

<b>Application Number</b>	11/0201/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	6th May 2011	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	1st July 2011		
<b>Ward</b>	Romsey		
<b>Site</b>	1 Hemingford Road Cambridge Cambridgeshire CB1 3BY		
<b>Proposal</b>	Annexe extension to provide 2 bedrooms, a studio and shower room with a link to the existing building.		
<b>Applicant</b>	Mr T Malik 35 Collier Road Cambridge Cambridgeshire CB1 2AH		

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## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site is situated on the west side of Hemingford Road. The property is currently used as a house of multiple occupation which the concurrent application 11/0066/FUL seeks to regularise.
- 1.2 Hemingford Road is residential in character containing largely terraced two-storey dwellings. On the eastern side of Hemingford Road and roughly opposite the subject dwelling lies the Romsey Community Centre.
- 1.3 The site has parking restrictions through double yellow lines, although there are car parking bays on either side of Hemingford Road, which is a one way street.
- 1.4 The site falls within the recently extended Central Conservation Area.

## **2.0 THE PROPOSAL**

- 2.1 This application seeks consent for the erection of a single storey rear 'annexe' extension. The extension projects the full length of the garden, 16.7m to the western edge of the new

studio and a further 4.2m to the proposed 'covered outdoor space'.

- 2.2 The link section of the extension stands at 2.4m, and the studio section has an overall height of 2.7m. The extension will be constructed with painted timber.
- 2.3 The extension contains 2 levels of accommodation, with a lower ground floor providing 2 bedsitting rooms that are served by 2 lightwells.
- 2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement

### 3.0 SITE HISTORY

Reference	Description	Outcome
09/1096/FUL	Single storey rear extension.	Refused
10/0210/FUL	Single storey rear extension.	Approved

#### *Applications currently under determination*

Reference	Description	Outcome
10/1030/FUL	Proposed single storey rear extension.	Under determination
11/0201/FUL	Annexe extension to provide 2 bedrooms, a studio and shower room with a link to the existing building.	Under determination
11/0066/FUL	Retrospective application for the change of use from domestic dwelling C3 to HMO (House in Multiple Occupation) (sui generis).	Under determination

### 4.0 PUBLICITY

- 4.1 Advertisement: Yes  
Adjoining Owners: Yes

Site Notice Displayed:

Yes

## 5.0 POLICY

### 5.1 Central Government Advice

5.2 **Planning Policy Statement 1: Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 **Planning Policy Statement 3: Housing (2006):** Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.

- 5.4 **Planning Policy Statement 3: Housing** has been reissued with the following changes: the definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010)
- 5.5 **Planning Policy Statement 5: Planning for the Historic Environment (2010):** sets out the government's planning policies on the conservation of the historic environment. Those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are called heritage assets. The statement covers heritage assets that are designated including Site, Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas and those that are not designated but which are of heritage interest and are thus a material planning consideration. The policy guidance includes an overarching policy relating to heritage assets and climate change and also sets out plan-making policies and development management policies. The plan-making policies relate to maintaining an evidence base for plan making, setting out a positive, proactive strategy for the conservation and enjoyment of the historic environment, Article 4 directions to restrict permitted development and monitoring. The development management policies address information requirements for applications for consent affecting heritage assets, policy principles guiding determination of applications, including that previously unidentified heritage assets should be identified at the pre-application stage, the presumption in favour of the conservation of designated heritage assets, affect on the setting of a heritage asset, enabling development and recording of information.
- 5.6 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
- 5.7 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and

reasonably related in scale and kind and reasonable in all other respect.

## 5.8 **East of England Plan 2008**

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

## 5.9 **Cambridge Local Plan 2006**

3/4 Responding to context

3/11 The design of external spaces

3/12 The design of new buildings

3/14 Extending buildings

4/4 Trees

4/11 Conservation Areas

5/1 Housing provision

5/7 Supported housing/Housing in multiple occupation

8/2 Transport impact

8/4 Walking and Cycling accessibility

8/6 Cycle parking

## 5.10 **Material Considerations**

### **Central Government Guidance**

#### **Draft National Planning Policy Framework (July 2011)**

The National Planning Policy Framework (Draft NPPF) sets out the Government's economic, environmental and social planning policies for England. These policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

The Draft NPPF includes a set of core land use planning principles that should underpin both plan making and development management (precised form):

1. planning should be genuinely plan-led
2. planning should proactively drive and support the development and the default answer to development proposals should be 'yes', except where this would

compromise the key sustainable development principles set out in the Draft NPPF

3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business community
4. planning decisions for future use of land should take account of its environmental quality or potential quality regardless of its previous or existing use
5. planning decisions should seek to protect and enhance environmental and heritage assets and allocations of land for development should prefer land of lesser environmental value
6. mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land should be promoted
7. the reuse of existing resources, such as through the conversion of existing buildings, and the use of renewable resources should be encouraged
8. planning decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
9. planning decisions should take account of and support local strategies to improve health and wellbeing for all
10. planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

The Draft NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

### **Letter from Secretary of State for Communities and Local Government (27 May 2010)**

The coalition government is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing

supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

**Written Ministerial Statement: Planning for Growth (23 March 2011)**

Includes the following statement:

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant and consistent with their statutory obligations they should therefore:

(i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy

in PPS4), and that they can give clear reasons for their decisions.

Letter from Secretary of State for Communities and Local Government dated 27 May 2010 that states that the coalition is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Transport)**

- 6.1 No parking provision is made for the residents of the site. The proposal has the potential to generate additional parking demand, which would appear on-street in direct competition with other existing residential uses in the area.

The area already suffers intense competition for available parking on street.

### **Head of Environmental Services**

- 6.2 The Housing Standards Team do have serious concerns with regards to fire safety and means of escape with the proposed lay out.

There are also concerns as to the living accommodation as well as light and ventilation to the proposed bedroom spaces. I therefore recommend an informative is attached to this application.

### **Historic Environment Manager**

- 6.3 Recommend refuse. The houses to Hemingford Road are characterised by their two storey terraced nature in addition to their long thin gardens on plan form. This application intends to in-fill the majority of the existing garden and as such the original character of the terraced house will be lost. This is an over development of the site in that the original house will be consumed by the cumulative effect of the permitted extension directly to the rear.



In addition, this property will be alienated from the rest of the terrace to which it belongs. As such, this application cannot be supported.

As this is an end terrace property, the proposal will be viewable from Hemingford Road and consequently this application cannot be supported, as it will have a negative effect on the character and appearance of the Conservation Area.

- 6.4 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: 3, 5 Hemingford Road, 223 Mill Road,

- 7.2 The representations can be summarised as follows:

### *Design objections*

- The design and access statement uses the various garden sheds at the rear of the Hemingford Road gardens as justification, which is misleading because they are completely different structures.
- The extension will be out of character in style, shape and construction with the rest of the street.
- The long corridor between the house and the new development is a waste of space and serves little purpose.
- The size and construction of the extension is unlike any other building in the street.

### *Amenity objections*

- The application will place a wall along the length of number 3's property causing overshadowing, loss of light and views.
- The extension will increase capacity to 8 which will put a strain on the busy street.

### *Car parking concerns*

- There is considerable pressure on car parking in Romsey Town and Hemingford Road in particular. There is no spare capacity for this proposal.

### *Other issues*

- There are lots of wild animals in the area including bats and foxes, there is concerned that these pathways may be blocked.
- The surrounding houses have cats which share these gardens.

7.3 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 and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations
8. Planning Obligation Strategy

### **Principle of Development**

8.2 Local Plan policy 5/7 permits the development of supported housing and houses of multiple occupation subject to; the potential impact upon residential amenity; the suitability of the building or site; and the proximity of bus stop cycle routes and other services. The site is in a relatively sustainable location with bus connections. An analysis of the design and amenity issues associated with this form of housing is considered in the relevant subsections below.

8.3 In my opinion, the broad principle of the development is acceptable and in accordance with policy 5/7.

## **Context of site, design and external spaces**

- 8.4 The key design issue is the design and appearance of the extension within its context in the Conservation Area.
- 8.5 The extension of existing buildings will normally be permitted if they reflect or successfully contrast with their form, use of materials or architectural detailing, as required by Local Plan 3/14. In addition, the alteration of an existing building should preserve or enhance the character and appearance of the Conservation Area. The proposed extension will almost completely consume the narrow span and depth of the existing garden. The large expanse of flat roof neither reflects nor successfully contrasts with the form of the existing terraced property, and in my view fails to take positive inspiration from the characteristics of its surroundings, in accordance with local plan policies 3/4 and 3/14.
- 8.6 The extension will also be partially visible from Hemingford Road, which is within the Conservation Area which is a designated Heritage Asset. Given the incongruous nature of the overall depth and form of the extension and given the large expanse of flat roof, it would in my view detract from the character and appearance of the Conservation Area.
- 8.7 In my opinion the proposal is not compliant with Cambridge Local Plan (2006) policies 3/4, 3/11, 3/14 and 4/11.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.8 The proposed extension would rise 2.4m for the full length of the common boundary with number 3 Hemingford Road, rising to 2.7 at the rear studio section. This will create an unreasonable, harmful sense of enclosure for the occupant of this property, detracting from the amenity they currently enjoy. The harm will be exacerbated by the proposed single storey rear extension to which the proposed development would adjoin. Number 3 Hemingford Road is to the north of the proposed extension which will exacerbate the harm, increasing the shadow cast over the garden of number 3 through the day.

- 8.9 In my opinion the proposal does not adequately respects the residential amenity of number 3 Hemingford Road and the constraints of the site and I consider that it is not compliant with and Cambridge Local Plan (2006) policies 3/4 and 3/7.

#### Amenity for future occupiers of the site

- 8.10 The proposed extension would remove the majority of the rear garden for both existing residents of number 1 Hemingford Road and the proposed occupants of the new extension. The proposed bedrooms 1 and 2 would have a particularly poor level of amenity because of their subterranean location, served only by lightwells. Comments from the Environmental Health Team regarding accessibility and fire safety contribute to my overall view that the proposal is a gross overdevelopment of this residential garden.
- 8.11 In my opinion the proposal does not provide a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is not compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14.

#### **Refuse Arrangements**

- 8.12 Refuse storage provision is not indicated on the plans. I assume that bins would be stored to front of the property, but it has not been demonstrated that adequate space exists for the extended house of multiple occupation of this scale. In my opinion the proposal is not compliant with Cambridge Local Plan (2006) policy 3/12.

#### **Car and Cycle Parking**

- 8.13 The Highways Authority raise concerns regarding the potential impact of the expanded premises on car parking. In my view the overdevelopment of this property could place a strain upon on street car parking provision, but, given the type of accommodation in this location, it is not considered so great as to justify refusal. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Third Party Representations**

- 8.14 The issues raised in the representations received have been adequately covered in the above report. The following issue has also been raised.

*Habitats for wildlife and bats will be affected*

Following my site inspection, the garden does not appear to provide an obvious habitat for bats. The development does not involve demolition of any building which might otherwise provide a habitat for bats.

## **Planning Obligation Strategy**

- 8.15 I will update Committee on the amendment sheet.

## **9.0 CONCLUSION**

- 9.1 The proposed extension is an incongruous disproportionate addition, which detracts from the character and appearance of 1 Hemingford Road and the Conservation Area. The development would also have an unacceptable impact upon the amenities of number 3 Hemingford and would provide a poor level of amenity for future occupiers. REFUSAL is recommended.

## **10.0 RECOMMENDATION**

**REFUSE** for the following reasons:

1. The proposed extension, by reason of its disproportionate length and scale and flat roof design, would result in a poorly designed extension, which does not reflect the form of the main house. The extension would dominate the relatively narrow garden area and would detract from both the character and appearance of the number 1 Hemingford Road and the character and appearance of the Conservation Area which is a designated heritage asset and as such is contrary to policies ENV6 and ENV7 of the East of England Plan 2008 and Cambridge Local Plan 2006 policies 3/4, 3/7, 3/14, 4/11 and 5/7.

2. The proposed extension, by reason of its disproportionate length, scale, height on the common boundary of number 3 Hemingford Road, would result in an unneighbourly development creating an unreasonable sense of enclosure for number 3 Hemingford Road to the detriment of the amenities which the occupiers of that property currently enjoy. As such the proposal has failed to respond positively to the site context and is poorly integrated, which in so doing is contrary to policies ENV6 and ENV7 of the East of England Plan 2008 and Cambridge Local Plan 2006 policies 3/4, 3/7, 3/14, 4/11 and 5/7.
3. The proposed extension provides insufficient external space, for both private amenity space and essential ancillary refuse and bicycle storage facilities for future occupiers. The amenity of bedrooms 1 and 2, which are served only by lightwells is also unacceptable. As such the design of the extension is poorly integrated with its context and is contrary to policies ENV6 and ENV7 of the East of England Plan 2008 and Cambridge Local Plan 2006 policies 3/4, 3/14 and 5/7.

## **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.