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| Application Number | 13/0112/FUL | Agenda Item | |
| Date Received | 1st March 2013 | Officer | Miss Catherine Linford |
| Target Date | 26th April 2013 | | |
| Ward | Castle | | |
| Site | 82 Canterbury Street Cambridge Cambridgeshire CB4 3QE | | |
| Proposal | Proposed change of use from a six bed HMO (Use Class C4) to a nine bed HMO (sui generis), demolition of a single storey extension due to subsidence and erection of single and two storey extension and attic floor plus internal alterations. | | |
| Applicant | Mr R A Powell Huntingdon Road Cambridge CN3 0DG | | |

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| SUMMARY | <p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed extensions will have no detrimental impact on the character of the street; 2. The proposed extension will have no significant impact on the amenity of neighbours in terms of enclosure, dominance, overshadowing or overlooking; and 3. The proposed use will have no detrimental impact on the amenity of neighbours, subject to a condition requiring a management plan. |
| RECOMMENDATION | APPROVAL |

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 82 Canterbury Street is a two-storey end of terrace house situated on the southeastern side of Canterbury Street. The surrounding area is predominantly residential with the Histon Road Recreation Ground directly adjacent to the site to the north. The site is not within a Conservation Area. The site is within the Controlled Parking Zone (CPZ).
- 1.2 The house is currently vacant but was in use as a six-bedroom House in Multiple Occupation (HMO) (Use Class C4) for Fitzwilliam College. The house has a small single storey, lean to extension at the side and due to the proximity of the trees to the common boundary with the recreation ground the extension has subsidence.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought to change the use of the house to a nine-bedroom HMO (sui generis) following the erection of a part single-storey, part two-storey side/rear extension; and a roof extension including three dormer windows to the rear. The HMO will be for the use of Fitzwilliam College.
- 2.2 At the side, the proposed extension will be the same width as the existing single-storey extension but will be two storeys in height. This two-storey extension will extend back in line with the rear wall of the original house, with the single storey element extending behind this for a depth of 2.7m leaving a 2.5m gap with the common boundary with the attached neighbour, 80 Canterbury Street.
- 2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement

3.0 SITE HISTORY

| Reference | Description | Outcome |
|------------------|--|----------------|
| 11/0199/FUL | Conversion of detached garage into student 'flat' as part of a student hostel (a sui generis use). | A/C |

12/0654/FUL Change of use from C4 to sui generis. Demolition of single storey extension due to subsidence and formation of pile foundations, two storey extension and attic floor. Internal alterations. Withdrawn

4.0 PUBLICITY

4.1 Advertisement: Yes
 Adjoining Owners: Yes
 Site Notice Displayed: Yes

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 |
|---------------------------------|---------------|
| Cambridge Local Plan 2006 | 3/1 3/4 3/7 |
| | 5/2 5/7 |
| | 8/6 8/10 |

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

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|-----------------------------|---|
| Central Government Guidance | National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010 |
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|----------------------------------|---|
| Supplementary Planning Documents | Sustainable Design and Construction Waste Management Design Guide |
| 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> Cycle Parking Guide for New Residential Developments Roof Extensions Design Guide |

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 This proposal would increase the amount of residential accommodation within the site. Following implementation of any permission the residents will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.
- 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 owner/occupier of the following address has made a representation:
- 80 Canterbury Street
- 7.2 The representation can be summarised as follows:
- Overdevelopment in terms of numbers living in the property

- The resultant building would be out of character with the area
- Overbearing impact
- Affect views from the recreation ground
- Overlooking
- Similarities to a refused application at 1 Hoadly Road (11/0433/FUL)
- Require confirmation that if the houses was sold in the future, the new owners would not be eligible for extra parking permits as this would be unfair to others

7.3 The above representation is 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 representation received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Car and cycle parking
6. Third party representations

Principle of Development

8.2 Policy 5/7 of the Cambridge Local Plan (2006), relating to Supported Housing/Housing in Multiple Occupation states that 'the development of supported housing and the development of properties for multiple occupation will be permitted subject to:

- a) The potential impact on the residential amenity of the local area;
- b) The suitability of the building or site (including whether appropriate bin storage, cycle and car parking and drying areas can be provided); and
- c) The proximity of bus stops and pedestrian and cycle routes, shops and other local services.

- 8.3 82 Canterbury Street is close to bus routes and the City Centre, and therefore it is my opinion that the proposal complies with part c) of policy 5/7 of the Local Plan. The other parts of this policy will be addressed later on in this report.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with part c) of policy 5/7 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.5 The proposed two-storey side extension would be visible from the street, and will therefore have an impact on the streetscene. Currently, the terrace is balanced, as both end houses (Nos. 82 and 74) have single-storey, lean-to extensions. The proposed extension will unbalance the terrace, but in this case I do not consider this to be a reason to refuse planning permission. In the summer months, the proposed extension will be hidden to a degree by the trees along the common boundary with the recreation ground, and these trees will also screen the extension when looking from the recreation ground. The proposed two-storey extension would stand in line with the front of the existing house but would have a lower ridge line than the original house. This would ensure that the extension reads as subservient to the original house.
- 8.6 The proposed single-storey extension would not be visible from the street and therefore would not have an impact on the streetscene. In my opinion, this extension would be in keeping with the character of the house and would not have a detrimental visual impact. The proposed roof extension would not result in the raising of the ridge of the roof but would introduce three, traditionally designed, pitch-roofed dormers. These windows would line up with the first floor windows below them. This roof extension requires planning permission because it extends over the proposed two-storey extension. If it was restricted to the roof of the original house it would be considered to be permitted development. This terrace is free of roof extensions, but there are roof extensions in existence along Canterbury Street and neighbouring Canterbury Close. As there are examples of roof extensions in the immediate area, and because the proposed dormers are sympathetically designed, it is my opinion that it would be unreasonable to

argue that they are out of character with the local area or visually detrimental to the appearance of the house.

- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 Due to the positioning of the proposed two-storey extension it would have no detrimental impact on the occupiers of neighbouring properties. This extension would introduce an additional first floor window at the rear with oblique views across to the neighbouring house, but in my opinion this is no worse than the existing situation, and planning permission could not reasonably be withheld for this reason.
- 8.9 The proposed single-storey extension would stand 2.5m from the common boundary with the attached neighbour, 80 Canterbury Street. Due to this separation distance and because this extension is single-storey only, it is my view that this too would have no detrimental impact on the occupiers of the neighbouring property, as it would not overshadow the neighbour or dominate or enclose them. The extension includes a window on the side elevation, facing towards No. 80, which is a secondary window to the kitchen/dining area. Due to the boundary treatment, this window would not overlook the neighbour.
- 8.10 The proposed dormer windows would overlook the neighbouring gardens, but in my opinion this overlooking is no worse than the current overlooking experienced from first floor windows, and it would not be reasonable to refuse planning permission because of this.
- 8.11 The additional bedrooms proposed would result in the creation of a nine bedroom HMO, and this would mean that the house would be used more intensively than it has been previously. The HMO will be for the use of Fitzwilliam College who would manage it, and it is my view that as long as the house is well managed, the impact of the use would not be significant in terms of noise and disturbance. I recommend a condition requiring a management plan (condition 2).

8.12 All building works create noise and disturbance. This is unavoidable but can be reduced by controlling contractor working and delivery hours (conditions 3 and 4).

8.13 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 suitable and compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14, and part a) of policy 5/7.

Refuse Arrangements

8.14 It is proposed that the bins are stored in the front garden as they currently are. I see no reason to resist this and consider it to be acceptable.

8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12 and part b) of policy 5/7.

Car and Cycle Parking

Car Parking

8.16 The property is situated within the Controlled Parking Zone. No off-street car parking spaces are proposed and the Local Highway Authority has advised that the residents will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. Fitzwilliam College is within walking or cycling distance of Canterbury Street and proctorial control will mean that the occupants cannot keep a car. It is, therefore, my opinion that the lack of car parking will have no detrimental impact on either neighbours or future residents.

Cycle Parking

8.17 A cycle store is proposed in the rear garden, providing ten secure and covered cycle parking spaces. This meets the standards and is acceptable.

8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10 and part b) of policy 5/7.

Third Party Representations

Similarities to a refused application at 1 Hoadly Road (11/0433/FUL)

- 8.19 This property had already benefited from a two-storey side extension, and this refusal related to a part two-storey, part single-storey rear extension. I therefore do not consider that it can be used as a direct comparison to this application. Each application is considered on its own merits.

9.0 CONCLUSION

- 9.1 In my opinion, the proposed extensions will have no significant detrimental impact on the character of the area or the amenity of neighbouring occupiers. Subject to a condition requiring a management plan, the proposed use will have no significant detrimental impact on neighbouring occupiers. The application is therefore recommended for approval.

10.0 RECOMMENDATION

1. APPROVE subject to the following conditions and reasons for approval:

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. Prior to occupation, a management plan for the building shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as agreed.

Reason: In the interests of residential amenity. (Cambridge Local Plan 2006, policies 3/7 and 5/7)

3. Except with the prior written agreement of the local planning authority no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

4. Except with the prior written agreement of the local planning authority, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

INFORMATIVE: Following implementation of the permission the residents will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

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:

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 5/2, 5/7, 8/6, 8/10;

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.

3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

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 Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.