

Application Number	16/0601/FUL	Agenda Item	
Date Received	18th April 2016	Officer	Mairead O'Sullivan
Target Date	13th June 2016		
Ward	West Chesterton		
Site	6B Milton Road Cambridge CB4 1JY		
Proposal	Extension of height of existing building to 1 ½ storeys along with change of use from A1 to a flexible consent containing Use Classes; A1, A2 and B1.		
Applicant	JWB Cambridge Ltd C/O Agent		

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 will not significantly impact on the amenity of the surrounding occupiers <input type="checkbox"/> The proposed extension will not harm the character of the area. <input type="checkbox"/> The proposal will not result in an unacceptable loss of shopping provision within the District Centre <input type="checkbox"/> The proposed uses are compatible with the surroundings
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site comprises a single storey flat roof outbuilding known as No.6b Milton Road, which is used in association with the A1 business at No.6 Milton Road.
- 1.2 The application site currently encompasses both Nos. 6 and 6b (ie the main shop and ancillary outbuilding to the rear). It is clear from the application form and information submitted in

support of the application that the proposal relates to the outbuilding only. I have therefore requested an amended site plan to define the site area around the outbuilding only. The assessment within this report is made on the basis of the plan being amended accordingly.

1.3 The site falls within the Mitcham's Corner District Centre

2.0 THE PROPOSAL

2.1 The application proposes to form an additional floor above the existing building resulting in a 1.5 storey building. This would increase the floorspace from 32.5 square metres to 55 square metres (an increase of 22.5 square metres).

2.2 The application has been amended to include a proposal for the change of use from A1 to a flexible use within Use Classes A1 (shops), A2 (financial and professional services), and B1 (business).

3.0 SITE HISTORY

Reference	Description	Outcome
15/1464/FUL	Extension of height of existing single-storey commercial building to 1 1/2 storey commercial building with new pitched roof	Withdrawn
15/2236/FUL	Erection of a one bedroom residential dwelling	Withdrawn

4.0 PUBLICITY

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

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 Plan 2006	Local	3/1 3/4 3/7 3/14 6/7 8/2 10/1

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)

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 that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

First comment

- 6.1 The Highway Authority does not consider that this application will have any significant adverse impact upon the operation of the highway network.

Second comment

- 6.2 The Highway Authority has no comment to make upon the amended plans. The previous comments of the Highway Authority still apply.

Environmental Health

First comment

- 6.3 The development is acceptable subject to a construction hours condition.

Second Comment

- 6.4 No comments or recommended conditions to make regarding the amendments.
- 6.5 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 a representation:

- 4 Milton Road

7.2 The representation can be summarised as follows:

- The design is out of character
- There will be overshadowing and loss of privacy
- Will result in loss of privacy to occupants of flat above No.6
- No parking
- Door has no access to the highway
- It is a small private road used as parking for No.4
- Existing building was constructed without planning permission
- Increase in noise and disturbance

7.3 The above representation is a summary of the comment that has been received. Full details of the representation 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 (and impact on heritage assets)
3. Residential amenity
4. Highway safety
5. Third party representations

Principle of Development

8.2 No.6B Milton Road is currently used in association with the retail unit at No.6 Milton Road. The application proposes a change of use of this building to uses within classes A1, A2 and B1 in the alternative.

8.3 The site falls within a District Centre and is therefore subject to policy 6/7. This states that additional development within classes A1, A2, A3, A4 and A5 will be permitted if it will serve the local community and is of an appropriate nature/scale. It also states that change of use from A1 to A2, A3, A4 or A5 will only be permitted provided the percentage of A1 uses does not fall below 60%.

- 8.4 As the unit is used in association with the frontage building on Milton Road it is considered to be in A1 use. The applicant has not provided information regarding the percentage of units in A1 use within this centre. However, the building is not currently operating as a separate shop and its A1 use is derived from its association with the frontage at No.6. As a result I do not consider the proposal to represent the loss of an A1 unit. As such I consider the proposal to be compliant with Cambridge Local Plan (2006) policy 6/7.

Context of site, design and external spaces

- 8.5 The proposed extension will be visible within the streetscene. Its asymmetrical roof form is aimed to minimise the impact on the neighbouring occupiers at No.6 Milton Road. Whilst this is of an unusual form I do not consider it to be harmful to the character of the area. The site fronts onto the passage of Milton Road which contains a mix of built forms. The main views from here are of the backs of buildings from Chesterton Road and Milton Road. There are two single storey buildings, one to either side of the application site, which mainly comprise of blank frontages with a few high level windows. The only other property in the street, No.2 Milton Road, is a long two storey building which is set back from the road with parking to the front. As a result of this mixed character I consider that the proposed extension will not appear incongruous and will be in keeping with its surroundings.
- 8.6 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

- 8.7 The main concern in terms of neighbour amenity is the potential impact of the proposal on the occupiers of the flats above No.6 Milton Road; located to the north west of the site. The application building is currently single storey. The proposal would increase its height to 4.1m at the eaves; closest to the flats at No.6. This would then slope away from the neighbouring flats up to a height of 5.9m. Given this sloping roof arrangement I do not consider that the proposed extension will result in a significant loss of outlook from these units.

- 8.8 The upper floor of No.4 also appears to be in residential use. This unit is set back and away from the proposal and as a result I do not consider that the extension will impact on this occupier in terms of enclosure or loss of light.
- 8.9 I note the representations made in relation to potential loss of privacy to the occupiers of residential units above the shops. However, no first floor windows are proposed in the extension looking back towards the rear of the flats. A condition attached to any planning permission could ensure that no windows are inserted in the future.
- 8.10 I consider the proposed uses are all compatible within a mixed use area.
- 8.11 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.

Highway Safety

- 8.12 The Highway Authority does not consider that the proposal will have any significant adverse impact upon the operation of the public highway. I share this view.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

- 8.14 I have addressed most of the issues raised in the representation within the body of the report. The remaining issues are addressed below.
- 8.15 I do not consider that the proposal will result in any significant increase to traffic in the area. The site is located within a District Centre. As a result I consider it likely that users will access the site via bike or public transport.
- 8.16 The proposal is accessed via a door from the footpath on Milton Road. Milton Road is not a private road.

9.0 CONCLUSION

- 9.1 The proposed extension will not significantly impact on the amenity of the neighbouring occupiers. The development will not harm the character of the area given the mix of building styles located in the immediate area. Whilst the proposed change of use may result in a loss of a building in A1 use, it is not currently a separate unit. The proposal will make use of a vacant unit and the proposed uses are compatible with the surroundings.

10.0 RECOMMENDATION

APPROVE subject to the receipt of an amended site location plan and 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, and 3/14)

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the addition of any windows to the upper floor of the rear elevation of the unit shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4 and 3/14).