

WEST CENTRAL AREA COMMITTEE 1ST MARCH 2012

Application Number	11/1482/FUL	Agenda Item	
Date Received	6th December 2011	Officer	Miss Catherine Linford
Target Date	31st January 2012		
Ward	Castle		
Site	1 Hoadly Road Cambridge Cambridgeshire CB3 0HX		
Proposal	Proposed extension to rear of house - part single storey and part two storey.		
Applicant	Mr And Mrs Zaffaroni 1 Hoadly Road Cambridge Cambridgeshire CB3 0HX		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The subject site comprises a two-storey semi-detached dwelling, which is situated on the north-eastern side of Hoadly Road. The property is the last property at the northern end of Hoadly Road and borders open fields to the north. To the south is the other half of the semi-detached property, No.3 Hoadly Road. The road itself is a no through road, with a turning circle located outside of 1 and 3 Hoadly Road.
- 1.2 The area is largely residential in character containing mainly semi-detached two-storey dwellings. The subject dwelling is finished in white render and red brickwork under a tiled roof to the front and a buff brick to the rear. The property has already benefited from a two-storey side extension on the northern elevation and a flat roof, single storey rear extension, which spans the width of the property.
- 1.3 The neighbouring property, No.3, has not undertaken any development. The site does not lie within a Conservation Area or the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The applicant seeks planning permission for a part two-storey and part single storey rear extension.
- 2.2 It is proposed to demolish the existing single storey extension, which extends across the entire existing rear elevation and in its place construct a two-storey rear extension on the north-east corner of the property and a single storey lean to element adjacent to the boundary of 3 Hoadly Road.
- 2.3 The existing single storey extension is 2.8m in height and 3m in depth and forms part of the common boundary with No.3.

- 2.4 The two-storey element of the proposal extends 4.3m from the original rear wall of the property, where it reduces to a single storey for a further 1.5m. This totals a depth of 5.8m. The two-storey element of the extension has a hipped roof and the single storey element has a mono-pitched roof. The eaves height and ridge height of the two-storey extension match the existing. The width of this element is 5.8m.
- 2.5 In the southeast corner, adjacent to the common boundary with No.3, it is proposed to demolish the existing extension and infill this area with a single storey extension that has a mono-pitched, lean-to roof. This extension is 4.3m in depth along the common boundary (1.3m more than present), with an eaves height of 2.4m on the boundary (0.4m less than present), rising to a height of 3.4m, where this extension meets the other extension. This extension would have a rooflight in the roof.
- 2.6 All of the proposed development will be constructed in materials to match the existing.

3.0 SITE HISTORY

Reference	Description	Outcome
C/74/0144	Erection of two-storey extension to existing dwelling house	A/C
C/80/0207	Erection of single-storey extension to existing dwelling house	A/C
10/1010/FUL	Two storey and single storey rear extensions.	WDN
11/0433/FUL	Proposed extension to rear of house, part single storey, and part two storey	REF

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No

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 planned 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 **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.

5.4 **East of England Plan 2008**

SS1: Achieving Sustainable Development
ENV7: Quality in the Built Environment

5.5 **Cambridge Local Plan 2006**

3/1 Sustainable development
3/4 Responding to context
3/7 Creating successful places
3/14 Extending buildings
8/2 Transport impact
8/6 Off-street car parking

5.6 **Supplementary Planning Documents**

Cambridge City Council (May 2007) – Sustainable Design and Construction:

5.7 **Material Considerations**

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.

6.0 **CONSULTATIONS**

Cambridgeshire County Council (Engineering)

6.1 No comment.

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 Hipkin has commented on this application, and has requested that the application is brought to Committee for determination if Officers are minded to recommend approval, as he is concerned about the scale and massing of the extension, and overlooking.

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

- 3 Hoadly Road
- 5 Hoadly Road
- 103 Windsor Road

7.3 The representations can be summarised as follows:

Context and Character

- The house would be out of scale with other properties
- Large windows have been added to the two-storey extension which run across its width, and will be out of character
- Overdevelopment of the site
- Precedent
- Because of No.1's position next to two such narrow plots, there can be no fair comparison with other houses in adjoining streets
- No. 1 will dwarf the attached neighbour, No. 3
- There are no other incidents in this neighbourhood of one half of a pair of semi-detached houses being extended to this degree
- The extension will encroach into the garden
- The application continues to seek exactly the same footprint as the refused application and would result in a house that is considerably more than double in size from the original dwelling and with two and a half times the original footprint. It cannot be considered to be a subsidiary extension
- The extensions which the applicant has used as examples are not relevant, due to the width of the plots, the size of the proposed extension and previous extensions to No. 1 Hoadly Road
- The application continues to seek exactly the same footprint as the refused application and would result in a house that is considerably more than double in size from the original dwelling and with two and a half times the original footprint. It cannot be considered to be a subsidiary extension
- Prejudicing the ability of No. 3 to extend
- The pair of houses will no longer match

Residential Amenity

- The impact on neighbouring houses is magnified as they stand on such exceptionally narrow plots
- Impact on privacy
- Loss of light
- Overshadowing
- Overbearing, dominant and visually intrusive
- Sense of enclosure
- Light from the extension (from the rooflight) will shine directly into neighbouring bedrooms
- Increase in noise from a larger house
- Impact on outlook

Car parking and Highway Safety

- The road narrows and is too narrow for construction traffic
- Lack of car parking for a five bedroom house – the house currently has parking for only one car

Other

- This application is virtually the same as the previous refused application
- Due to its size, the extended house could be let as a House in Multiple Occupancy which would lead to an increase in noise and disturbance

7.4 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 the planning issues to be:

1. Residential amenity
2. Context of site, design and external spaces
3. Highway safety and car parking
4. Third party representations

Residential Amenity

Massing and Impact

8.2 In my opinion, the main issue to consider in this application is the impact on the residential amenity of the occupiers of the neighbouring property, 3 Hoadly Road, and to a lesser extent, 5 Hoadly Road. Given that there are currently open fields to the north of the property (which are allocated for residential development) and that the garden is relatively long, it is only the immediate neighbour that I consider would be directly affected by the proposal to the southeast, namely the occupants of 3 Hoadly Road.

8.3 I have visited the site and discussed in detail the application with the former case officer who is also familiar with the site and who has visited 3 Hoadly Road.

8.4 There is relevant planning history for this property that should be taken into account in reaching a decision. The previous application was refused for the following reason:

The proposed development is unacceptable in that the proposed combined scale of the extensions would have an overbearing impact upon the occupants of No. 3 Hoadly Road. This overbearing impact will create an oppressive appearance which will harm the enjoyment that neighbouring residents should expect to enjoy from their properties. For this reason, the development would have a significant detrimental impact on the level of amenity that the occupiers of this property could reasonably expect to enjoy. In so doing, the development also fails to respond positively to the site context and its constraints. The development is contrary to policy ENV7 of the East of England Plan 2008, policies 3/4 and 3/14 of the Cambridge Local Plan 2006 and advice in Planning Policy Statement 1: Delivering Sustainable Development (2005).

- 8.5 The main consideration is thus whether or not the revisions to the current scheme have overcome the previous reason for refusal relating to impact on residential amenity. Issues of context, character and design are discussed later.
- 8.6 The design of the proposed single-storey extension that abuts the common boundary with 3 Hoadly Road has been amended (since the previous application) to reduce the impact on this neighbour.
- 8.7 In the previous application, the proposed extension had a mono-pitched roof that sloped front to back, which meant that on the common boundary, the extension was 2.2m in height at the front (at the eaves) rising to 3.4m in height where it adjoined the house, closest to the neighbour's rear ground floor window. Due to the height of the extension on the common boundary and the combined impact of the two-storey extension, officers were of the view that the scheme would have had an overbearing impact on the occupants of the neighbouring property, 3 Hoadly Road, who have a patio area directly adjacent to the common boundary.
- 8.8 The current scheme proposes an amended single-storey roof form so that it slopes from the common boundary up to where it joins the proposed two-storey extension. The extension will be 2.4m in height on the boundary to the eaves (0.4m lower than the existing single-storey extension). It is my opinion that the alterations to the design of the roof of this extension have gone some way to reducing the immediate impact on the neighbour, at No. 3 Hoadly Road.
- 8.9 The two-storey element of the extension now proposed is as wide as the previously refused application, but is not as deep, having been reduced in length by 0.3m. The reduction in depth of the two-storey element of the extension has, in my opinion, marginally reduced its impact on the neighbour.

- 8.10 The neighbours have raised concern that the extension will dominate their garden area, neighbouring gardens and hem them in, particularly as they have a narrow garden, with no. 5 no more than 2m away. Officers are mindful that the extensions, both single-storey and two-storey, will have an impact on and partially enclose the outlook from No3's house and garden. However, this impact will not be as significant as it was in the previous proposal, due to the reduction in the depth of the first floor (although minor) and the improvements made to the single-storey extension on the boundary directly adjacent to the neighbour.
- 8.11 The depth of the first floor extension is not excessive in terms of length, seeking only to provide one additional room at that level. The single storey extension has responded to the immediate constraint of the neighbours' house and patio/garden area to which it abuts. Paragraphs 8.20-8.23 are also relevant in considering another similar approved scheme at 17 Hoadly Road and establishing a consistent approach to extensions to buildings in the immediate area.
- 8.12 In my opinion this is a balanced planning judgment, but I have formed the view that the changes made to the combined extensions result in a scheme that could no longer be viewed as overbearing when considering the overall massing. The proposal is compliant with policy ENV7 of the East of England Plan 2008, policies 3/4 and 3/14 of the Cambridge Local Plan 2006 and advice in Planning Policy Statement 1: Delivering Sustainable Development (2005).

Overlooking

- 8.13 The proposal does not seek any windows in the flank of the two storey extension. However, the two-storey extension has a large window at first floor, which is almost as wide as the extension itself, matching the glazed doors at ground floor level. If the first floor windows were similar in scale to the other windows on the house (i.e. 2 or 3 panes of glass instead of the 6 panes proposed), I would take the same view as before, which was that any overlooking into neighbouring gardens from this window, would not be significant as it would only allow oblique views into the neighbouring garden, which is commonplace in urban areas. The form of window proposed has increased the potential to overlook the immediate neighbour more directly, and to prevent this I recommend a condition requiring that the pane of glass closest to No.3 is obscure glazed and fixed shut.

Overshadowing and loss of light

- 8.14 Many Local Planning Authorities use the '45 degree rule' as a guide to determine whether or not a proposal will overshadow or block light to a neighbour to such a degree to warrant refusal of a planning application. The applicant has submitted a plan that shows that the first floor element of the extension does not break the 45-degree line, seeking to demonstrate that the proposal will not have a significant detrimental impact on the amount of light entering the neighbouring property. No shadow analysis has been provided.
- 8.15 Given the orientation of No. 1, which is to the northwest of No. 3, I do not consider that there will be a significant loss of light to the neighbour. This is because a shadow will be cast by the existing property, and any additional shadow will be cast late in the afternoon/early evening. The applicants have stated that this is the time of day when most people will be home. However, even in view of this, I do not consider that the proposal will have a significant detrimental impact on the neighbour's enjoyment of their garden or that the loss of light will be great enough to warrant refusal of the application. The previous application was not refused on this basis and there are no reasonable grounds to now introduce this as an additional reason for refusal. To do so would be unreasonable.
- 8.16 Given that 5 Hoadly Road is located approximately 10m away from the proposed development and that No. 3 sits between the two properties, I do not consider that there is a strong argument that the two-storey extension will overshadow the garden of No.5 to a degree to warrant the refusal of the application.

Light pollution

- 8.17 The neighbours at No. 3 are concerned that that the light spill from the proposed rooflight on the single-storey extension will harm their amenity as a bedroom window of No.3 is located in close proximity. This rooflight is located over the open plan kitchen/dining room. Any light lost from this window will be no greater than that commonly experienced, neighbour to neighbour, in an urban area, and I do not consider that the level of light from this window will be great enough to warrant refusal of the application.

Noise and disturbance

- 8.18 Concern has been raised that with the proposed development will come a proportionate increase in noise and disturbance from the occupants. The application does not propose to alter the Use Class. The development will be subject to Building Regulations, which will ensure that the insulation of the extensions are to the correct standards. It is not for the Local Planning Authority to seek to control noise between two adjoining residential users.

- 8.19 I appreciate that the construction process can disturb neighbours. Generally, the Local Planning Authority does not restrict construction hours on householder developments, but if Members feel this is necessary in this case, conditions could be added restricting contractor working hours and delivery hours.
- 8.20 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.

Context of site, design and external spaces

- 8.21 The previous application was refused for the following reason:

By virtue of the proposed width, depth and overall scale of the proposed two-storey form, the proposed design would be uncharacteristic of the domestic scale of extensions, which have occurred elsewhere along the neighbouring properties. The extension would be a prominent feature within the surrounding context and fails to positively enhance the local townscape, thereby impacting harmfully on the character of this part of Hoadly Road. The proposal therefore constitutes poor design, inappropriate for the context and failing to take the opportunities available for improving the character and quality of the area and would be contrary to policy ENV7 of the East of England Plan 2008 and to policies 3/4, 3/7 and 3/14 of the Cambridge Local Plan 2006 and the government guidance in Planning Policy Statement 1 'Delivering Sustainable Development' (2005).

- 8.22 The properties in Hoadly Road are typical 1930s houses, and although the house has already had a two-storey side extension in 1979 and latterly rear extensions, the external character of the pair from this period as seen from the street is largely retained; not unlike many such semis in the locality which have also been extended.
- 8.23 The proposed extensions would not be visible from the street, and would not have any impact on the streetscene. The rear garden is also relatively long. Due to these factors, the argument that the proposed extension *would be a prominent feature within the surrounding context and fails to positively enhance the local townscape*, is a balanced one. It is my opinion that the previous reason for refusal is not robust enough to stand up at appeal as a stand-alone reason for refusal.
- 8.24 The site benefits from having the open fields to the north, which properties further to the south do not have. These fields are allocated for residential development (the NIAB development). Due to the existing side extension, there is little opportunity to exploit this further, and as a result the proposed extensions have been located at the rear.

- 8.25 The footprint of the extension now proposed is as wide as the previously refused application, and the form of the proposed development is substantially the same as that previously put forward, albeit that the first floor element is reduced in depth by 0.3m.
- 8.26 The applicant has provided examples of other two-storey, rear extensions in the area, which they believe to be similar to their proposal. The photographs submitted by the applicant are attached as Appendix 1. The example closest to the site is the extension to 17 Hoadly Road (09/0426/FUL). This is a part single-storey, part two-storey extension, with the single storey element on the common boundary with the attached neighbour as is proposed here.
- 8.27 The extension at no 17 is two-storeys and extends across approximately half the width of the existing house and also projects out from the side of the house. The two storey extension at no.17 is approximately 3.8m in width, 4.3m in depth from the rear wall and leaves a 3m wide gap between the two-storey extension and the common boundary with the adjoining neighbour, which is infilled with a single-storey extension. It is to the south east of its immediate neighbour no 15.
- 8.28 The proposed rear extension at No 1 is therefore as deep at first floor level (4.3m) and the distance from the boundary (3m) is similar to that approved at no 17. These dimensions support the conclusions reached regarding impact on residential amenity, albeit that every application must be treated on its own merits.
- 8.29 The two-storey extension to 17 Hoadly Road is not as wide as the two-storey extension proposed at 1 Hoadly Road, but this does demonstrate that there are other two-storey rear extensions in the immediate area. In my opinion, as the proposed extension is not visible from the public domain, but is only visible from other properties, it would have a minimal impact on the streetscene.
- 8.30 In terms of the development encroaching upon the garden area, I do not consider that the proposal will do so to such an extent as to alter the appearance of the garden. The garden is of such a length that sufficient space would be retained.
- 8.31 I do not agree that allowing this development will prevent No. 3 from extending. No 1 stands on a much wider plot than No. 3 and benefits from the open fields adjacent to it. This means there is much more opportunity to extend No.1, but does not mean that No. 3 could not extend in some way. All applications must be considered on their own merits.
- 8.32 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/14.

Car Parking and Highway Safety

- 8.33 The issues raised relating to car parking and highway safety have not altered since the previous application. Hoadly Road does narrow to a single car width, and I understand the concerns raised about safety. However, the Local Highway Authority has not raised any concerns about Highway Safety. I recommend a condition requiring details of the contractors working arrangements, to minimise any impact (condition 2).
- 8.34 This application seeks planning permission for extensions to a family house, and therefore there is no requirement for additional car parking spaces.
- 8.35 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2 and 8/6.

Third Party Representations

- 8.36 The issues raised in the representations received have been addressed under the headings above. Those issues not yet addressed are the concern that the house could be used as a House in Multiple Occupation (HMO); and the statement that this application is virtually identical to the previous refused application.
- 8.37 This application seeks planning permission for extensions to a family house, and not to use the property as a House in Multiple Occupation (HMO). If the applicant wished to let the house to 6 or more unrelated people, who were not living as a family, planning permission would be required for Change of Use.
- 8.38 The applicant has the right to make numerous planning applications, and the Local Planning Authority must accept them and determine them.

9.0 CONCLUSION

- 9.1 On balance, it is my opinion that this application has addressed the main issues arising from the previous refused application. It is accepted that the proposed extensions are substantial and will have some impact on the attached neighbour, 3 Hoadly Road, but the impact is not considered significantly detrimental to warrant refusal of planning permission. This application is therefore recommended for approval, subject to conditions.

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. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

i) contractors access arrangements for vehicles, plant and personnel,

ii) contractors site storage area/compound,

iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,

iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the amenity of the adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 4/13)

3. The pane of glass, closest to the common boundary with No. 3 Hoadly Road, of the first floor window in the approved extension shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall be fixed shut, and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

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: SS1, ENV7;

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/14, 8/2, 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.

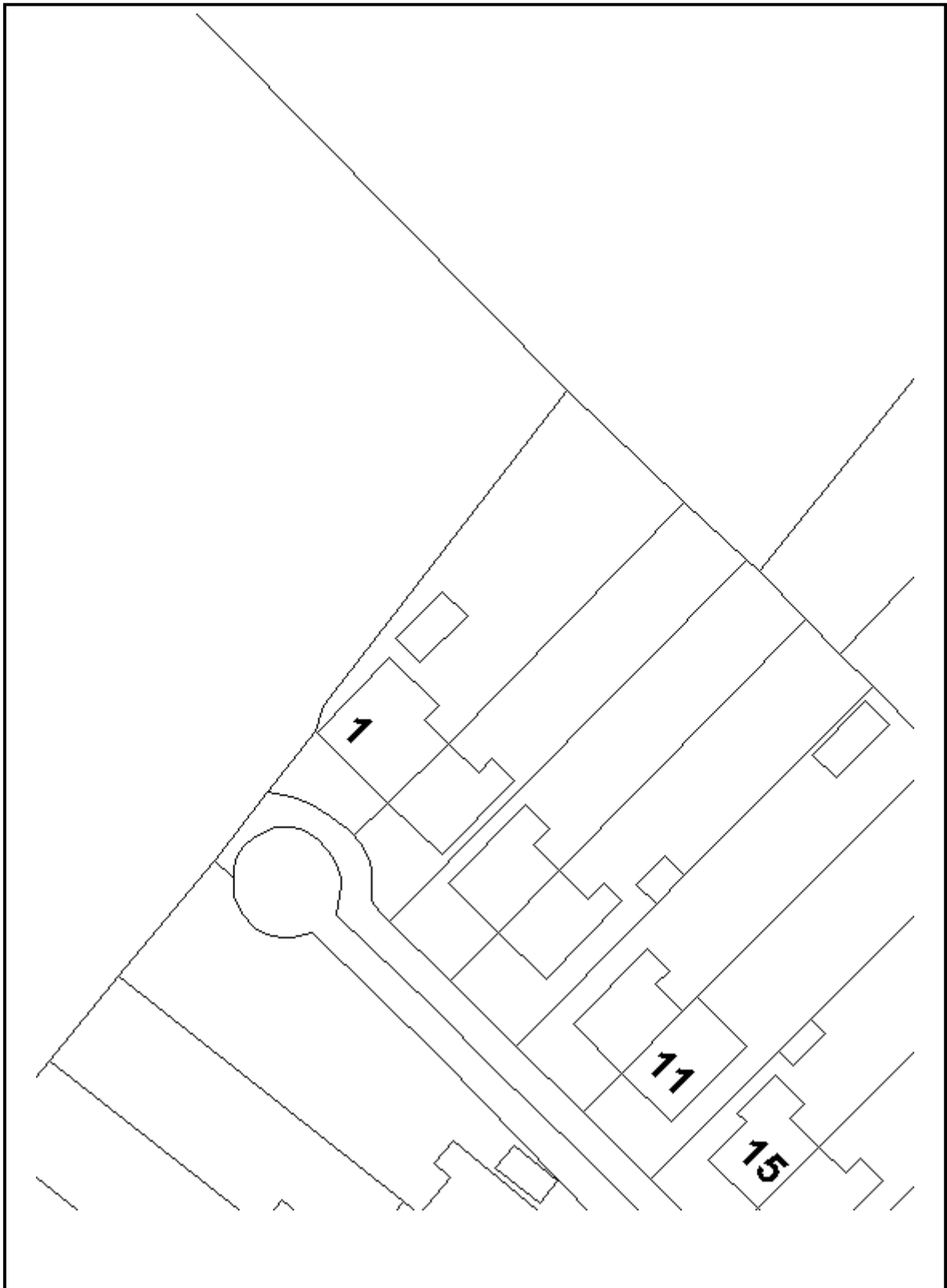
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 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
or by visiting the Customer Service Centre at Mandela House.



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1 Hoadly Road Cambridge Cambridgeshire CB3 0HX