

SOUTH AREA COMMITTEE MEETING – 5th September 2012

Pre-Committee Amendment Sheet

PLANNING APPLICATIONS

CIRCULATION: First

ITEM: APPLICATION REF: **12/0834/FUL**

Location: 39 Long Road

Target Date: 27.08.2012

To Note: The officer report refers to some amended plans that were expected at the time of writing the report to improve the privacy of adjacent residents. These plans have now been received. Both sets of adjacent neighbours have been consulted.

The amendments include:

- a reduction in the length of the first floor rear terrace and introduction of privacy screening around its sides.
- the insertion of a privacy hood for the second floor north facing bedroom (4) window.
- the amendment of cross-section plan 3/3 which incorrectly showed a window to the first floor bathroom in the west-facing wall.
- Obscure glazing to the first floor bedroom 1 west-facing window.
- changes to the ground floor rear glazing to introduce a brick supporting pillar.
- an additional elevation drawing showing the outline of the 2009 appeal scheme set against the current proposal.

I consider the amendments address the concerns regarding privacy raised by adjacent residents.

I attach the amended plans to the amendment sheet together with the appeal decision notice referred to in the officer report.

Amendments To Text:

Pre-Committee Amendments to Recommendation:

-An additional condition is recommended to ensure the privacy of adjacent residents:

4: The following shall be installed prior to the use of the respective bedrooms and shall be retained as such thereafter:

-Bedroom 1 west-facing window at first floor level shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall.

-Bedroom 1 east-facing lightwell at first floor level shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and shall be fixed shut.

-Bedroom 4 north-facing window at second floor level privacy hood.

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

-An additional condition is recommended in relation to the protection of trees:

5: No development, including demolition, shall commence on site until the following details have been submitted to and approved by the local planning authority:

(a) A plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree;

(e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage during the course of development.

(f) details of any trees proposed for removal.

In the condition retained tree means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason: To safeguard and ensure the protection of those existing trees which are to be retained on or adjacent to the site. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/4)

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **12/0763/FUL**

Location: 51A Hartington Grove

Target Date: 08.08.2012

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **10/0035/FUL**

Location: Outside 108, 110, 112, And 122 High Street, Cherry Hinton

Target Date:

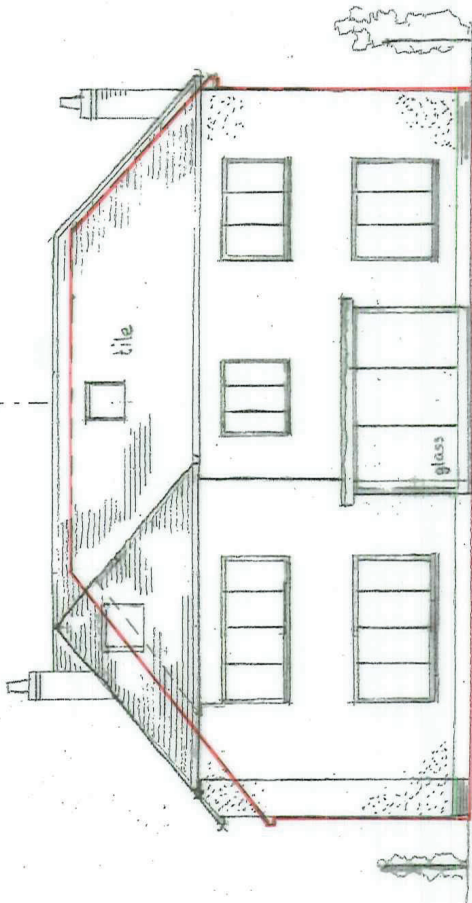
To Note: Nothing

Amendments To Text: None

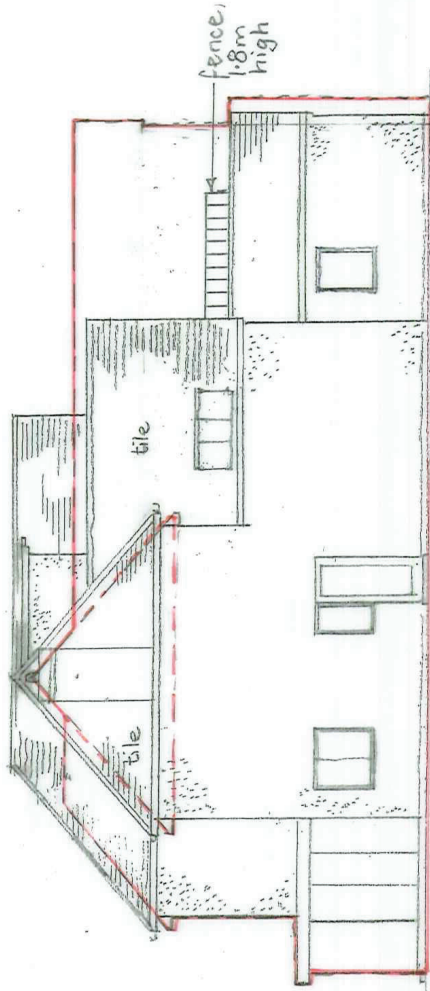
Pre-Committee Amendments to Recommendation: None

DECISION:

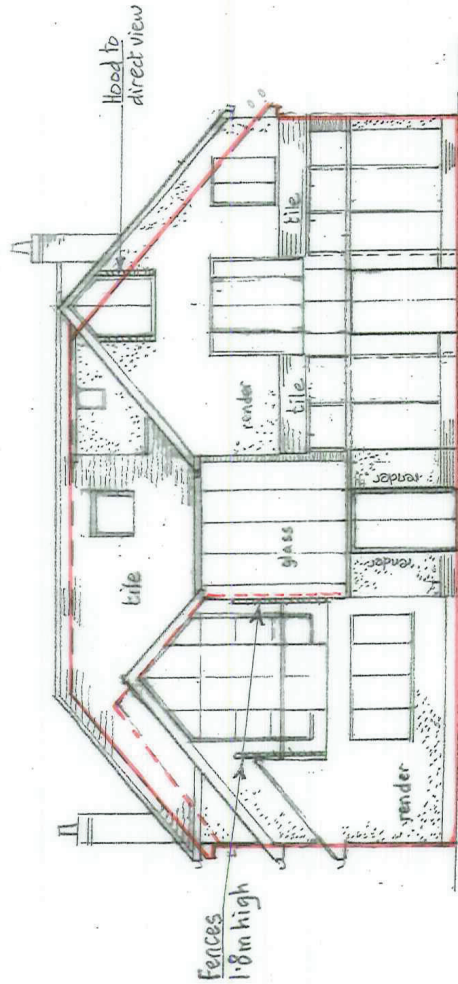
porch



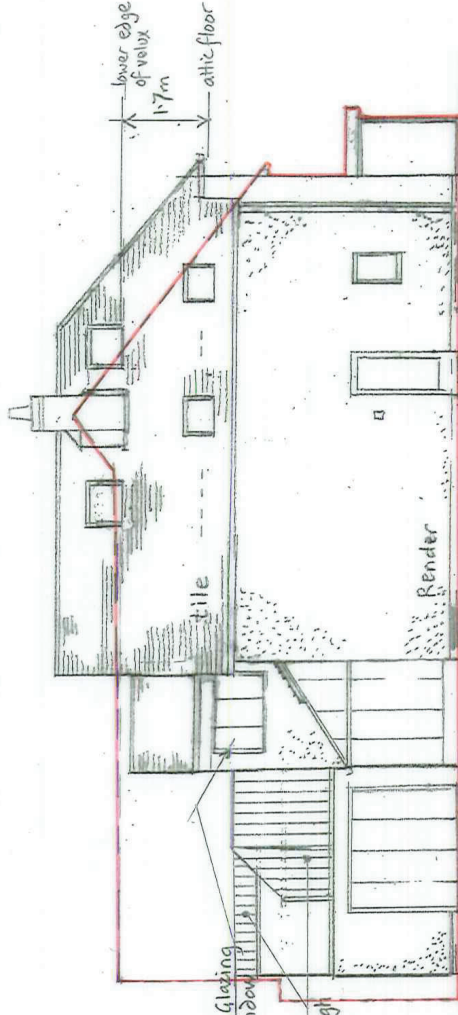
Front (South) Elevation



Side (East) Elevation



Rear (North) Elevation



Side (West) Elevation

2009 scheme

Revision B to show previous scheme in 2009

Scale 1:100 @ A3

39 LONG RD. CAMBRIDGE

AS PROPOSED

Drwg. 3 June 2012

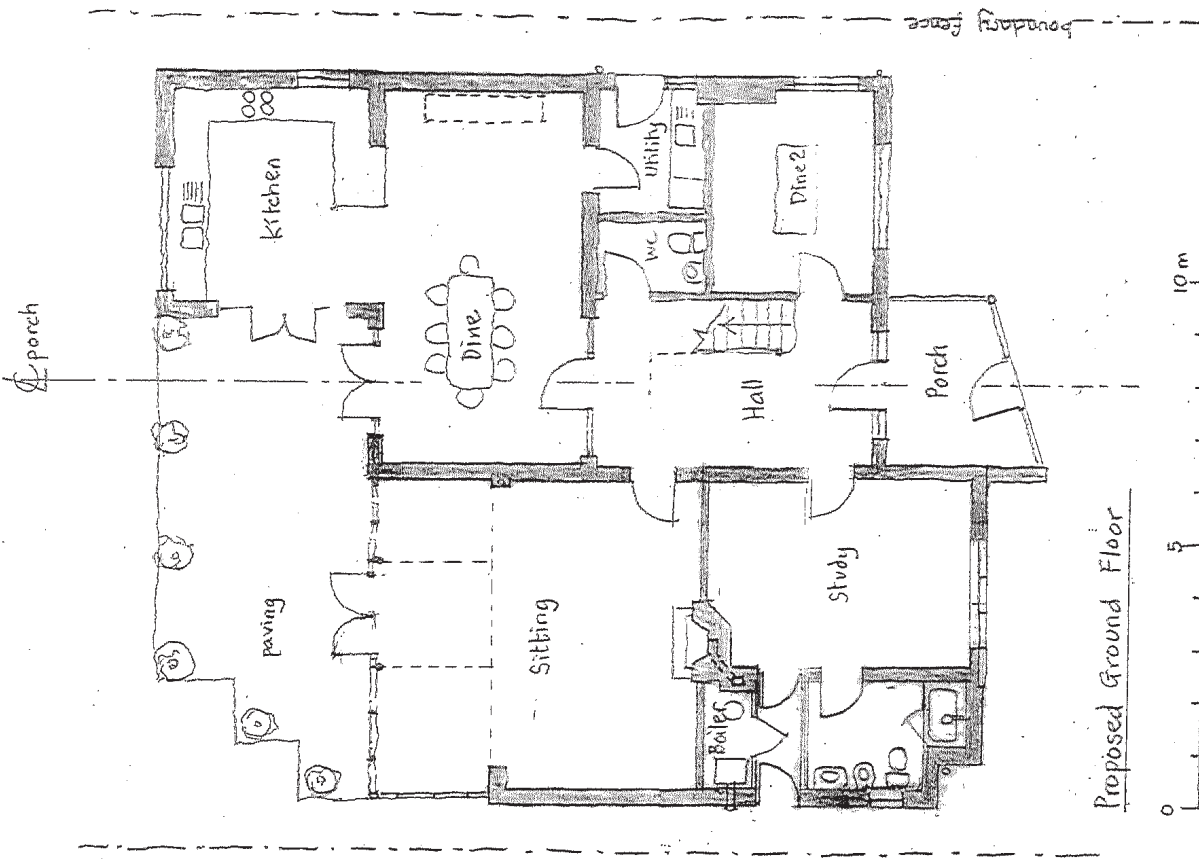
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25 Gwydir Street #6 Cambridge CB1 2JG UK

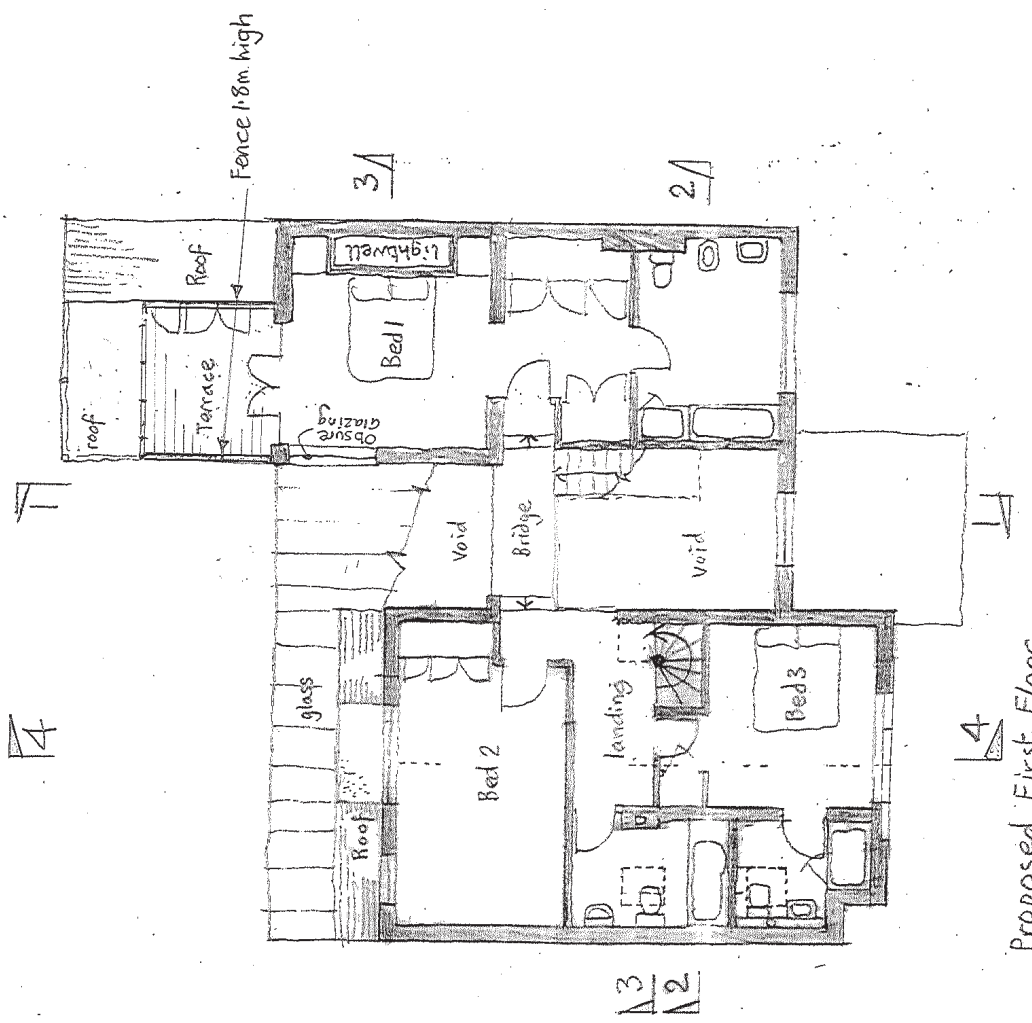
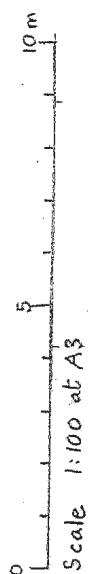
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tel +44 (0)1223 460475 fax +44 (0)1223 464142

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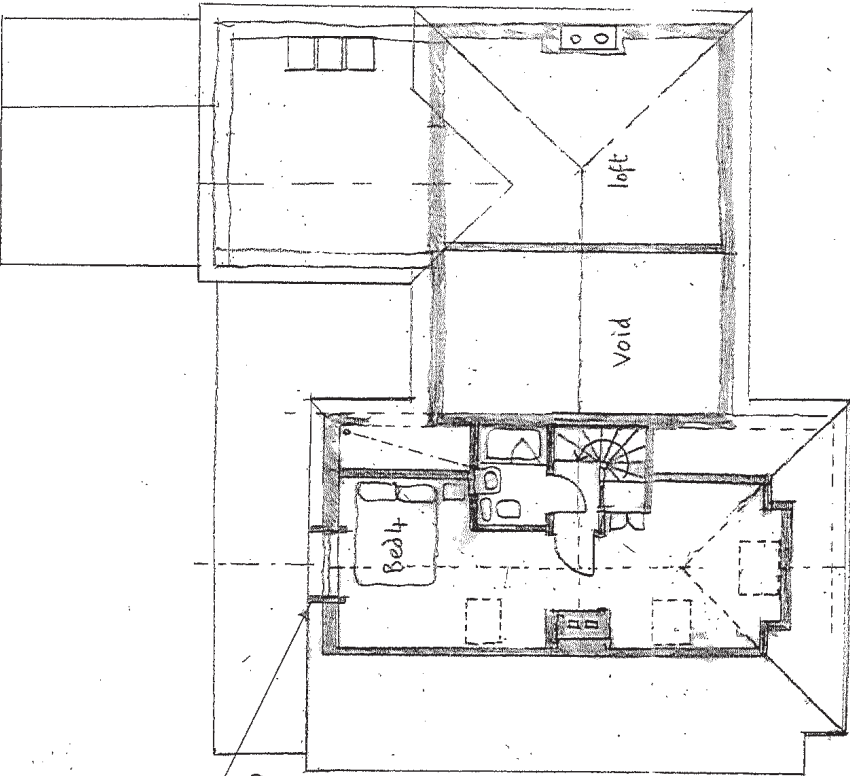
Proposed Ground Floor



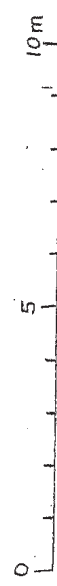
Proposed First Floor

39 LONG RD CAMBRIDGE
 AS PROPOSED.
 Drawn: June 2012
 RevA Aug 2012

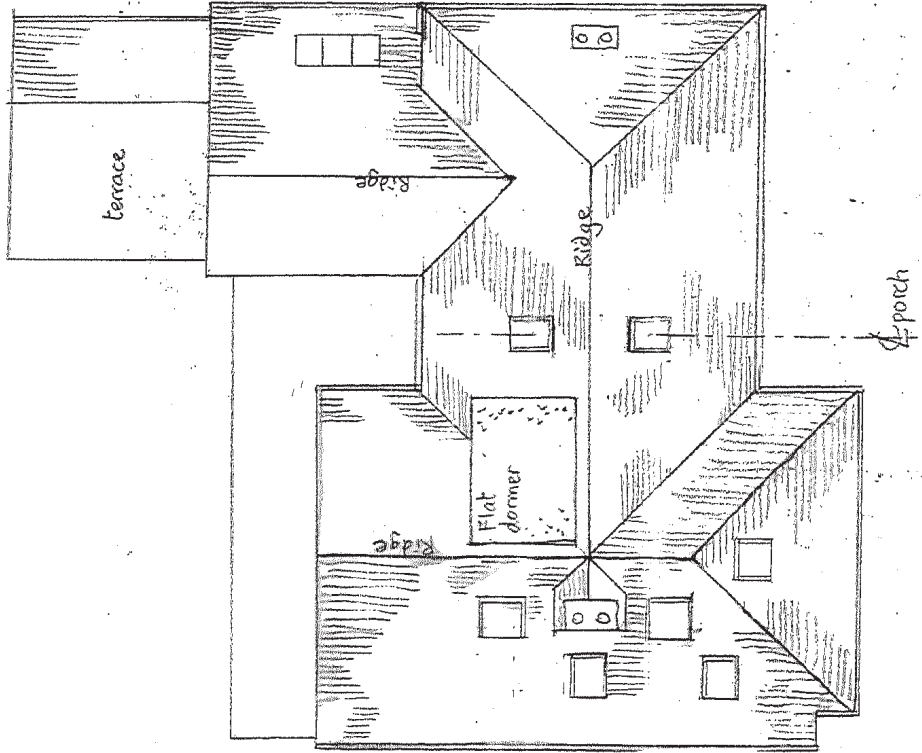
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 25 Gwydir Street #6 Cambridge CB12LG UK
 info@carltd.com www.carltd.com
 tel +44 (0)1223 460475 fax +44 (0)1223 464142
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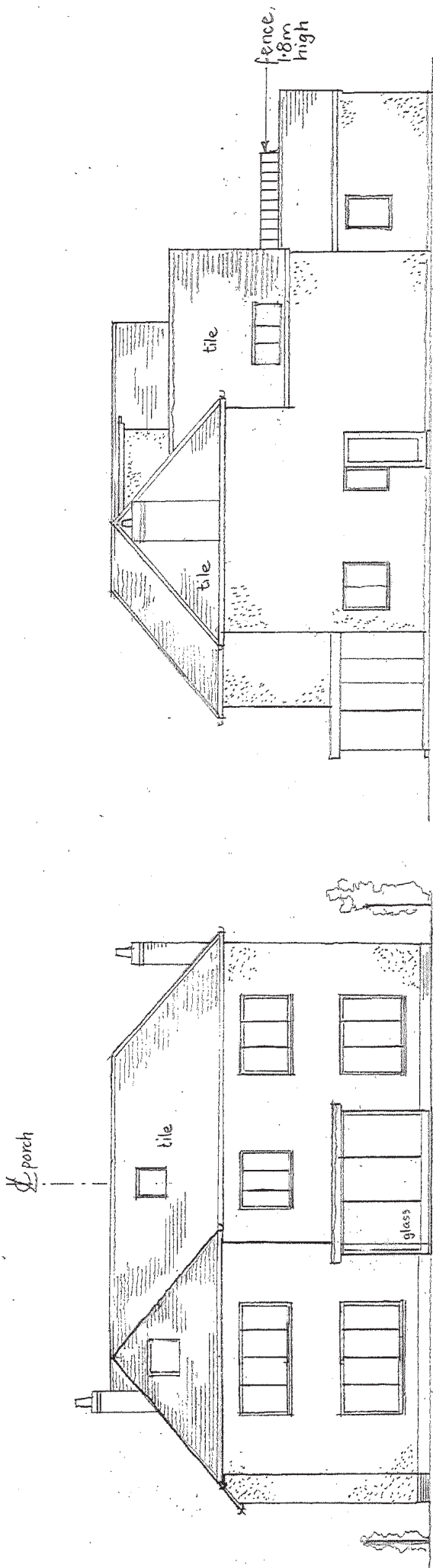
Proposed Second Floor Plan



Scale 1:100 @ A3

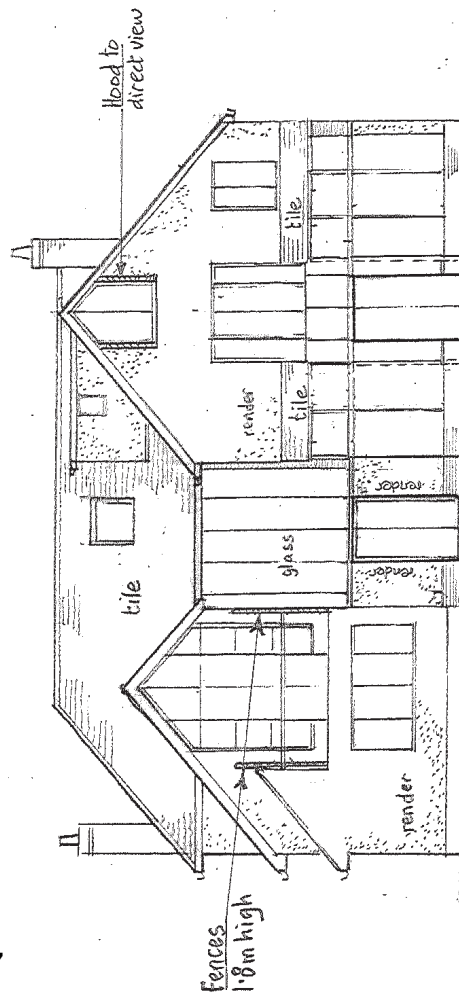


Proposed Roof Plan

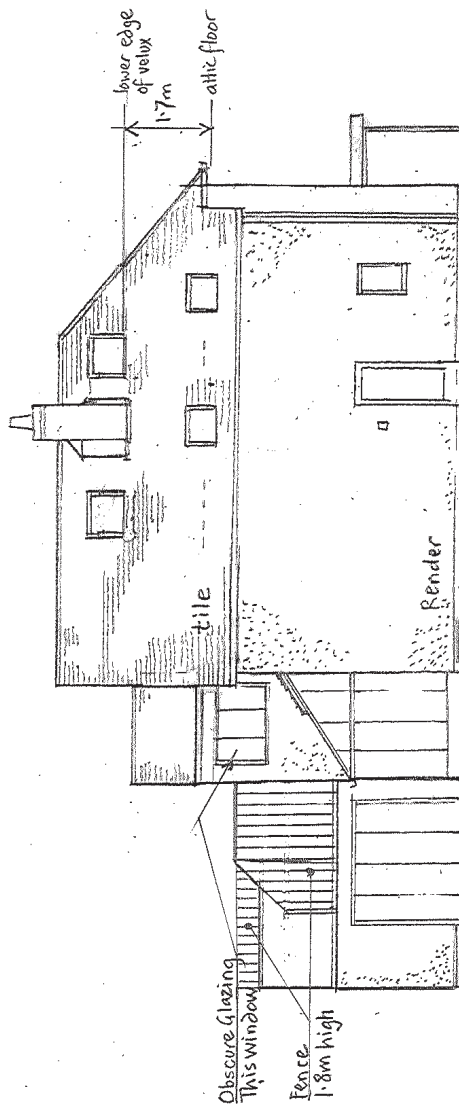


Front (South) Elevation

Side (East) Elevation



Rear (North) Elevation



Side (West) Elevation



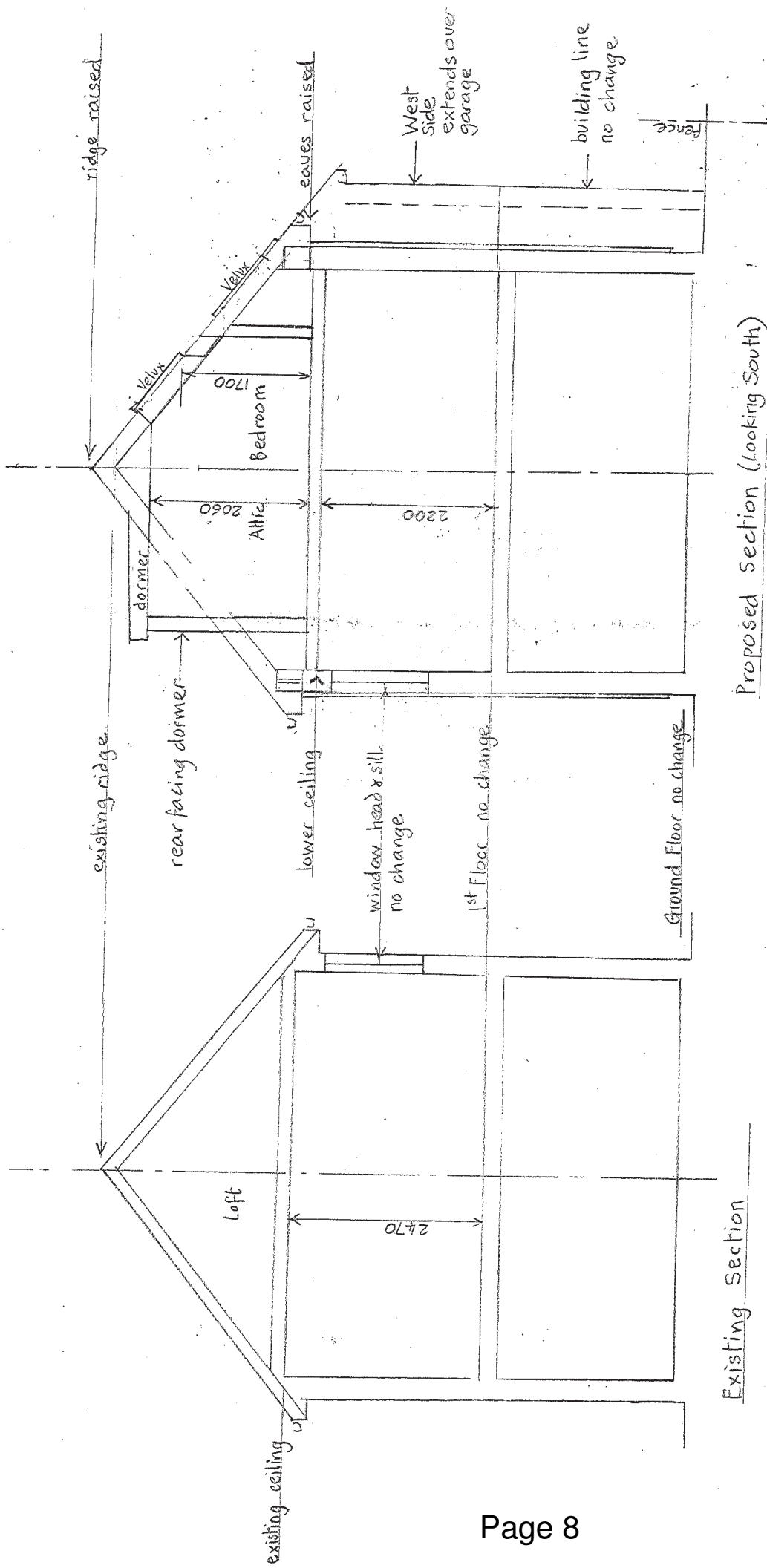
Scale 1:100 @ A3

39 LONG RD. CAMBRIDGE

AS PROPOSED

Drawn 3 June 2012
 Rev A Aug 2012

Cambridge Architectural Research Ltd
 25 Gwydir Street #6 Cambridge CB12LG UK
 info@carlid.com www.carlid.com
 tel +44 (0)1223 460475 fax +44 (0)1223 464142
 Company registration number 2060803 England VAT registration number GB 837 2331 88



Existing Section

Proposed Section (looking South)



Scale 1:50 @ A3

39 LONG RD. CAMBRIDGE

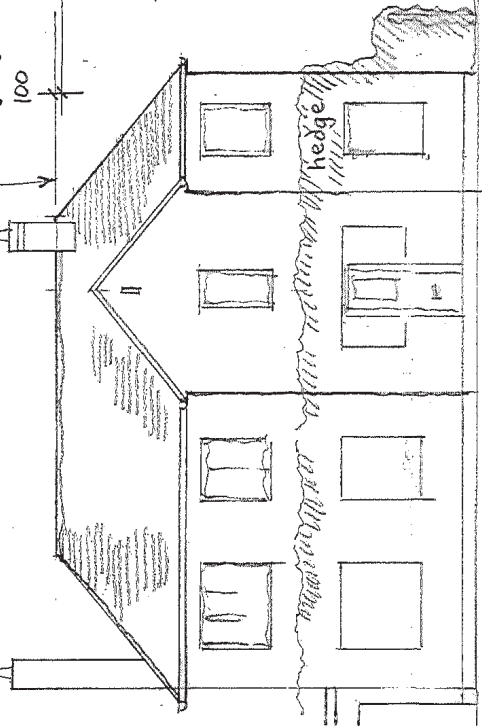
AS PROPOSED.

Revision A Aug 2012 Draw 4 June 2012

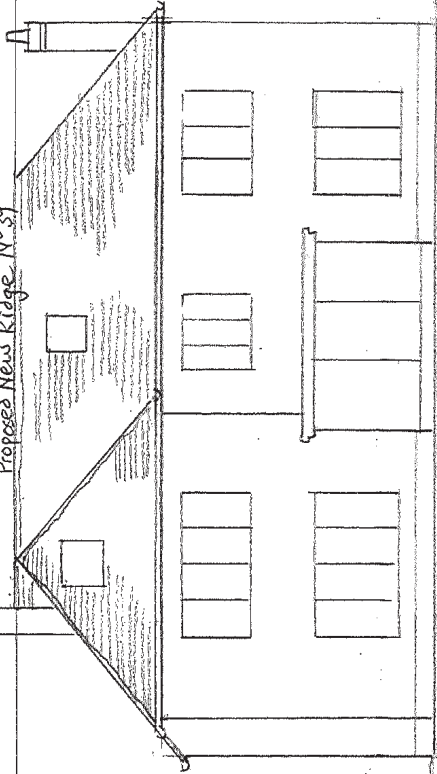
Cambridge Architectural Research Ltd
 25 Gwydir Street #6 Cambridge CB12LG UK
 info@carltd.com www.carltd.com

tel +44 (0)1223 460475 fax +44 (0)1223 464142
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Existing Ridge No 41



Proposed New Ridge No 39



Drive

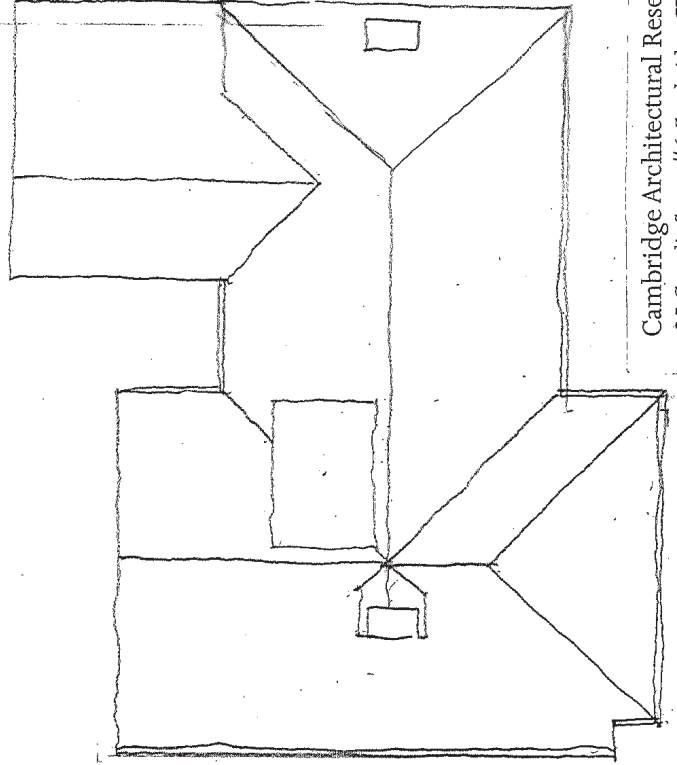
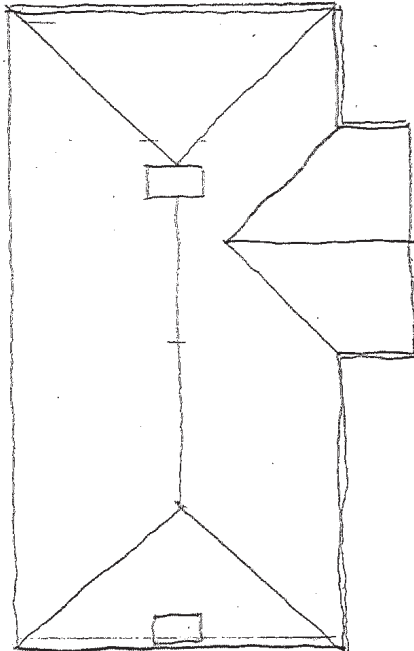
No 37 Long Rd.

No 39 Long Rd. Proposed.

FRONT ELEVATIONS 1:100

No 41 Long Rd - Existing.

Page 9



ROOF PLANS

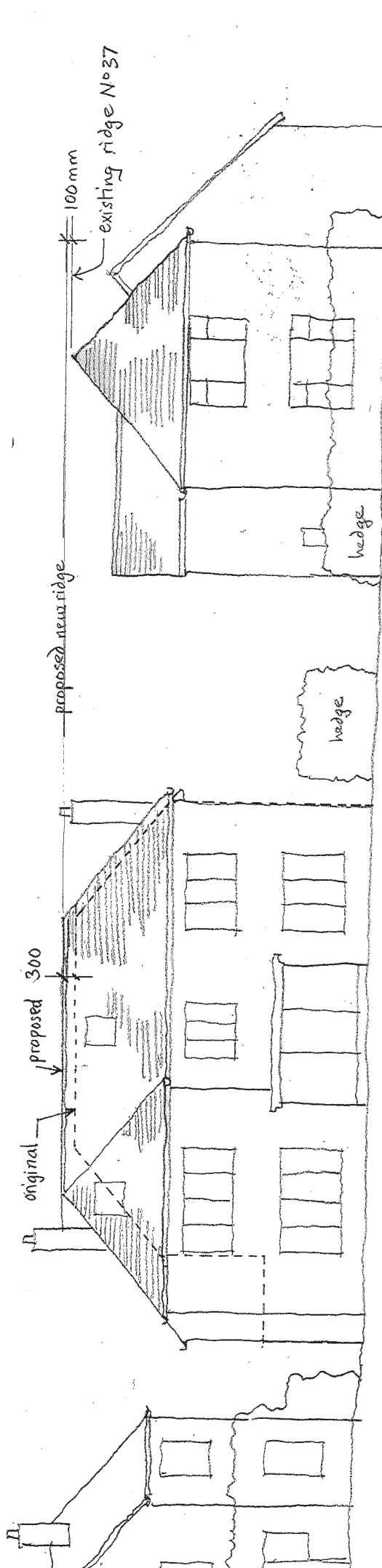
39 LONG RD CAMBRIDGE

AS PROPOSED

Drwg 5 June 2012

Rev. A. Aug 2012

Cambridge Architectural Research Ltd
25 Gwydir Street #6 Cambridge CB1 2JG UK
info@carltd.com www.carltd.com
tel +44 (0)1223 460475 fax +44 (0)1223 464142
Company registration number 21628813 Facebook VAP registration number CR-437 7611 88

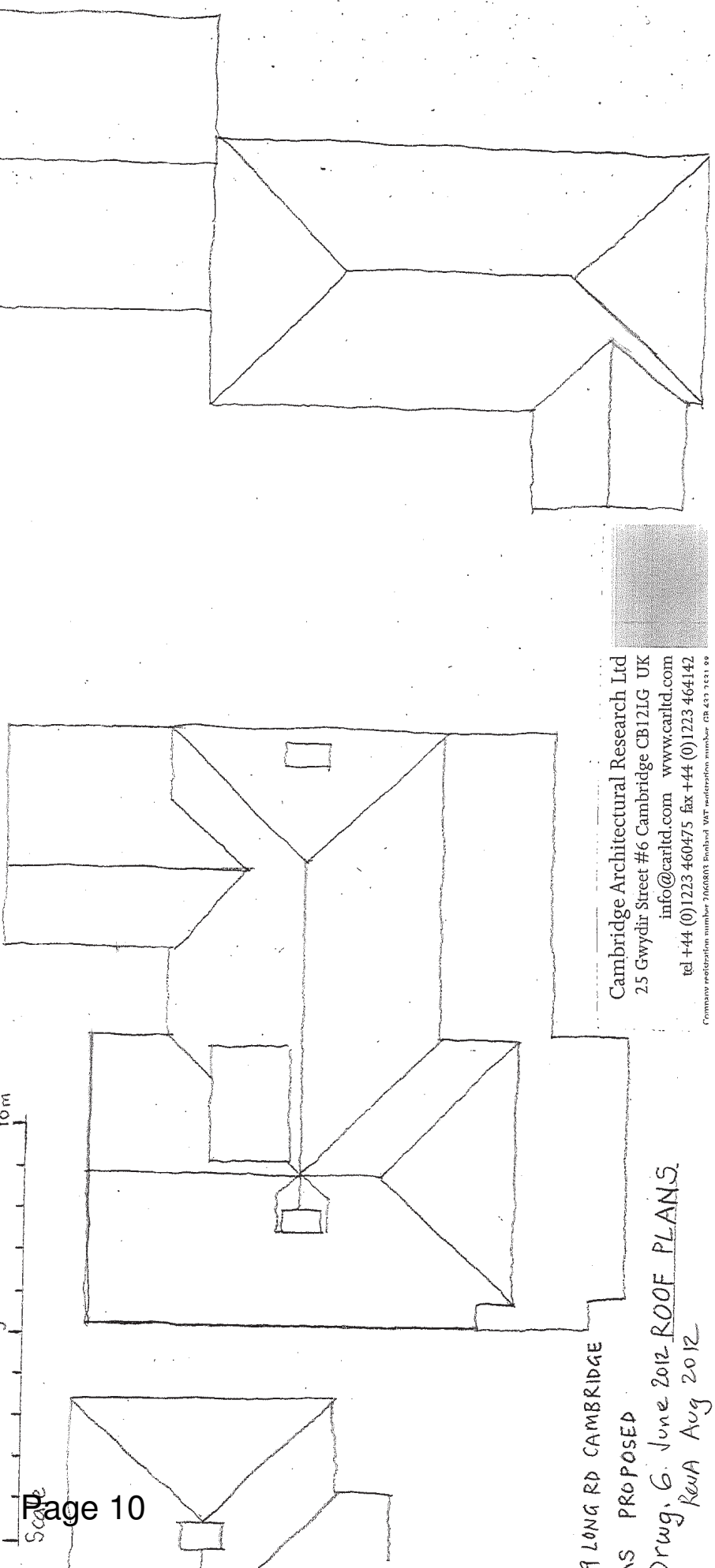


No 41 Existing No 39 Long Rd. Proposed No 37 Long Rd Existing

FRONT ELEVATION 1:100



Page 10

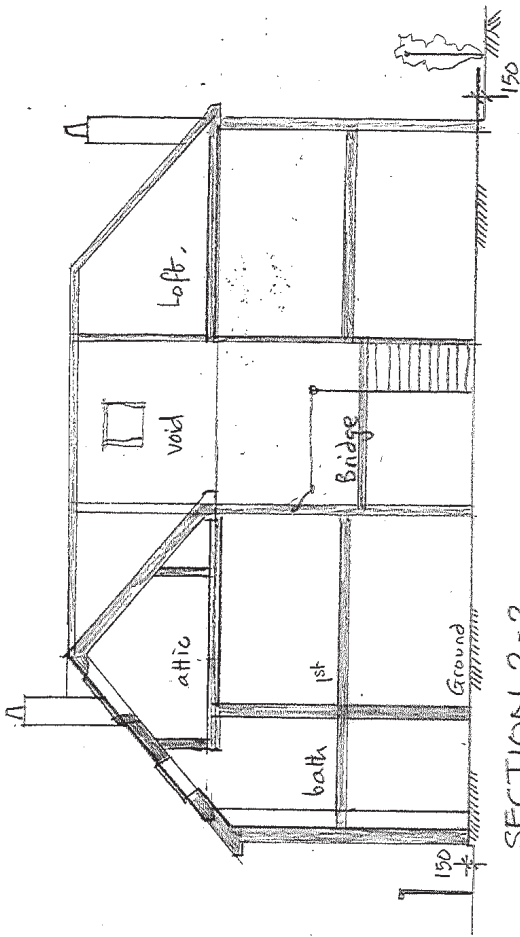


39 LONG RD CAMBRIDGE

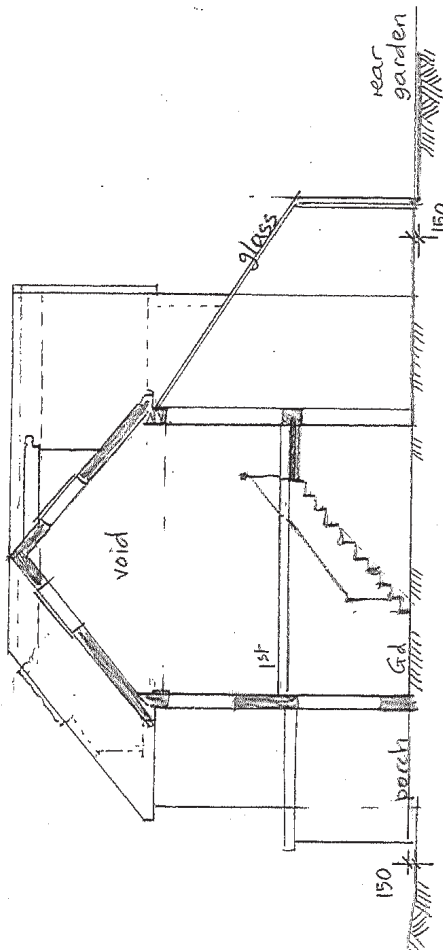
AS PROPOSED

Drwg. G. June 2012 ROOF PLANS.
RevA Aug 2012

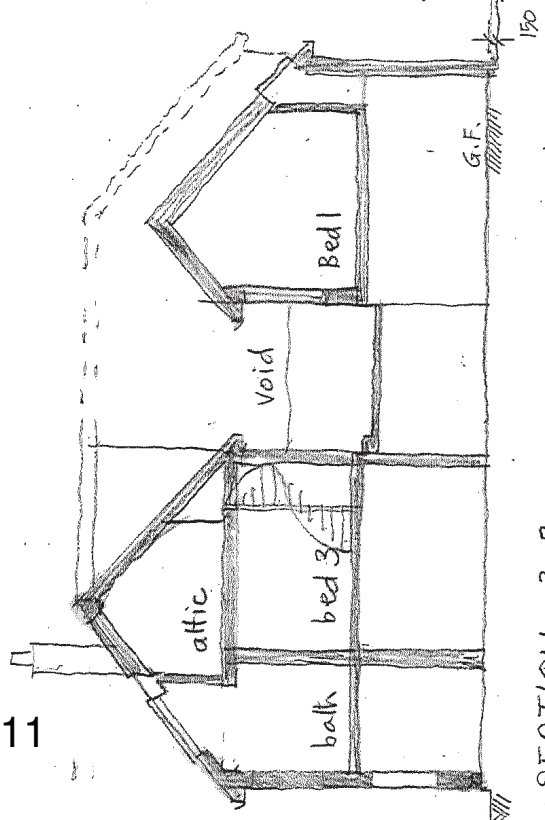
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info@carltd.com www.carltd.com
tel +44 (0)1223 460475 fax +44 (0)1223 464142
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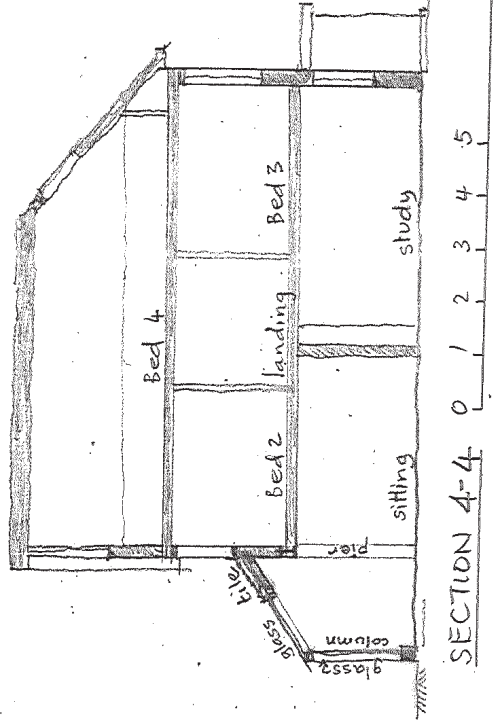
SECTION 2-2



SECTION 1-1



SECTION 3-3



SECTION 4-4



Appeal Decision

Site visit made on 23 November 2009

by **Richard High** BA MA MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
2 December 2009

Appeal Ref: APP/Q0505/A/09/2109125

39 Long Road, Cambridge, CB2 8PP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs Page against the decision of Cambridge City Council.
- The application, Ref. 09/0112/FUL dated 9 February 2009 was refused by notice dated 2 April 2009.
- The development proposed is the addition of a two storey rear extension plus first floor side extension above existing garage plus front porch.

Decision

1. I dismiss the appeal insofar as it relates to the proposed two storey rear extension and first floor side extension above the existing garage.
2. I allow the appeal insofar as it relates to the front porch and grant planning permission for a front porch at 39 Long Road, Cambridge, CB2 8PP in accordance with the terms of the application Ref 09/0112/FUL dated 9 February 2009 and the plans submitted therewith (so far as they relate to that part of the proposed development hereby permitted) subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main issues

3. From the information before me and what I saw on my visit to the site the only issue of contention is the effect of the proposed rear extension on the living conditions at 37 Long Road with regard to outlook.

Reasons

4. Both 39 and 37 Long Road are substantial detached houses with large rear gardens on the north side of Long Road. The proposal consists of three elements: an extension to the rear from the eastern end of the building, a first floor extension above the garage at the western end of the building and a new porch to the front and I have considered them in turn.

5. The proposed rear extension would be close to the boundary with No 37 and would extend about 8m from the rear elevation of the existing house, marginally beyond the rear elevation of the extension to No 37 which lies about 9m from the boundary. For the first 4m it would be 900mm from the boundary with No 37 and would then step in to 2.1m from the boundary. The height of the extension would be about 1m less than the ridge of the existing building.
6. The extension would be very dominant in the outlook from No 37 which has several main rooms at both ground floor and first floor level facing west towards No 39. The wall of the extension, necessarily with limited fenestration to avoid mutual overlooking, would create a strong sense of enclosure which would, in my view, be overbearing in the outlook from the No 37. It would detract significantly from the enjoyment of the patio area and the garden which lies between the extension at No 37 and the boundary with No 39. The setback of the rear part of the extension and the use of brick, render and obscured glass to break up the potentially monolithic appearance of the side elevation would not be sufficient to overcome this harm.
7. I acknowledge that the three trees subject to a Tree Preservation Order which lie close to the boundary with No 37 already affect the amount of light in the area between No 37 and the boundary during the months when they are in full leaf. However it is clear to me that this would not obviate the effect of the extension which would fill the space between the top of the 2m high hedge and the bottom of the crown of the trees, resulting in a significantly more solid and oppressive sense of enclosure than exists at present. The effect on direct sunlight would be very slight because of the trees and the position of No 39 to the west of No 37. However, this would not mean that the extension would not result in a harmful loss of light and it appeared to me that there may be some loss of evening sunshine during the summer months when the sun sets to the north-west.
8. For these reasons I conclude that the extension would have a harmful effect on the living conditions at 37 Long Road because of its dominance in the outlook. It would therefore be contrary to Policy 3/14 of the Cambridge Local Plan 2006 which sets out criteria for extensions to buildings including a requirement that they should not overshadow or visually dominate neighbouring properties. It would also be contrary to Policy 3/4 of the Local Plan which requires new development to respond to its surroundings.
9. I accept that the extension would screen the garden of No 39 from the existing overlooking from the first floor bedroom windows and balcony at No 37 but this would not outweigh the harmful effect of the proposed extension. I also accept that No 37 has extensive views over the playing fields of The Perse School to the east but this does not mean that the harm which would result from the extension should be disregarded.
10. I have noted the inconsistent reference in the council's decision notice to the position of No 39 in relation to No 37, but I have determined the appeal having regard to the actual position of No 37 to the west of No 39. I have also noted that the effect of the proposed extension on the protected trees, and particularly the lime tree which would be close to the north east corner of the

extension, could be addressed in detail through a condition if this appeal was allowed.

11. For the reasons I have given and having considered all other matters raised I conclude that the appeal should be dismissed in relation to the proposed rear extension.
12. No objections have been raised in relation to the proposed first floor extension above the garage or the front porch. The appearance of the first floor extension would respect the form of the existing dwelling and would have no harmful effect on the living conditions at the neighbouring property to the west. It would, however, be associated with a major rearrangement of rooms on both the ground floor and first floor linked to the construction of the rear extension. While it appears that it may be possible for it to be constructed independently of the rear extension I am unable to conclude from the plans before me whether this would be so or what the internal arrangement associated with this would be. I therefore conclude that the appeal should also be dismissed insofar as it relates to the first floor extension above the garage.
13. The proposed porch would be relatively large in relation to the existing building, projecting slightly forward of the western part of the front elevation which in turn stands forward of the main front elevation. However I accept the view of the local planning authority that it would be consistent with the style of the existing house and would not be harmful to the character of the area. It would therefore be consistent with policies 3/4 and 3/14 of the Local Plan. I am satisfied that it could be constructed independently of the other elements and I therefore conclude that the appeal should be allowed so far as it relates to the front porch.
14. I have imposed the standard time condition and condition 2 relating to materials in the interests of the character and appearance of the area. I have amended the suggested wording so as to require the approval of the materials by the local planning authority as the existing metal windows are outdated and in a poor state of repair and it would be unreasonable to require the new porch, which would be largely glazed to match them.

Richard High

INSPECTOR

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