

<b>Application Number</b>	14/1811/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	14th November 2014	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	9th January 2015		
<b>Ward</b>	Petersfield		
<b>Site</b>	35 Tenison Road Cambridge Cambridgeshire CB1 2DG		
<b>Proposal Applicant</b>	Two storey pitched roof extension to the rear. St Andrews College 13 Station Road Cambridge CB1 2JB		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposed extension would not have a significant detrimental visual impact or a significant detrimental impact on neighbouring properties in terms of overshadowing, dominance, enclosure or overlooking;</li> <li><input type="checkbox"/> The additional students accommodated in the extended building would not have a significant detrimental impact on neighbouring properties; and</li> <li><input type="checkbox"/> There is adequate space on site for bin and cycle storage, and the proposals would not have a significant impact on on-street parking.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 35 Tenison Road is a two storey, mid-terrace house situated on the southeastern side of Tenison Road. Tenison Road is predominantly residential in character with family dwellings and Houses in Multiple Occupation (HMO). The site is within a

Conservation Area. No. 35 is in use as a HMO and is currently being renovated.

## 2.0 THE PROPOSAL

2.1 Full planning permission is sought for a two-storey pitched roof extension to the rear of the house, to provide an additional two bedrooms, one on each floor. The proposed extension would be 5.4m deep, and 5.2m wide, abutting the common boundary with 37 Tenison Road.

## 3.0 SITE HISTORY

Reference	Description	Outcome
C/86/0913	Continued use of property as bed sitting accommodation	A/C

## 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, 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 3/14 4/11 4/13 5/7 8/6 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
	<u>City Wide Guidance</u>  Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u>  Mill Road Area Conservation Area Appraisal (2011)

### 5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan of relevance.

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Engineering)**

- 6.1 The proposal adds an extra unit of accommodation to the existing site. Following implementation of any permission issued in regard to this proposal the residents of the site will not qualify for Residents' Permits other than visitor permits within the existing Resident Parking Schemes operating on surrounding streets.

### **Head of Refuse and Environment**

- 6.2 No objection, subject to conditions relating to construction hours and bin storage.

### **Urban Design and Conservation team**

- 6.3 The application is supported as it will not be detrimental to the character or appearance of the Conservation Area and conforms to policy 4/11 of the Cambridge Local Plan (2006). A condition is recommended requiring that the materials used match the existing building.
- 6.4 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:
- 14 Tenison Road
  - 29 Tenison Road
  - 36 Tenison Road
  - 42 Tenison Road
  - South Petersfield Residents Association
- 7.2 The representations can be summarised as follows:
- Concern about the increase in the number of residents
  - Increase in noise and disturbance, and anti-social behaviour
  - Increase in taxi traffic

- The residents will have access to Visitor Permits and this will put additional pressure on on-street parking, which is already limited
- Out of character
- Approval to convert the house into a HMO was subject to a condition limiting occupation to no more than 8 people. The property is likely to be occupied by 12-13 people as some rooms will be double occupancy
- Having a warden does not stop disruption and there is no guarantee that the warden would be retained
- The effect of approving this application would be to exacerbate an already unacceptably high concentration of HMOs in the immediate area, which is otherwise overwhelmingly residential in character
- The neighbour consultation should have been wider

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**

### **Context of site, design and external spaces**

8.1 The proposed extension would not be visible from the street and would consequently have no impact on the streetscene. Due to the scale of the existing building and its rear wing, the proposed extension is not considered to be out of keeping with the building. The Urban Design and Conservation team have no objection. I recommend a condition requiring that the materials used match the existing building (3).

8.2 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/14 and 4/11.

### **Residential Amenity**

#### The proposed extension

8.3 The neighbouring houses, 33 and 37 Tenison Road have both been extended to the rear, with single storey additions. The proposed extension would be slightly shallower than the extension to No. 37, and would stand to the northeast of this neighbouring property, abutting the common boundary. Due to

its siting, it is my view that it would not have a significant detrimental impact on No. 37 in terms of dominance, enclosure or overshadowing.

- 8.4 The proposed extension would stand 1.2m from the common boundary with 33 Tenison Road, and would stand to the southwest of this neighbour. The extension to No. 33 is used as a dining room/kitchen, and has a large window on the rear elevation, and a smaller window on the southern elevation facing out towards the application site. The proposed extension would impact on the light entering this side window, but as this window is secondary it is my view that the overshadowing experienced would not be to a degree that would justify refusal of the application. It is also my view that the proposed extension would not dominate or enclose this neighbouring property to an unacceptable degree.
- 8.5 The windows proposed on the rear elevation of the extension would allow oblique views into the rear gardens of 33 and 37 Tenison Road. In my view this is no worse than the current situation and I consider this to be acceptable. The proposed window on the side elevation of the original projecting wing of the house would look out towards No. 37. There would be no direct interlocking between the two properties and I consider this arrangement to be acceptable.

### The Use

- 8.6 Planning permission was granted for the use of the house as a HMO in 1986 (C/86/0913), with a condition stating that 'the maximum number of occupants shall at no time exceed eight'. The extended building would accommodate more than eight people. The condition on the 1986 permission only relates to the main house, and would not control the occupation of the extension. There are 24 HMOs registered with Environmental Health on Tenison Road, and the character of Tenison Road, in terms of use has changed since the 1980s. Considering the number of HMOs on Tenison Road and because the neighbouring houses are in use as HMOs it is my view that an increase of two double bedrooms is acceptable. I understand that the College intends to accommodate two people in some rooms, and I therefore recommend that the occupation of the extension is restricted to no more than four people, bringing the

total number of people allowed to occupy the premises under both permissions to 12, including the warden (condition 4).

- 8.7 It is proposed that a warden lives in the house with the students. I accept that this would not resolve all potential problems relating to noise and disturbance but it would reduce the impact in my view. Considering that the house is an authorised HMO, which could accommodate 8 people with no warden, it is my view that the addition of four people and a warden would not cause such noise and disturbance to justify refusal of the application. In order to ensure that the property is adequately managed I recommend a condition requiring a management plan for the building, including contact details for the warden for the use of neighbours should problems arise (condition 5).
- 8.8 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 3/7, 3/14, 4/13 and 5/7.

### **Refuse Arrangements**

- 8.9 A bin store is proposed in the front garden of the property, against the boundary with the road. The principle of a bin store in the front garden is acceptable, but its precise location and its appearance needs to be clarified and agreed. I recommend that details are required by condition (6).
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/14.

### **Car and cycle parking**

- 8.11 The Local Highway Authority has explained that the residents will not qualify for Residents' Parking Permits, but would qualify for Visitors Parking Permits. The allocation of Visitor Parking Permits is not within the control of the Local Planning Authority, but it is my view that the additional four occupants would not place such a strain on on-street parking spaces to warrant refusal of the application.

8.12 No cycle parking is shown on the submitted plans. There is ample space on site, either in the front or rear garden for this and I recommend that details are required by condition (7).

### **Third Party Representations**

The neighbour consultation should have been wider

8.13 The neighbouring properties directly adjacent to, opposite and behind the application site were consulted by letter, a site notice was displayed and the application was advertised in the press. This is the level of statutory consultation required and in my view was appropriate.

## **9.0 CONCLUSION**

9.1 In my opinion, the design and appearance of the scheme is appropriate to its context and would adequately respect the residential amenity of neighbours. The additional students occupying the extension would not give rise to a degree of intensification to warrant a refusal of planning permission.

## **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. The extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

4. The extension hereby permitted shall be occupied by no more than four occupants at any one time.

Reason: In the interests of residential amenity. (Cambridge Local Plan 2006, policy 4/13)

5. The extension hereby permitted shall not be occupied until a Management Plan for the building has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the role of the warden and contact details for neighbours, which shall be displayed on the external front facade of the building.

Reason: To protect the amenity of neighbouring residents. (Cambridge Local Plan 2006, policy 4/13)

6. Prior to the commencement of occupation, full details of the storage facilities for the separation of waste for recycling and composting shall be provided. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To ensure that the refuse arrangements are satisfactory and visually appropriate. (Cambridge Local Plan 2006, policies 3/7 and 4/13)

7. 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)

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

**INFORMATIVE:** Together with application C/86/0913 no more than 12 people shall occupy the extended building.