

<b>Application Number</b>	20/01033/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	29th January 2020	<b>Officer</b>	Charlotte Spencer
<b>Target Date</b>	20th April 2020		
<b>Ward</b>	Trumpington		
<b>Site</b>	12 Gilmour Road		
<b>Proposal</b>	Ground floor extension and access gate alterations within the building curtilage and projection of first floor sitting room window onto the existing terrace		
<b>Applicant</b>	Mr & Mrs Roca 12, Gilmour Road		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal does not adversely impact on the setting, character or appearance of the Brooklands Avenue Conservation Area</p> <p>The proposal respects the character and proportions of the original building and surrounding context.</p> <p>The proposal is considered to address the reason for the previously refused application being dismissed at appeal.</p>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application relates to a three storey, mid-terrace dwelling house located to the South of Gilmour Road. The brick dwelling is built up to the road and it benefits from private terraces and has access to a communal garden area at the rear. The application property is attached to Nos.10 and 14 Gilmour Road to the West and East respectively.

- 1.2 The property is located within the Accordia Development which is covered by an Article 4 Direction and it lies within the Brooklands Avenue Conservation Area.
- 1.3 The row of properties in which the application forms part of is uniform in appearance. The dwellings each have a terrace at second floor level to the side and a terrace to the rear of the dwelling at first floor level. There is also a ground floor terrace.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for a ground floor extension and access gate alterations within the building curtilage and projection of first floor sitting room window onto the existing terrace.
- 2.2 To the rear lower section, the existing decked area is to be changed into habitable space and a square skylight would be added over this area to fully enclose it. Full height sliding glazed doors would be fitted behind the existing rear gate and railings which are to be retained with the gate swing being adjusted so it would swing outwards rather than inwards.
- 2.3 At first floor level, the existing opening to the lounge is to be enlarged to form a projecting window. This would project 0.8 metres and would be 4.4 metres wide. It would have a copper clad flat roof.

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
18/1813/FUL	Ground floor extension and access gate alterations within the building curtilage; projection of first floor sitting room window onto the existing terrace and erection of garden studio within the second floor terrace.	Refused 15.08.2019 Appeal dismissed 20.12.2019
C/02/0999	Approval of siting design and external appearance, and landscaping relating to the	APC dated 03.06.2003

	redevelopment of 9.45 hectares of land for residential development pursuant to condition 3 of the outline planning permission	
C/00/1175	Outline Application for 9.45ha of Residential Development (Class C3) comprising not more than 382 dwellings; together with 1.92ha office development (Class B1) comprising a total maximum floorspace of 16500 sq metres (gross); alterations to the public highway, access, car parking and ancillary.	Approved 10.10.2001

- 3.1 This application is a revised scheme further to the previously refused application 18/1813/FUL. This previous application was refused at Committee, contrary to Officer recommendation, for the following reasons: The second floor garden studio would harm the cohesive architectural uniformity of the wider terrace and Accordia development as a whole; the ground floor infill element of the proposal would enclose the existing open area and harm the cohesive architectural uniformity of the wider terrace and the Accordia development as a whole. This application subsequently went to Appeal. The Planning Inspector concluded that the second floor studio would significantly diminish the openness of the terrace and would appear as a visual intrusion disrupting the visual harmony and rhythm of the streetscape. However, it was considered that the ground and first floor alterations would not detract from the architectural uniformity of the dwellings. In response to this decision, the current application has removed the second floor garden studio.

3.2 Full copies of the previous decision notice and appeal decision are attached as an appendix to this report.

#### 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 3 35 55 56 58 61

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards Circular 11/95 (Annex A)
Material Considerations	<u>City Wide Guidance</u> Buildings of Local Interest (2005)

	Cambridgeshire Design Guide For Streets and Public Realm (2007)
	<u>Area Guidelines</u>  Brooklands Avenue Conservation Area Appraisal (2013)

## 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 lies within the Brooklands Avenue Conservation Area. The Accordia development is significant for its high quality design including the consistent and regular layout and style of the buildings and the spaces between them, and the contemporary architectural form and treatments of buildings.

6.3 An appeal was dismissed for a similar application which included a garden studio within the second floor terrace. The proposals do not now include the second floor studio which in the Inspectors decision was noted as being out of step with the prevailing regular pattern and layout of the development on the street, to the detriment of the character and appearance of the area and Conservation Area.

6.4 The ground floor extension would not be significantly visible from the surrounding area. The proposed first floor extension would also be largely hidden and unobtrusive in the street and from the communal garden space to the rear. Neither of these elements would detract from the architectural uniformity of the dwellings in the area.

6.5 For these reasons, the proposal is not considered contrary to Policies 58 or 61 of the Cambridge Local Plan 2018 or the NPPF.

6.6 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 Thornburrow has called the application to committee due to the number of concerns raised with them. The concerns relate to Policies 55, 56, 58 and 61 of the Cambridge Local Plan 2018 and paragraph 196 of the NPPF 2019.

7.2 The owners/occupiers of the following addresses have made representations objecting to the proposal:

- 1 Aberdeen Square
- 7 Aberdeen Square
- 11 Aberdeen Avenue
- 3 Henslow Mews
- 7 Henslow Mews
- 22 Henslow Mews
- 3 Morland Terrace

7.3 The representations can be summarised as follows:

- The proposal materially degrades the character of the conservation area;
- This street is one of the jewels in the design of the Accordia neighbourhood and its outstanding design appearance derives from the cadence of fenestration alternating with small courtyards;
- The proposed scheme fills out these courtyards which would be out of keeping;
- There clearly is not room for a car if the occupiers are to have anywhere to put bins, bikes etc. This will add pressure to the road space;
- Proposal severely reduces the amenity space and alters the balance between types of space in the home;
- Ground floor infill will detract from views into, within and out of the conservation area;

- Loss of outdoor space will have a negative impact on the character of the estate;
- Will set precedents to the rest of the estate, specifically the other 37 similar properties;
- Proposed changes are visible from the shared garden (shared by 18 properties) and terraces of neighbouring houses breaking homogeneity;
- The proposed ground floor enclosure is not in style with the original design and would go against the award-winning design of the home
- The alleged previous alterations mentioned in the Design and Access Statement have not been done;
- Although the most harmful elements of the original application have been abandoned, still continue to have concerns about is immediate impact and the precedent;
- Design interferes with the open view through the building to the communal gardens;
- There will be little separation space between the extension and existing railings resulting in a poor outlook for the occupiers and wider community;
- The design puts at risk the retention of the existing railings

7.4 The owners/occupiers of the following addresses have made representations supporting or neutral to the proposal:

- 21 The Steel Building, Kingfisher Way
- 8 Gilmour Road
- 10 Gilmour Road
- 14 Gilmour Road
- 16 Gilmour Road
- 24 Meridian Close
- 11 Gilpin Place
- 4 Henslow Mews
- 23 Brook End Close
- 17 Copse Way

7.5 The representations can be summarised as follows:

- No homeowner should be restricted from developing and improving property to evolve to meet the changing needs of families;
- The outward appearance would not be affected;
- Extension will not make any harm to the Accordia Development;

- Appropriately sensitive extension that respects the conservation Area and the character of the estate;
- No further impediment on the views through the undercroft and courtyard areas than is already caused by parking of cars and storage;
- Clear from Appeal Decision Notice that the elements in this application would not be detrimental to the Conservation Area;
- Better use of space;

7.6 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 and impact on heritage assets**

8.1 On the 21st February 2014, the Council published an Article 4 Direction on the Accordia Estate. This means that certain works to dwellinghouses which are generally permitted development would now require a planning application.

These works are:

- The infill or enclosure of a recessed entrance or an open terrace area
- Insertion of a new window opening
- Removal of a projecting part of a dwelling house
- The recladding of any part of a building in a material of a different type or appearance to the original
- The provision within the curtilage of a dwellinghouse of a hard surface
- The alteration or removal of a chimney
- The erection or construction of a gate, fence, wall or other means of enclosure
- The painting of the exterior of any building or work

This came into force on the 23rd February 2015.

8.2 The Article 4 direction restricts certain types of development where the exercise of permitted development rights would harm local amenity, the historic environment or the proper planning of

the area. This does not mean that the building cannot be changed in any way however proposed changes to the building as a whole would need to be carefully assessed to ensure that their architectural cohesiveness is preserved and that the proposal does not detract from the appearance of the conservation area.

- 8.3 To the rear ground floor lower section, the existing decked area is proposed to be changed into habitable space and a square skylight would be added over this area to fully enclose it.
- 8.4 Given this section is recessed from the front elevation of the dwelling by approximately 7 metres and views would still be available through the glazing to this section, and as the front section is used as a garage and a parked car would obscure the view it is considered that views would not change dramatically and views through to the rear section of the building would be maintained. It is also noted that, although this element of the proposal was previously refused, the Inspector also concluded that it would be hidden and unobtrusive in the street and from the communal garden space.
- 8.5 The top of the rooflight with seating to the first floor terrace would be set down from the parapet level and this wall would screen the skylight from view from outside the curtilage of the dwelling. Subsequently, it is considered that there would not be wider views of this element and as such it would not impact detrimentally on the character and appearance of the conservation area.
- 8.6 At first floor level, the existing opening to the sitting area in the rear elevation is to be enlarged to form a projecting window. This again would be set back from the parapet edge of the first floor terrace and views of this would be minimal and against the backdrop of the existing rear elevation. This would take up a small amount of outdoor amenity space however, it is considered that this would not impact detrimentally on the usability or the visual openness of this terraced element. This element was considered acceptable within the previously refused scheme, and also by the Inspector when considering the appeal against the previous decision.
- 8.7 The previous application also included a 2<sup>nd</sup> floor garden studio and this was the sole reason for the scheme being dismissed at

appeal. This element has now been removed within the current proposal.

- 8.8 Subsequently, it is considered that the proposed works would not have a detrimental impact on the existing property, street scene and surrounding area and would preserve the character and appearance of the conservation area. As such, the proposal is compliant with Policies 55, 56, 58 and 61 of the Cambridge Local Plan (2018).

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.9 The first floor terrace is already outdoor amenity space with the ability to afford the occupiers unrestricted views from them outside the application site. Subsequently, the addition of an extension would not alter this situation and there would therefore not be any additional overlooking issues as a result of this proposal.
- 8.10 The proposed window would project above the wall separating the first floor terrace from the adjoining terrace at No. 14 Gilmour Road. Given the minimal projection above the wall, this projection would not be detrimental to the amenities of this property.
- 8.11 The proposal would result in a loss of amenity space to the ground floor of the dwelling but given that this area is currently enclosed to a certain degree already, it is considered that the loss of this space would not impact detrimentally on the amenity space provision for this property.
- 8.12 Subsequently, it is considered that the proposal would not have a detrimental impact on the residential amenities of the neighbouring properties in terms of loss of light, loss of outlook, sense of dominance or loss of privacy or an impact on the amenities of the occupiers of the application property. As such, it is considered that the proposal is compliant with Policy 58 of the Cambridge Local Plan (2018).

## **9.0 CONCLUSION**

- 9.1 In conclusion, it is considered that the current proposal, in removing the previously proposed 2<sup>nd</sup> floor garden studio, addresses the reason behind the dismissal of the previous scheme at appeal, and now results in a form of development that preserves the character and appearance of the Conservation 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 91 of the Town and Country Planning Act 1990 (as amended by 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 development shall take place above ground level, other than demolition, until samples of the external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the conservation area. (Cambridge Local Plan 2018 policies 55, 58 and 61)