

<b>Application Number</b>	11/0629/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	3rd June 2011	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	29th July 2011		
<b>Ward</b>	Arbury		
<b>Site</b>	78 Hazelwood Close Cambridge Cambridgeshire CB4 3SW		
<b>Proposal Applicant</b>	Part single storey, part two storey rear extension. Mr Khan 63 Darwin Drive Cambridge Cambridgeshire CB4 3HQ		

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## **SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site is an end of terrace property situated on the northern side of Hazelwood Close. The property has been previously extended with a rear conservatory.
- 1.2 The site does not fall within a Conservation Area. The site falls outside the controlled parking zone.

## **2.0 THE PROPOSAL**

- 2.1 This application seeks consent for the erection of a part single storey and part 2 storey rear extension. The extension projects 3m deep into the rear garden and will be constructed in materials to match the main house.

## **3.0 SITE HISTORY**

No relevant history.

## **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)

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

8/6 Cycle parking

## **6.0 CONSULTATIONS**

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

6.1 No comments.

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 Councillor Mike Todd Jones has commented on this application. I have set out his comments below:

*Further to our conversation by 'phone on Friday afternoon, having examined this planning application and considered the representations made by local residents, I would request that, unless you are minded to refuse this application and without prejudice to the final decision, this application merits a committee decision due to the following planning concerns:*

*With regard to your letter dated 10th June to nearby owners and/or occupiers citing planning matters that can be taken into account:*

*Design of new buildings/or alterations to an existing building - the proposal does not respect the character and context of the site and surrounding area. The area is characterised by small-scale housing units on plots of land limited and constrained in size. The proposal would visually dominate neighbouring properties and therefore contravenes the Cambridge Local Plan 2006 (3/14 Extended buildings, b.).*

*The proposal is located at the cul-de-sac end of Hazelwood Close and would exacerbate levels of noise and disturbance already experienced due to existing constraints on the geographical size of the immediate area. The surrounding roads and the residential amenity already suffers from pressure due to car parking and difficulties with vehicular access. The proposal therefore does not meet the requirement of Cambridge Local Plan 2006 3/14 Extended Buildings, c - sufficient amenity space, vehicular access - and Cambridge Local Plan 2006, 3.41, extensions having a negative impact upon amenity, is relevant.*

*The proposal makes no provision for bin storage, and therefore does not satisfy the requirement according to the Cambridge Local Plan 2006 (3/14 Extended Buildings, c.) or for cycle parking (3 spaces for 4 bedroom dwellings should be provided - Cambridge Local Plan 2006 3/14 Extended Buildings, c, Cambridge Local Plan 2006 Appendix D, Cycle Parking Standards).*

7.2 The owners/occupiers of the following addresses have made representations: 79, 80, 81 and 82 Hazelwood Close.

7.3 The representations can be summarised as follows:

- The property is not used as a family home, 6 – 8 people live there.
- There are already problems with cars from the tenants of number 78.
- They block garage entrances and park in the middle of the road.
- The roads cannot cope with the additional traffic.
- 4 dustbins are left on the street and tenants do not use the correct bin.
- Overflowing bins encourages dumping.
- Noise pollution is unacceptable with drunken arguments and fights.

- The side windows would overlook neighbouring properties.
- The extension would set a precedent for further extensions and bed sits.

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. Context of site, design and external spaces
2. Residential amenity
3. Car and cycle parking
4. Third party representations

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

8.2 The key design issue is the impact of the extension on the character and appearance of the main house and street scene.

8.3 Extensions to existing buildings will be permitted if they reflect or successfully contrast with their form, use of materials and architectural detailing as set out within Local Plan policy 3/14. The proposed extension, which projects 3m deep, is in proportion with the plan form of the main house. The roof form of the 2 storey section reflects the shallow pitch of the main terrace, which complements its form.

8.4 I recognise that there are no other similar 2 storey extensions in the vicinity. While I note the rear elevation of the terrace is visible from the Hazelwood Close street scene, given the property is an end of terrace, I do not consider the extension to be overly prominent or intrusive. This type of 2 storey extension is unlikely to be replicated on other mid terraced properties because of the potential visual impact upon adjoining residential properties.

8.5 Materials will match the existing building as required by Local Plan policy 3/14.

- 8.6 Externally, the property will retain adequate space for the storage of refuse and bicycles within the rear garden and garage outbuilding. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/14.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.7 The extension will have greatest impact upon the adjoining number 77 Hazelwood Close. The 2 storey extension is sited 2.7m off the common boundary. While there may be some shadow created during the morning, I do not consider this to be so harmful as to justify refusal. The first floor bedroom window of number 77 will maintain a 45 degree line of outlook which is not curtailed by the extension, so I do not consider the extension to create a harmful visual impact.
- 8.8 The high level velux windows will not result in any overlooking of neighbouring residential properties.
- 8.9 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

### **Car and Cycle Parking**

- 8.10 The extension will not adversely affect car or cycle parking at the property as set out w Local Plan policy 3/14.

### **Third Party Representations**

- 8.11 The majority of the points raised in the representations received have been discussed in the above report. The following issues have also been raised:

*The property is not used as a family home, 6 – 8 people live there.*

The extended property will create a 4 bedroom house. Planning permission is not required for the use of the property

as a small-scale house of multiple occupation, between 3 and 6 people, falling within Use Class C4.

*There are already problems with the cars of the tenants of number 78.*

This is a householder planning application. I do not consider the potential increase in pressure for on street car parking so great as to justify refusal.

*The roads cannot cope with the additional traffic.*

I do not consider the impact of the use of the extension to materially affect congestion on Hazelwood Close.

*4 dustbins are left on the street and tenants do not use the correct bin.*

This is a management issue. As rehearsed in paragraph 8.6, the property as extended retains ample space to accommodate bins within the garden and curtilage.

*Noise pollution is unacceptable with drunken arguments and fights.*

This is again a management issue of the premises, and is not a material planning consideration for the proposed extension. Noise and anti social behaviour complaints would be dealt with under other Legislation.

## **9.0 CONCLUSION**

- 9.1 The proposed extension will not detract from the character and appearance of the main house or the wider street scene. I do not consider there to be any undue harm to the amenities of neighbouring properties. APPROVAL is therefore recommended.

## 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 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)

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

**INFORMATIVE:** The applicant is reminded that if either the existing or extended house is occupied by more than 6 people (other than a family unit), it will become a sui generis house of multiple occupation and planning permission for change of use will be required.

### **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, 3/14, 8/6

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](http://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 on the City Council website at: [www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess) or by visiting the Customer Service Centre at Mandela House.