large and overbearing to neighbouring properties
- Permitted Development Rights removed in original application to prevent over development of the site and protect amenity of adjoining properties
- Original properties were designed with basements and one floor at ground level to avoid significant adverse impact on amenity of neighbouring occupiers – extension contradicts this
- New master bedroom will be visible through proposed large window from gardens of Canterbury Street residents; first floor habitable rooms at rear of Canterbury Street will have line of site into it; window at front elevation would leave residents of No. 23 open to being easily seen; New build at No. 49 has a large window into the bedroom which residents find perturbing
- Car parking pressure - increased residents will result in increase of cars, made worse by removal of resident parking spaces on Histon Road
- Proposal could create significant glare into properties opposite
- Proposal could set a precedent to Nos. 21 and 25; cumulative impact should be considered
- Overdevelopment on North Street

- Overlooking, overbearing, and overshadowing impact to 59 Histon Road
- Discrepancy with drawing no. PL(21)02 Proposed Floor Plans and Elevations
- Extension is intended to reflect the 'church-style' gable outline of other recently built houses, however there are significant difference to the design of the proposed extension
- Loss of wildlife

Support:

- Proposed extension is in keeping with existing building and ties in well with neighbouring buildings; would contribute to the street scene
- Family have lived in house for 8 years with connections dating back to the 1980s; likely the family will have to move away if extension refused; families should be encouraged and enabled to maintain their roots in community neighbourhoods
- North Street has transformed over the years from being a back street, to having multiple bespoke individual homes with its own identity that is more than a back street
- Parking pressure not an issue due to the fact that present occupants are a young family
- Mature trees provide privacy for both the occupants and neighbours

7.3 Councillor Payne requested that the application be considered in the event of an officer recommendation for approval.

7.4 Councillor Todd-Jones has requested that the application be considered at planning committee in the event of officer recommendation for refusal for the following reasons:

- Number of approved back-land dwellings approved since original 2010 approval along the rear of Histon Road which has altered the street scene at second-storey level
- Mix of modern development in traditional 'gable-end' style fronting North Street
- Overall street scene not compromised by proposal, as shown by drawing PL(21)03

- Application satisfied Policies 58, 55, and 61 of Cambridge Local Plan (2018)

7.5 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 the main issues are as follows:

1. Context of site, design and external spaces (and impact on heritage assets)
2. Residential amenity
3. Car and cycle parking
4. Third party representations

### **Context of site, design and external spaces (and impact to the Conservation Area)**

8.2 The site lies within the Castle and Victoria Road area of the Central Conservation Area. The statutory considerations as set out in section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, are matters to which the determining authority must give great weight to when considering schemes which have the potential to impact on heritage assets.

8.3 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it a statutory duty for a local planning authority, in the exercise of its planning powers with respect to any buildings or other land within a Conservation Area, to:

'Pay special attention to the desirability of preserving or enhancing the character or appearance of that area'



- 8.4 In respect of development proposed to be carried out within the setting of, or which may impact upon a listed building, or in a conservation area, a decision-maker must, in respect of a conservation area, give a high priority to the objective of 'preserving or enhancing the character or appearance of the area', when weighing this factor in the balance with other 'material considerations' which have not been given this special statutory status.
- 8.5 The respective national policy guidance is set out in paragraphs 193-196 of the NPPF. Para. 193 of the NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, "great weight" should be given to the asset's conservation (meaning the more important the asset, the greater the weight should be). Para. 194 makes it clear that any harm to, or loss of significance of a heritage asset should require clear and convincing justification. Para. 196 of the NPPF states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the proposal, including its optimum viable use. Para. 200 makes it clear that local planning authorities need to look for opportunities for new development within Conservation Areas, World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals which make a positive contribution to the asset or better reveals its significance should be treated favourably.
- 8.6 In respect of non-designated heritage assets para. 197 of the NPPF states that the effect that a proposal will have on such an asset should be taken into account in determining the application, and in considering such applications a balanced judgment is required having regards to the scale of any harm or loss and the significance of the heritage asset.
- 8.7 Policy 55 states that development will be supported where it is demonstrated that it responds positively to its context, where the proposal: a) Identifies and responds positively to existing

features of natural, historic or local importance on and close to the proposed development site; b) Is well connected to, and integrated with, the immediate locality and wider city; and c) uses appropriate local characteristics to help inform the use, siting, massing, scale, form, materials and landscape design of new development.

- 8.8 Policy 58 states that extensions should create altered roof profiles that are sympathetic to the existing building and surrounding area and are in keeping with the requirements of Appendix E of the Cambridge Local Plan (2018). It also states that proposals should not unacceptably overlook, overshadow or visually dominate neighbouring properties.
- 8.9 North Street is located parallel to Histon Road and is a quiet back street. In the past decade or so there have been numerous developments approved and constructed which has altered the nature of the street. No. 23 was approved in 2010 as part of a set of three two-storey (one storey at ground floor level, one storey at basement level) residential dwellings that played a subservient role in the surrounding area. At present, the three dwellings help to retain a sense of openness along North Street and contribute to the character of the conservation area.
- 8.10 The proposal seeks to add a large extension to the roof, effectively creating an additional floor level to the property. This would create a two-storey dwelling above ground. Whilst the materials and the pitched roof design would be sympathetic to the existing and neighbouring dwellings, including recently approved dwellings, the proposed extension itself is large in scale and massing and would create an overall height to the dwelling that would be significantly higher than Nos. 21 and 25. Officers agree with the comments made by the Conservation Officer and consider that the additional floor would significantly alter the current architectural balance of the three dwellings, and would result the dwelling becoming a dominant feature within the surrounding area. Therefore, it is considered that the proposal would not respond positively to its context and would adversely impact on the character and appearance of the conservation area. Therefore, the proposals would be contradictory to Policies 55, 56, 58 and 61 of the Cambridge Local Plan (2018).

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.11 As stated above, the application site is the middle property of a set of three. The gardens of these properties are east-facing and therefore it is not considered that there would be an adverse impact in terms of overshadowing to the occupiers of the neighbouring dwellings. It is acknowledged that the occupiers of Nos. 21 and 25, as well as 59 Histon Road, would experience a degree of overbearing and overlooking resulting from the additional floor level and the large scale and massing of the proposal. However, this is not considered significant enough to form a reason for refusal of the application.
- 8.12 Concerns have been raised regarding the impact of the proposal on the residential amenity of the occupiers of Canterbury Street. Whilst these concerns are acknowledged, there are currently several mature trees and hedging that sits along the boundary of the corner property of Canterbury Street and North Street. In addition, the application site is separated from the rear gardens and rear elevations of the Canterbury Street properties by a road, with No. 23 being set back from the public highway. Therefore, it is considered that there would be enough distance to prevent harm arising to the residential amenity of the occupiers of Canterbury Street in terms of overlooking, overshadowing, and overbearing. It is also considered to be unlikely that significant glare would result from the window of the proposed extension.
- 8.13 In the opinion of officers, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 55 and 56.

### Amenity for future occupiers of the site

## **Highway Safety**

- 8.14 The Highways Officer has raised no objection, and therefore officers are satisfied that there would be no adverse impact to highway safety as a result of this proposal.

- 8.15 The proposal is compliant with Cambridge Local Plan (2018) policy 81.

### **Car and Cycle Parking**

- 8.16 North Street and the surrounding roads currently sit within the Controlled Parking Zone. Whilst officers acknowledge concerns raised around car parking, the Council operates maximum car parking standards, with dwellings of three bedrooms or more capped at no more than 1 space per dwelling. In addition, due to the nature of the application which is for a householder extension, additional parking spaces would not be sought.
- 8.17 The proposal is compliant with Cambridge Local Plan (2018) policy 82.

### **Third Party Representations**

- 8.18 Officers note that third party objections have sought the refusal of the application due to the fact that permitted development rights were removed through conditions 6 and 7 of the initial planning permission of the dwelling. Whilst the original permission did remove these rights on the basis of protecting residential amenity, this does not form a reason to refuse an application such as this. The condition instead requires the applicant to submit a planning application in order for officers to assess the impact of such a proposal on residential amenity. In addition, it must be noted that the proposal as part of this application would not be covered by permitted development rights and would require a planning application if conditions 6 and 7 had not been imposed to permission 10/0404/FUL.
- 8.19 Concerns have been raised that the proposal would set a precedent for Nos. 21 and 25 and that a cumulative impact should be considered. However, in the absence of applications from Nos. 21 and 25, officers are only able to consider the impact of the proposals in this application.
- 8.20 Concerns have been raised by third parties regarding a potential discrepancy in drawing PL(21)02 which is believed to show that No. 59 Histon Road can be seen through the front and rear window. However, this is not the case as the drawing shows the reflection from a tree to the front of 23 North Street, rather than a tree at 59 Histon Road.

## **9.0 CONCLUSION**

### **RECOMMENDATION**

**REFUSE** for the following reasons:

1. The site falls within the Castle and Victoria Road Conservation Area. 23 North Street forms one of a set of three identical dwellings approved under application 10/0404/FUL. It is considered that the proposed extension would disrupt the sense of openness and alter the existing architectural balance of these dwellings and would therefore have an adverse impact to the character of the surrounding area, and would not preserve or enhance the character of the conservation area. Therefore, the proposals would be contradictory to Policies 55, 56, 58 and 61 of the Cambridge Local Plan (2018).