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EAST AREA COMMITTEE



AMENDMENT SHEET

To: Councillors Herbert (Chair), Wright (Vice-Chair), Benstead, Brown, Hart, Howell, Marchant-Daisley, Pogonowski, Saunders, Shah, Smart, Walker,

Co-opted non-voting members:

County Councillors: Kilian Bourke (Romsey), Nichola Harrison (Petersfield), Tariq Sadiq (Coleridge) and Simon Sedgwick-Jell (Abbey),

Despatched: Friday, 13 August 2010

Date: Thursday, 19 August 2010
Time: 6:45pm for 7.00 pm
Venue: Meeting Room - Cherry Trees Day Centre
Contact: Toni Birkin **Direct Dial:**

INFORMATION FOR THE PUBLIC

The Open Forum section of the Agenda: Members of the public are invited to ask any question, or make a statement on any matter related to their local area covered by the City Council Wards for this Area Committee. The Forum will last up to 30 minutes, but may be extended at the Chair's discretion. The Chair may also time limit speakers to ensure as many are accommodated as practicable.

To ensure that your views are heard, please note that there are Question Slips for Members of the Public to complete.

Public speaking rules relating to planning applications:

Anyone wishing to speak about one of these applications, may do so provided that they have made a representation in writing within the consultation period and have notified the Area Committee Manager shown at the top of the agenda **by 12 Noon on the day before the meeting** of the Area Committee.

Filming, recording and photography at council meetings is allowed subject to certain restrictions and prior agreement from the chair of the meeting.

Requests to film, record or photograph, whether from a media organisation or a member of the public, must be made to the democratic services manager at least three working days before the meeting.

AGENDA

9 PLANNING APPLICATIONS (Pages 1 - 6)

The applications for planning permission listed below require determination. A report is attached with a plan showing the location of the relevant site. Detailed plans relating to the applications will be displayed at the meeting. The East Area Committee have agreed that Planning Applications will not be considered before 8.30pm. (Pages 1 - 6)

REPRESENTATIONS ON PLANNING APPLICATIONS

Public representations on a planning application should be made in writing (by e-mail or letter, in both cases stating your full postal address), within the deadline set for comments on that application. You are therefore strongly urged to submit your representations within this deadline.

Submission of late information after the officer's report has been published is to be avoided. A written representation submitted to the Environment and Planning Department by a member of the public after publication of the officer's report will only be considered if it is from someone who has already made written representations in time for inclusion within the officer's report. Any public representation received by the Department after 12 noon two business days before the relevant Committee meeting (e.g. by 12.00 noon on Monday before a Wednesday meeting; by 12.00 noon on Tuesday before a Thursday meeting) will not be considered.

The same deadline will also apply to the receipt by the Department of additional information submitted by an applicant or an agent in connection with the relevant item on the Committee agenda (including letters, e-mails, reports, drawings and all other visual material), unless specifically requested by planning officers to help decision-making.

At the meeting public speakers at Committee will not be allowed to circulate any additional written information to their speaking notes or any other drawings or other visual material in support of their case that has not been verified by officers and that is not already on public file.

To all members of the Public

Any comments that you want to make about the way the Council is running Area Committees are very welcome. Please contact the Committee Manager listed at the top of this agenda or complete the forms supplied at the meeting.

If you would like to receive this agenda by e-mail, please contact the Committee Manager.

Additional information for public: City Council officers can also be emailed firstname.lastname@cambridge.gov.uk

Information (including contact details) of the Members of the City Council can be found from this page:

<http://www.cambridge.gov.uk/ccm/navigation/about-the-council/councillors/>

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EAST AREA COMMITTEE MEETING – 19th August 2010

Pre-Committee Amendment Sheet

PLANNING APPLICATIONS

CIRCULATION: First

ITEM: APPLICATION REF: 10/0562/CL2PD

Location: 89 Hobart Road

Target Date: 20.08.2010

To Note:

Last week the applicant submitted amended plans, reducing the depth of the single storey rear extension so that it was shown as exactly 3metres in length, with a much more limited 'overhang'. It is my view that what is shown in those amended plans falls within the limitations imposed by the legislation and my recommendation would have been to approve. At the end of last week, however, the government issued a 50 page, 'Permitted Development for Householders – Technical Guidance' document (with notice that the technical guidance was commissioned and written under the last government) and that gives guidance on the matter that is at issue here. In the guidance it is specifically expressed that, "...measurement of the extension beyond the rear wall should be made from the base of the rear wall of the original house to the outer edge of the wall of the extension (not including any guttering or barge boards)." An illustration makes the point.

While I recognise that this new document is guidance only, and that it is not based on decisions from the courts, I think that it must be given considerable weight. Although I am not convinced that the advice given in the Technical Guidance is legally sound, I think it would be obtuse not to accept what was originally proposed by the applicant as constituting permitted development. **The applicant has asked that the original submission be the one considered.**

Amendments To Text:

That the final two sentence of section e) on page are deleted and replaced with.

I did not consider that there was any justification for allowing the limitations set out in the legislation to be 'stretched' and therefore held the opinion that the proposal failed in this regard. That said, the very recent advice from Communities and Local Government would suggest that the government, rather than the Courts, puts a different interpretation on the matter, sharing the view rehearsed in the Inspector decisions mentioned above. While not sharing that view, in the light of the very recent guidance, which has graphics to make the point yet clearer, I think it would be obtuse not to accept what is shown in the original submission as constituting permitted development.

Pre-Committee Amendments to Recommendation: It is therefore now recommended that the

- 5.1 On the basis of the information supplied in the planning statement and the plans that accompanied the application, it is concluded that:
the single storey rear extension, the rear roof dormer alterations and the rooflights in the front roof slope proposed constitute permitted development under Classes A (the rear extension), B (the rear roof dormer) and C (rooflights) of the Town and Country Planning (General Permitted Development) Order 1995, as amended by the Town and Country Planning (General Permitted Development)(Amendment) (No 2) (England) Order 2008.
The proposals do not therefore require express planning permission and, provided they are constructed in accordance with the submitted plans and information, would be lawful for planning purposes.

10.0 RECOMMENDATION

That a Certificate of Lawfulness is Issued under Section 192 of the Town and Country Planning Act 1990 (as amended) for the erection of a single storey rear extension, an addition to the rear roof slope and the introduction of two rooflights to the front roof slope of 89 Hobart Road, Cambridge.

Reasons (to be included in Certificate)

It appears to the Local Planning Authority that the proposed single storey rear extension will not cover more than 50% of the curtilage (excluding the ground area of the original dwellinghouse) and will not exceed the limitations regarding size nor conflict with requirements regarding location for the enlargement, improvement or other alteration to a house outside a Conservation Area, set out in the legislation.

It appears to the Local Planning Authority that the proposed addition to the rear roof slope will not extend beyond the plane of the roof slope of a principal elevation or one that fronts a highway, will not exceed 40 cubic metres, will not exceed the height of the existing ridge.

Both additions will be built in materials to match the existing dwellinghouse.

It appears to the Local Planning Authority that the proposed rooflights will not exceed 150mm beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof or result in the highest part of the alteration being higher than the highest part of the original roof.

For these reasons it is considered that the proposed rear extension, the addition to the rear roof slope, and the proposed rooflights all fall within the limitations set under Classes A, B and C of the Town and Country Planning (General Permitted Development) (Amendment)(No 2) (England) Order 2008 and will therefore be lawful for planning purposes.

FIRST SCHEDULE

The erection of a single storey rear extension, the addition to the rear roof slope and the introduction of two rooflights to the front roof slope.

SECOND SCHEDULE

89 Hobart Road, Cambridge, as identified outlined in RED on the location plan attached to this Certificate.

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **10/0396/FUL**

Location: 17 Norfolk Street

Target Date: 29.06.2010

To Note:

There is continuing concern about windows in the flank wall, including those on the ground floor. There is, however, some planting/screening both on the site and adjacent to the playground (though I recognise that that could go). Having considered the matter carefully I am not convinced that the visibility into the flat or out from the flat has such issues for occupiers or users of the spaces nearby as to justify refusal of the application.

Should Committee wish, I am of the opinion that all of the new windows in the flank wall that are introduced to first and second floor levels could be obscure glazed. I do not think that could be done at ground floor level.

Amendments To Text:

Pre-Committee Amendments to Recommendation:

The S106 was completed on 16 August 2010, and therefore the recommendation should now read:

APPROVE, subject to the following conditions

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **10/0510/FUL**

Location: 8 Montreal Road

Target Date: 17.08.2010

To Note:

1 further letter received from the applicant, which I have attached to the amendment sheet.

No further officer comments.

Amendments To Text: no amendments.

Pre-Committee Amendments to Recommendation: no amendments.

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **10/0520/FUL**

Location: 20 Seymour Street

Target Date: 29.07.2010

To Note: None

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **10/0559/FUL**

Location: 41 Mill Road

Target Date: 02.09.2010

To Note: None

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

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