

Application Number	12/0709/FUL	Agenda Item	
Date Received	1st June 2012	Officer	Ms Lorna Gilbert
Target Date	27th July 2012		
Ward	Newnham		
Site	108 Barton Road Cambridge CB3 9LH		
Proposal	Amendment to existing application, (10/0805/FUL), relating specifically to the velux windows in the east elevation		
Applicant	Mr Madha 108 Barton Road Cambridge CB3 9LH		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> It is considered that the windows would complement the property in terms of their design and appearance. <input type="checkbox"/> It is considered there would not be an unreasonable loss of amenity to neighbouring properties as a result of the proposal.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 108 Barton Road is a detached two-storey house on the northern side of this section of the road and on the western outskirts of the City. The property sits in spacious surroundings and the area is generally characterised by detached properties with large gardens. The dwelling has been extended previously by way of side and rear extensions, a rear conservatory and a garage conversion incorporating dormers to the front and rear roofslope. The property is finished in brown brickwork under a tiled roof.

1.2 The site is not within a conservation area or the Controlled Parking Zone.

2.0 THE PROPOSAL

2.1 The application relates to the alteration and addition of windows and doors to the property and extensions approved under planning permission reference 10/0805/FUL. The changes are listed below:

- The rearrangement of two roof lights on the eastern elevation. They are now aligned horizontally rather than vertically. Each roof light measures 0.8m wide by 0.8m high. They have been installed at the property.
- A ground floor window on the eastern elevation has been moved forward slightly.
- There is an addition of a ground and first floor window on the south (front) elevation of the property. One is by the front door and the other is a circular window above the front door.
- The balcony doors on the front elevation have been removed and replaced with windows to match the existing style.
- The windows in the front and rear dormers are a different design to what was originally approved. They have one rather than two glazing bars.
- The windows would be wooden framed and double glazed to match existing windows.

2.2 The application is brought before Committee at the request of Councillor Reid for the following reasons:

- On the grounds of overlooking.

3.0 SITE HISTORY

Reference	Description	Outcome
10/0805/FUL	Two storey front extension and installation of front and rear dormers.	Approved 6.1.11
08/0009/FUL	Conservatory to rear of house to infill between existing building.	Approved 8.2.08
05/0581/FUL	Dormer Window (changing	Approved

	approved rooflight to dormer window with obscure glass)	11.7.05
05/0009/FUL	Rear extension, garage conversion, side extension to kitchen and extension to the front.	Approved 4.2.05
04/0160/FUL	Erection of a two storey front, single storey rear, part single and part two storey side extensions (in place of existing carport)	Approved 8.4.04
C/00/0814	Amendment to planning approval ref: C/99/0735/FP for a part two storey,	Approved 26.9.00
C/99/0735	part single storey rear extension Erection of part two storey, part single storey rear extension	Approved 12.11.99
C/90/0915	Erection of garage (demolition of existing and rebuilding) (amended by drawings and letter dated 14/12/90)	Approved 18.1.91

4.0 PUBLICITY

4.1	Advertisement:	No
	Adjoining Owners:	Yes
	Site Notice Displayed:	No
	Public Meeting/Exhibition (meeting of):	No
	DC Forum (meeting of):	No

5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	ENV6 ENV7
Cambridge Local Plan 2006	3/4 3/14

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
Supplementary Planning Documents	Sustainable Design and Construction
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Roof Extensions Design Guide

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 The owners/occupiers of the following address has made representations: No.106 Barton Road

7.2 The representation can be summarised as follows:

7.3 *The new application plans submitted to the Council, as an amendment to existing application, 10/0805/FUL, provide no change whatsoever to the amenity and overlooking of our living room and patio. Indeed, the minor changes shown on the new plans might have made overlooking even worse.*

7.4 *The two Velux windows on the slope of the eastern elevation of No. 108 Barton Road, have been brought downwards in elevation and placed close to the line of the gutter. The other change involved the re-positioning of the south window where it has been moved northwards. The new position of the south window has provided a wider view of our living room and patio as it became closer to both of them.*

7.5 *The velux roof lights which have already been installed without a formal planning permission are glazed with clear glass and are openable. We strongly object to the current application which will greatly infringe on our privacy and appear to be a prelude to the roof void becoming a habitable floor.*

7.6 *This application appears to be following a similar pattern to what happened to the original garage, whereby a velux roof was subsequently changed into dormer window and a new floor inserted (which did not require planning permission).*

7.7 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 representation 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

Context of site, design and external spaces

- 8.2 The proposal involves the alteration and addition of windows at the property. These changes could normally be made without the need for planning permission, however the changes occurred during the construction works to implement planning permission reference 10/0805/FUL. The works were therefore not done in accordance with the approved plans and it means planning permission is needed for these changes. The rearrangement of the velux windows on the east elevation also requires planning permission because it is for an upper floor window located in a roof slope forming a side elevation of the house and is not obscure glazed.
- 8.3 Two windows would be added to the south elevation at ground and first floor levels. There would be some adjustment to the position of a ground floor window on the east elevation and two roof lights on the eastern side of the property.
- 8.4 The proposed windows on the south, north and east elevations match or complement those on the house in terms of their design and appearance. The windows are wooden framed double glazed units, the same as existing.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.6 No alterations would be made to the west elevation of the property. The proposed alterations would not harm the amenity of No.110 Barton Road because of their position and nature.
- 8.7 An alteration to the position of a ground floor flank window on the eastern elevation is proposed. The window has been installed and is set marginally closer to the front elevation of the house than what was approved under 10/0805/FUL. The neighbouring property of No.106 Barton Road has side ground

floor windows. There is a wooden fence along the boundary and there is a distance of 3.3m between the properties. The window has been installed and does not directly face the neighbour's windows. It is therefore considered that it would not result in an unreasonable loss of privacy.

- 8.8 The roof lights have been installed on the roof slope on the eastern side of the property. The windows are located above head height and it would not be possible to look out the windows when standing in the bathrooms. It is considered that the roof lights would not compromise the privacy of the neighbouring property.
- 8.9 The windows proposed would not cause a loss of light to neighbouring properties. The windows reflect the design and complement the existing windows at the property. It is considered they would not harm outlook from neighbouring properties.
- 8.10 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.

9.0 CONCLUSION

- 9.1 The proposals are considered to be acceptable and approval is thus recommended.

10.0 RECOMMENDATION

APPROVAL subject to the following conditions:

1. 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)

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: ENV6, ENV7

Cambridge Local Plan (2006): 3/4, 3/14

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.