

Application Number	14/0461/FUL	Agenda Item	
Date Received	8th April 2014	Officer	Mr Sav Patel
Target Date	3rd June 2014		
Ward	Abbey		
Site	26 Priory Road Cambridge CB5 8HT		
Proposal	It is proposed to change the outbuilding annex at 26 Priory Road from ancillary residential use to an office for the business use of the charity, Afrinspire. The change of use will be to B1 Business/office class.		
Applicant	Mr Iftikhar Khan The Grange 20 Market Street Swavesey Cambridge Cb24 4QG United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposal use would be of a limited scale and intensity that would be compatible within this residential context; <input type="checkbox"/> The site is located within a sustainable location with its proximity to the city centre and public transport links; <input type="checkbox"/> The proposal would not have an adverse impact on the residential amenity of adjoining occupiers.
RECOMMENDATION	APPROVAL subject to conditions.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No. 26 Priory Road is a two storey property, part of a terrace, built in gault brick under a slate roof, and standing on the eastern side of the street. The building is subdivided into two separate flats, with accommodation on the first floor extending over a driveway which turns to a path that provides access to an outbuilding at the end of the garden, although the garden is laid to grass.
- 1.2 The existing outbuilding at the rear of the garden is two storey with a pitched roof. The building has windows in the ground and floor of the front elevation which face toward the rear elevation of the host property. The outbuilding is approximately 20 metres from the rear of no.26. The side boundaries of the site are defined by a timber fence and shrubs.
- 1.3 The built form of the area is characterised by two storey terrace properties with deep rear gardens.
- 1.4 The site is located within a Conservation Area and controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal is to change the use of the existing outbuilding to office use in B1(a) use.
- 2.2 The applicant is proposing to use the outbuilding as an overspill office from their existing office site which is located in the Citylife House building on Sturton Street. The applicant has advised that the use of the building would be limited to 3 to 4 employees who would work from the office during general office hours from 9am to 5pm. In terms of deliveries/people visiting the site, the applicant would anticipate this to be between 2 to 4 per week. As for car parking, the applicant acknowledges that Priory Road is a residents only parking area. However the applicant expects employees to use either public transport and cycle/walk to the office. If employees drive the applicant expects them to park in the multi-storey car park at the Grafton Centre.

3.0 SITE HISTORY

Reference	Description	Outcome
05/1259/FUL 05/1260/CAC	Erection of one and a half storey self-contained annex following demolition of existing outbuilding.	REFUSED

4.0 PUBLICITY

4.1	Advertisement:	No
	Adjoining Owners:	Yes
	Site Notice Displayed:	No

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework 2012
National Planning Practice Guidance 2014
Community Infrastructure Levy Regulations 2010
Circular 11/95 – The Use of Conditions in Planning Permissions
(Annex A)

5.3 Cambridge Local Plan 2006

3/1 Sustainable development
3/4 Responding to context
3/7 Creating successful places
4/11 Conservation Areas
7/2 Selective management of the Economy
8/1 Spatial location of development

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

6.1 The area is protected by on street parking controls so there would be no impact upon highway safety.

Conservation Section

6.2 No conservation policy issues.

6.3 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 addresses have made representations:

18 Priory Road
22 Priory Road
28 Priory Road
33 Priory Road
32 Priory Road

7.2 The representations can be summarised as follows:

- Proposed use as an office is preferable to a dwelling
- Proposed commercial use of the outbuilding would have a detrimental impact on the residential amenity of adjoining neighbours through loss of privacy, noise, disturbance, intrusion, impact from collection and deliveries, visitors, traffic
- Approval of a B1 use would not provide safeguards against future uses
- The works/use have already been carried out

7.3 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 consultation responses and representations 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. Highway safety
6. Car and cycle parking
7. Third party representations

Principle of Development

- 8.2 The area is characterised by residential development therefore the use of the outbuilding for commercial office space would conflict with this. However, the proposed use is of a scale and intensification that would be compatible within this context. I have recommended conditions to ensure the scale and intensity of the use is restricted to ensure the use does not become dominant.
- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policies 3/1, 3/4 and 3/7

Context of site, design and external spaces

- 8.4 The two storey pitched roof outbuilding is located off the rear boundary of the rear garden of no.26. It appears to be in use when I visited the site but I was unable to determine what for.
- 8.5 The external alterations that have been made are considered to be acceptable in terms of design and fenestration arrangements. The side boundaries are defined by a timber fence on the southern boundary and shrubs on the northern side.
- 8.6 The proposed alterations to the outbuilding would not have any adverse impact on the visual appearance and character of the Conservation Area. The outbuilding is visible from Priory Road through the opening in the side of no.26. However, due to the set back of the building, from the highway, only fleeting views are possible. Nevertheless, the external alterations would not be visually harmful.
- 8.7 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

- 8.8 The residential amenity of the adjoining residents is an important factor for consideration. The external alterations are not considered to have any adverse impact in my view. The use

of the outbuilding as an office would appear to be incompatible with the existing residential character of the area. However, in my view, if the office use can be restricted to a reasonable level to allow the office use to be viable and protect residential amenity of the adjoining residents then such a use in this location could be acceptable.

- 8.9 In terms of intensification, the proposed office use would be restricted to 3 to 4 employees. This would result in a maximum of 16 movements to and from the building per day. Whilst this is a more than would generally be expected from the outbuilding, the office use would enable the hours of use to be restricted so that such movements are controlled and focused during normal working hours and not during unsociable hours. The same would apply to any deliveries or visitors. Both could be restricted to ensure they arrive during normal working hours. The applicant expects visitors/deliveries to be between 2 to 4 per week. This is considered to be a nominal amount. However, I have recommended a condition to restrict the hours of delivery. Therefore, the proposed number of employees and visitors/deliveries would not in my view result in an over-intensification of movement such that it would have an adverse impact on the residential amenity of the adjoining neighbours.
- 8.10 With a restriction on the number of employees and hours of use and deliveries, I am also of the view that the level of noise and disturbance would be reduced compared to if building was used for a domestic purpose.
- 8.11 In terms of overlooking from the proposed office use, I accept that there will be some inter-visibility and perception of overlooking from the proposed office on the existing dwellings. However, the level of overlooking from 3 to 4 employees during 9am to 5pm would be no greater than the level of overlooking that would exist. The ancillary use of the outbuilding would enable a resident to occupy the outbuilding all day and on a daily basis. Therefore, if the proposed use of the building were to be restricted this would limit the amount of overlooking that would occur. In my view this would result in a much better arrangement for the existing and adjoining residents.
- 8.12 In my opinion subject to conditions, the proposal would adequately respect the residential amenity of its neighbours and

the constraints of the site and I consider that it is compliant with and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Refuse Arrangements

- 8.13 No details of the refuse arrangement for the proposed use have been provided. I have recommended a refuse condition.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.15 The County Highways Officer has not raised any concerns with highway safety.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.17 No car parking is proposed as all employees are expect to make their own arrangement to get to the site. The site is within close proximity to the City Centre. Therefore, given the number of employees proposed to use the office and existing parking restrictions, I would not expect the use to have an adverse impact on the existing on street car parking arrangements.
- 8.18 No details for the cycle parking arrangements have been provided. I have therefore recommended a cycle parking condition.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.20 I have addressed most of the concerns raised in the third party representation received in the above section. However, I set out below my response to the remaining concerns.

Approval of B1 use would not safeguard against the building being used for other uses

8.21 If approval were to be given to the proposed change of use then I would recommend sufficient safeguard conditions ensure the use of the building as an office is controlled to mitigate the impact on the neighbouring occupiers. Any proposal to change the use of the building from office use would need to be considered on its own merits and against relevant material planning considerations.

9.0 CONCLUSION

9.1 The proposed office use of the outbuilding subject to conditions would be acceptable in this context as the number of movements would not be too dissimilar to a residential use. However, unlike a residential use, the Council would have the opportunity to control the use of the office to mitigate its impact on the neighbouring occupiers.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

5. Prior to the commencement of the use hereby permitted, the on-site storage facilities for trade waste, including waste for recycling and the arrangements for the disposal of waste detailed on the approved plans shall be provided. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity (in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006))

6. The premises shall be used for office use under B1(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and for no other purposes.

Reason: For the avoidance of doubt, and because use of the building for any other purpose would require re-examination of its impact. (Cambridge Local Plan 2006 policies 3/4, 3/12, 4/13 and 8/2)

7. Except with the prior written agreement of the local planning authority the office use shall operate between the following hours: 0900 hours to 1700 hours Monday to Friday, and at no time on Saturdays, Sundays, Bank or Public Holidays.

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

8. Except with the prior written agreement of the local planning authority, there should be no collections or deliveries associated with the office use outside the hours of 0900 hrs and 1700 hrs on Monday - Friday and there should be no collections or deliveries on Saturdays, Sundays or Bank and public holidays.

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

9. No more than 4 more employees including any management staff shall use or work from the office.

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