

NORTH AREA COMMITTEE MEETING (PLANNING ITEMS)

21 March 2013

Amendment/De-brief Sheet

PLANNING APPLICATIONS

CIRCULATION: First

ITEM: 1 APPLICATION REF: 12/1583/FUL

Location: 21 Belvoir Road, Cambridge

Target Date:

To Note: The Planning Inspectorate has now issued a further appeal decision on this site. The decision is attached to the amendment sheet. The Principal Officer will address this issue in the introduction to the item at the meeting.

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: 2 APPLICATION REF: 13/0018/FUL

Location: 109 Chesterton Road

Target Date: 11 March 2013

To Note: Consultation response from Environmental Health officer

Amendments To Text:

6.3 Head of Environmental Services
Recommends conditions

Pre-Committee Amendments to Recommendation:

New Condition 5

Waste and recycling

Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority. Reason: In the interest of neighbour amenity. (Cambridge Local Plan 2006 policy 3/4)

DECISION:

CIRCULATION: First

ITEM: 3 APPLICATION REF: 12/1353/FUL

Location: Units 1-3 Chesterton Mill

Target Date: 01 January 2013

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: 4 APPLICATION REF: 13/0035/FUL

Location: 235 Victoria Road

Target Date: 14 March 2013

To Note: Objection from No.237 Victoria Road
Proposed Ground Floor plan attached

Amendments To Text:

- 7.1 The owner/occupier of No's.233 and 237 Victoria Road have made representation.
- 7.2 The representations can be summarised as follows: There are objections that the site is too narrow and too small for the proposed development. It is recognised that there are other rear extensions in the locality but they have larger gardens than the proposed site. The first floor extension will be too deep and cause a loss of light to the bedroom and garden of No.233 Victoria Road. There is support for straightening of the border between the properties to No.233 Victoria Road. There is concern of overlooking and light pollution to No.237 Victoria Road. No.237 Victoria Road suggest extension walls to be constructed using a good finish, preferably with some varied brickwork.
- 8.2 The proposed extensions would not be visible within the streetscene. There are other two-storey rear extensions in the locality. The ground floor extension would replace an existing extension. The two-storey extension would be prominent when seen from the neighbouring garden of No.237 Victoria Road, but I do not consider that the design or proposed materials would have an unacceptable impact on the streetscene or the character of the conservation area.

Pre-Committee Amendments to Recommendation: None

DECISION:

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Appeal Decision

Site visit made on 7 February 2013

by Isobel McCretton BA(Hons) MRTPI

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

Decision date: 5 March 2013

Appeal Ref: APP/Q0505/D/12/2189474
21 Belvoir Road, Cambridge CB4 1JH

- 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 Ian Jolley against the decision of Cambridge City Council.
 - The application Ref. 12/1096/FUL, dated 22 August 2012, was refused by notice dated 22 November 2012.
 - The development proposed is a side and rear roof extension.
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Decision

1. The appeal is allowed and planning permission is granted for a side and rear roof extension at 21 Belvoir Road, Cambridge CB4 1JH in accordance with the terms of the application, Ref. 12/1096/FUL, dated 22 August 2012, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 9 months from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 052/P-03.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issues

2. The main issue is the effect of the development on the character and appearance of the dwelling situated within the De Freville Conservation Area and on the outlook of the adjoining occupiers.

Reasons

3. The appeal property is one of a pair of semi-detached bungalows situated on the western side of Belvoir Road, within the De Freville Conservation Area. Extensions and alterations were carried out around 2008/2009, including a hip to gable roof extension and a large box dormer on the rear elevation which extends out over the roof of the rear wing of the bungalow. These alterations were the subject of enforcement appeals in 2010¹ which were dismissed.
4. The Inspector in those decisions found that there was no harm to the overall character and appearance of the Conservation Area which would be preserved,

¹ APP/Q0505/C/10/2121824 & 2121825 dated 23/11/10

but dismissed the ground (a) appeals and the deemed planning application on the basis of the overbearing effect of the roof addition, and in particular the rear projection, on the living conditions of the occupiers of the adjoining dwelling at no.19.

5. An application to modify the roof alterations was also dismissed on appeal in 2011² because the amended design was not acceptable and the changes would not materially reduce the scale, bulk and visual impact of the extension in the outlook from no.19. These appeal decisions are a material consideration in my determination of this current appeal.
6. While the Council has objected to the 'box-like' appearance of the roof extension, in terms of overall design the dormer was not found to be unacceptable in the 2010 appeals (the proposed changes to the shape of the roof in the 2011 appeal case raising different design issues). The scheme now proposed would reduce the projection of the dormer over the rear wing of the bungalow, with just a nib of about 400mm remaining to provide proper access to the first floor bedroom. The remainder of the hipped roof over the rear projecting wing of the dwelling would be reinstated.
7. It is this projecting element which was considered to have an unacceptably overbearing impact on living conditions at no.19 in the previous appeals. Although I realise that the adjoining neighbour wishes to see the whole roof reinstated to its original form, there has been no objection on the part of the Council or in the previous appeal decisions to the hip to gable alteration, and I consider that cutting back the dormer as now proposed would reduce its visual impact so that it would not be unduly overbearing in the outlook from that property.
8. I conclude that the proposed development would not conflict materially with policy 3/14 of the Cambridge Local Plan 2006 which, amongst other things, requires that extensions do not unreasonably, overshadow or visually dominate neighbouring properties.

Other Matters

9. The adjoining neighbours continue to object to the extension on the grounds of harm to the character and appearance of the Conservation Area and loss of privacy.
10. The previous Inspectors concluded that public views of the development and views beyond the neighbouring gardens are limited and as it is seen against the backdrop of the 2-storey wall at no.23, and that it did not have a harmful effect on the character and appearance of the Conservation Area which would be preserved. As, in this case, it is proposed to reduce the size of the roof extension, I conclude that there would not be a greater material impact on the character and appearance of the Conservation Area.
11. In terms of privacy, the previous Inspector did not find that the potential for overlooking was such that permission should be refused. There is no substantiated evidence to show that there has been a material change in the window arrangements or other circumstances since that decision which would justify a different conclusion.

² APP/Q0505/D/11/2156579 dated 24 August 2011

Conditions

12. I have considered the need for conditions in the light of the advice in Circular 11/95 - *The Use of Conditions in Planning Permissions*. The Council indicated that the standard 3 year commencement condition should be imposed. Nonetheless, given the protracted nature of this case, the outstanding enforcement notice and the continuing adverse impact on the outlook from the neighbouring dwelling, I consider that it is necessary and reasonable to require that the works to alter the dormer should be commenced no later than 9 months from the date of this permission i.e. the timescale imposed in the enforcement appeal decision.
13. For the avoidance of doubt and in the interests of proper planning, it is necessary to require that the work is carried out in accordance with the approved drawings.
14. In the interests of the appearance of the development, it is reasonable to require that it is constructed in materials which match the existing dwelling.

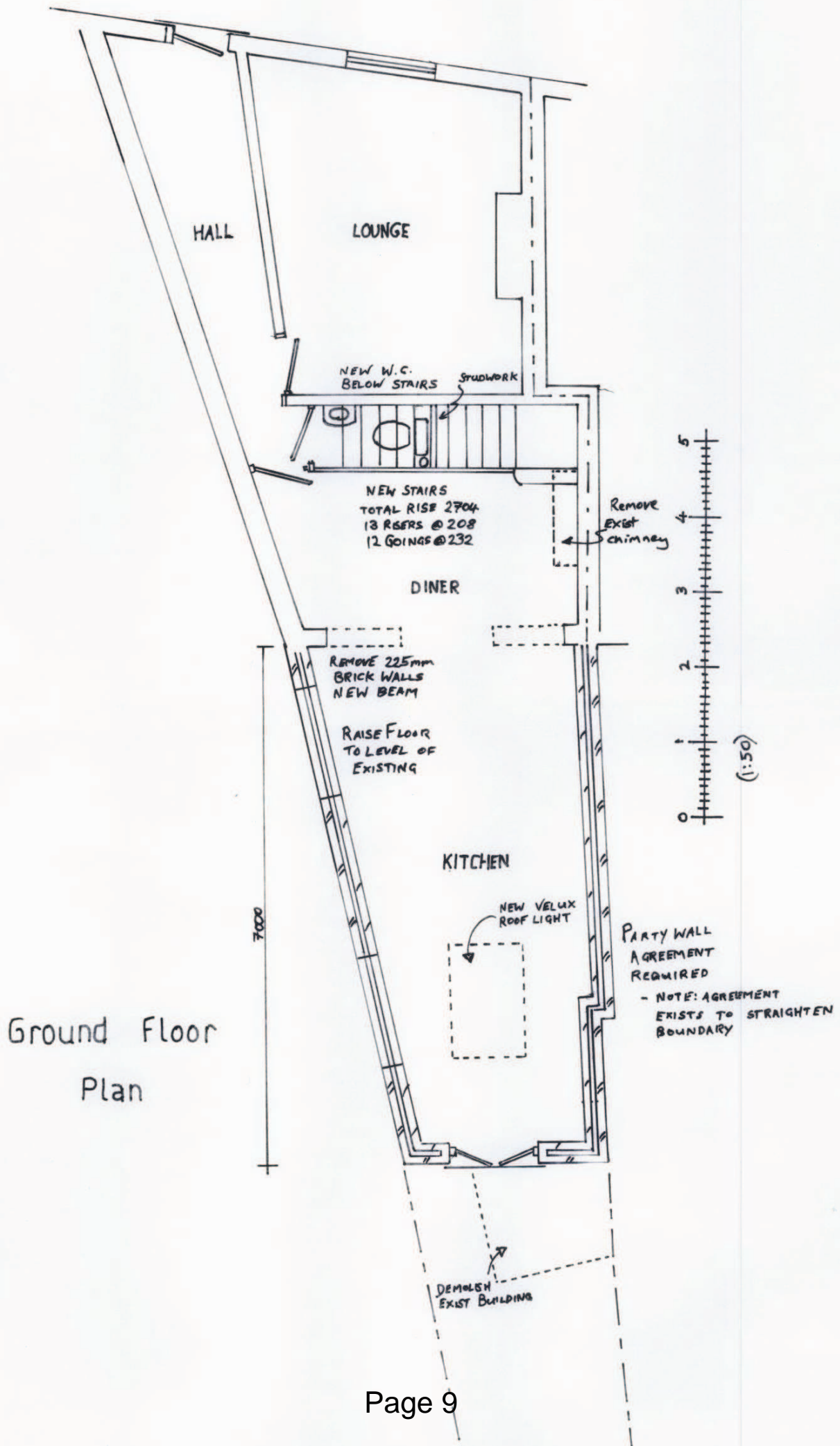
Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

Isobel McCretton

INSPECTOR

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