

Application Number	16/1258/FUL	Agenda Item	
Date Received	6th July 2016	Officer	Michael Hammond
Target Date	31st August 2016		
Ward	Romsey		
Site	6 Greville Road Cambridge Cambridgeshire CB1 3QL		
Proposal	Part two storey part single storey side and rear extension, roof extension incorporating rear dormer		
Applicant	C/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed extensions would not harm the character of the area. - The proposed use of the site as a 6 bedroom house in multiple occupation (HMO) does not require planning permission for a change of use, provided it is occupied by no more than six persons. - The proposed extensions would not harmfully overshadow or visually dominate neighbouring properties. - The proposed works would not harmfully overlook any neighbours.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site is occupied by a two-storey semi-detached hipped-roof dwelling sited on the north side of Greville Road. To the front of the property is a small enclosed garden and off-street parking

for a single car. The area is characterised by semi-detached predominantly family dwellings with relatively long rear gardens.

- 1.2 The site does not lie within a Conservation Area and falls outside the controlled parking zone.
- 1.3 The application has been called in for determination at Planning Committee by Councillors Baigent and Barnett for the planning reasons set out in paragraph 7.3 of this report.

2.0 THE PROPOSAL

- 2.1 The proposal seeks planning permission for a part two-storey, part single-storey side and rear extension. The proposal also seeks permission for a roof extension incorporating a rear dormer.
- 2.2 The proposed two-storey side extension element of the proposed works would project out 0.3m to the east of the site. The eaves of this element would be level with the existing roof and then it would join the proposed rear hipped roof at first-floor level.
- 2.3 The proposed part-width two-storey rear extension would project 4.5m to the rear and would be designed with a hipped roof, level with the existing eaves and set well below the ridge line of the existing roof. The north-western corner of the proposed two-storey extension has been deliberately tapered to avoid breaking the 45° line from the neighbours first-floor window at no.8 Greville Road.
- 2.4 The proposed single-storey rear element would extend 4.5m to the rear and infill the space between the proposed two-storey rear element and boundary of no.8 Greville Road. This would be designed with a flat roof measuring approximately 3m high.
- 2.5 The proposed roof extension would change the existing hipped roof to a pitched roof and involve the construction of a box type dormer, set well in from the eaves and width of the roof and marginally below the existing ridge line.
- 2.6 The proposed works would be designed in materials to match the existing property.

3.0 SITE HISTORY

Reference	Description	Outcome
15/1076/FUL	Extension and change of use from single dwelling to five self-contained residential units, incorporating part two storey part single storey rear extension and roof extension with rear dormer.	Refused – Appeal Dismissed

A copy of the Inspector’s Decision letter in relation to the appeal is attached.

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 Local Plan 2006	3/1 3/4 3/7 3/14 4/13 8/2 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
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	Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>City Wide Guidance</u> Roof Extensions Design Guide (2003)

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)

6.1 No objection.

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 addresses have made representations:

1 Greville Road	5 Greville Road
7 Greville Road	8 Greville Road
9 Greville Road	14 Greville Road
16 Greville Road	18 Greville Road
19 Greville Road	22 Greville Road
25 Greville Road	26 Greville Road
29 Greville Road	31 Greville Road
33 Greville Road	34 Greville Road
38 Greville Road	44 Greville Road
50 Greville Road	51 Greville Road
54 Greville Road	55 Greville Road
59 Greville Road	64 Greville Road
66 Greville Road	68 Greville Road
73 Greville Road	75 Greville Road
80 Greville Road	

7.2 The representations can be summarised as follows:

- Greville Road is a family area and houses in multiple occupation (HMOs) do not fit in here.
- The proposed scheme is not an improvement compared to the dismissed appeal scheme.
- The number of bedrooms has increased from five to six compared to the dismissed appeal scheme.
- The reason for dismissal relating to design is still applicable to the new proposal.
- The developer has no empathy for the community.
- Increase in on-street parking pressure.
- Noise and disturbance from change of use.
- One kitchen is insufficient for the number of people to occupy the site.
- Where would bins be stored?
- The approval would set a precedent for other changes of use to HMOs along Greville Road.
- The management plan referred to in the cover letter has not been included.
- The application should be assessed as a larger HMO as defined in the Local Plan 2014 and not C4.

- The proposal is contrary to Cambridge Local Plan (2006) Policies 5/2 and 5/5.
- Fire hazard in terms of internal layout.
- The proposal is contrary to emerging Local Plan (2014) policies 50, 53b, 53c, 55 and 58e.
- There is adequate student accommodation in the wider area.
- Should this not be a developer application rather than a householder application?
- There is a discrepancy in the drawing relating to the corner of the proposed two-storey rear extension in relation to the 45° line from no.8 Greville Road.

7.3 Councillor Baigent and Councillor Barnett have requested the application be determined at Planning Committee for the following reasons:

- Bedroom sizes are inadequate and do not conform to the minimum space standards required by the Council.
- The amount of communal living space is inadequate.
- Lack of car parking provision.
- Additional noise and comings and goings from a 6 bedroom HMO would negatively impact on neighbours.

7.4 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. Highway safety
5. Third party representations

Principle of Development

8.2 It is acknowledged that the vast majority of objections received relate to the change of use of the property from a dwellinghouse (C3) to a house in multiple occupation (HMO) (C4). The Town

and Country Planning (General Permitted Development) Order 2015 (as amended) defines this change of use as permitted development. As a result, the change of use does not require planning permission.

- 8.3 A HMO (C4) is limited to no more than six persons. If the property was proposed to be occupied by seven or more persons then the use of the site would fall within Sui Generis and planning permission would be required for the change of use from C3 to Sui Generis.
- 8.4 It is appreciated that one of the bedrooms has a double-bed which suggests that this could be occupied by two persons, thus taking the number of people over the six person permitted development threshold. Notwithstanding this, the applicant has not applied for a change of use of the site to Sui Generis and therefore the application must be assessed on the basis that the site would be occupied by no more than six persons. An informative has been recommended to make the applicant aware of the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- 8.5 In light of the above, I do not consider any policies relating to the principle of the change of use from a dwellinghouse to a HMO can be applied to the determination of this application.

Context of site, design and external spaces

- 8.6 The previous application to extend this property was dismissed at appeal for the reasons set out in paragraphs 5, 6 and 7 of the appeal decision letter (see appendix). In paragraph 5 of the appeal decision letter, the design related issues are summarised as:
- “The combination of the width of the side extension, the three storey side wall, albeit the top part would be tile clad, the scale of the two storey rear extension, the flat roofed dormer and different widths and heights of roofs, taken together, would appear contrived, massive and poorly proportioned.”
- 8.7 The proposal has been amended significantly to try and address the concerns raised by the Planning Inspector. The proposed side extension element has been reduced in scale down to two-storeys and set a considerable distance back from

the front building line. The proposed flat-roofed dormer has been set well in from the eaves and width of the roof. The original hipped roof has been altered to a pitched roof with a side gable end and there is no longer a proliferation of different width and height of roofs. The two-storey rear extension element is of a similar depth and footprint to that of the previous appeal but the roof form has been simplified in the sense that it now has a consistent ridge line rather than a staggered one. The previous application proposed a two-storey side extension that was flush with the front wall. In the current scheme, the marginal side projection is confined to the rear part of the house only.

- 8.8 In my opinion, the amendments listed above are sufficient to overcome the previous reason for dismissal. The proposed extensions appear as subservient and well-proportioned additions to the original dwellinghouse and do not appear contrived or unbalance the elevations of the property. When viewed from the street scene, the aesthetic impression of the site would remain similar to that of the existing situation as the proposed works are positioned on the rear elevation or set back considerably from the front building line. The change from a hipped roof to a pitched roof is considered acceptable given the presence of other hip-to-gable roof extensions in the area. Overall, I consider the proposed scheme overcomes the previous reason for dismissal and that the works would not harm the character and appearance of the area. A matching materials condition has been recommended.
- 8.9 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

- 8.10 The main consideration, in relation to the physical extensions to the property, is the potential impact on the neighbouring properties at nos.4 and 8 Greville Road.

No.4 Greville Road

- 8.11 No.4 Greville Road is a two-storey semi-detached property set approximately 3.2m to the east of the side building line of the application site.
- 8.12 The proposed works would not result in a harmful loss of privacy being experienced at this neighbouring property. The outlooks from the proposed rear first-floor and dormer bedroom windows would have views across this neighbour's rear garden. However, there is already a habitable outlook at first-floor level at no.6 which allows for views across this neighbouring garden. The views from the proposed bedroom windows would be similar to this and I do not consider the privacy of this neighbour would therefore be significantly affected.
- 8.13 In my view, the proposed two-storey side and rear extension would not harmfully overshadow this neighbour. The proposed extension is situated to the west of this neighbour and any overshadowing would be limited to the late afternoon hours. Furthermore, as the proposed two-storey extension is subservient in ridge height and designed with a hipped roof, any overshadowing cast over this neighbour's garden would be relatively limited. The proposed dormer roof extension does not exceed the existing ridge line of the building and there would be no significant overshadowing caused by this element.
- 8.14 There are no habitable windows on the side (west) elevation of no.4 that face towards the application site. There are windows at first-floor and ground-floor level on the rear elevation of this neighbour. However, given the separation distance between the application site and the neighbour, I am confident that the proposed works to the rear would not interrupt the 45° line taken from the two nearest windows of this neighbour. The proposed extension would be visible when looking west when standing in this neighbouring garden but there would still be a relatively open outlook to the north and east of this neighbour. As a result, I am of the opinion that the proposed works would not appear overbearing from this neighbouring property.

Impact on no.8 Greville Road

- 8.15 No.8 Greville Road adjoins onto the application site from the west and has been extended at single-storey scale. This

neighbour has made a representation in objection to the application which is focused on the change of use as opposed to any overshadowing, overlooking or visual dominance impacts. Nevertheless, an assessment of the scheme in relation to the three aforementioned impacts has been made below.

- 8.16 For the same reasons as set out in paragraph 8.12 of this report, the proposal is not considered to harmfully infringe upon the privacy of no.8. The views from the proposed rear dormer and first-floor bedroom windows would be similar to the existing rear first-floor views and there is an existing mutual sense of overlooking across the gardens of the application site and this neighbour.
- 8.17 The proposed works would not in my opinion harmfully overshadow this neighbour. There would be a degree of overshadowing in the morning hours but this would not be significant enough to warrant refusal of the application in my view. The proposed two-storey element is set roughly 2.3m away from the side building line and approximately 1.2m beyond the rear building line of this neighbour. The proposed two-storey scale roof form would be hipped and set well below the existing ridge line and I consider that this, coupled with the separation distance, would be sufficient to ensure adequate levels of light reach this neighbour. The proposed single-storey rear element is relatively low and would not harmfully overshadow any of the rear ground-floor windows of this neighbour's extension.
- 8.18 The proposed extensions would not visually dominate any of this neighbour's habitable outlooks. The proposed two-storey rear extension has been deliberately tapered to avoid interfering with the 45° line taken from this neighbour's nearest first-floor window and is set well away from the boundary of this neighbour. The proposed two-storey element is not considered to visually enclose any of this neighbour's key outlooks. The single-storey rear element does project hard up against the boundary of this neighbour. However, at 3m high and only running roughly 1.2m beyond the rear single-storey building line of this neighbour, I am of the view that the rear outlooks and the garden would not be enclosed.

Noise and disturbance

- 8.19 It is acknowledged that concerns have been raised regarding the intensification of people on site as a result of the proposed use of the premises as a HMO. However, for the reasons stated in paragraphs 8.2 to 8.5 of this report, the principle of the change of use is not a consideration in the determination of this application. Notwithstanding the above, I do not consider the occupation of the site as a HMO for up to six persons would result in a significant enough increase in comings and goings to have an adverse impact on neighbours. The previous appeal decision did not conclude that the proposed use of the site for five bed-sits would represent a significant increase in noise and disturbance to neighbours. In my opinion, I do not consider the occupation of the site as a HMO with up to six persons would result in a level of comings and goings that would have a harmful impact on the amenity of neighbours.

On-Street Car Parking

- 8.20 It is appreciated that several concerns have been raised regarding the increased pressure the change of use to a HMO would have on on-street car parking along Greville Road. Again, the principle of the change of use is not a consideration in the determination of this application. Nevertheless, I refer to paragraph 18 of the appeal decision letter which clearly addresses this issue in respect of five bed-sits which in my view would have similar implications to that of a HMO occupied by up to six persons.
- 8.21 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, 3/7 and 8/10.

Highway Safety

- 8.22 The Highway Authority has raised no objection to the proposed works. The access arrangements would not be altered as a result of the application.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

8.24 The third party representations raised have been addressed in the below table:

<u>Comment</u>	<u>Response</u>
<p>Greville Road is a family area and houses in multiple occupation (HMOs) do not fit in here.</p> <p>The application should be assessed as a larger HMO as defined in the Local Plan 2014 and not C4.</p> <p>The proposal is contrary to Cambridge Local Plan (2006) Policies 5/2 and 5/5.</p> <p>The proposal is contrary to emerging Local Plan (2014) policies 50, 53b, 53c, 55 and 58e. Bedroom sizes are inadequate and do not conform to the minimum space standards required by the Council.</p> <p>The amount of communal living space is inadequate.</p> <p>One kitchen is insufficient for the number of people to occupy the site.</p> <p>There is adequate student accommodation in the wider area.</p>	<p>See paragraphs 8.2 to 8.5 of this report.</p> <p>The internal layout and size of the rooms of the HMO is not a consideration of this planning application.</p>
<p>Fire hazard in terms of internal layout.</p>	<p>This is a building regulation matter and not a planning consideration.</p>
<p>The proposed scheme is not an improvement compared to the dismissed appeal scheme.</p> <p>The number of bedrooms has increased from five to six compared to the dismissed appeal scheme.</p>	<p>The proposed scheme is of a different nature to that of the previously dismissed appeal scheme. The previously dismissed appeal scheme sought permission for five studio units which is different to a proposed HMO use.</p>

<p>The reason for dismissal relating to design is still applicable to the new proposal.</p>	<p>See paragraphs 8.6 – 8.9 of this report.</p>
<p>The developer has no empathy for the community.</p>	<p>This is not a planning consideration.</p>
<p>Increase in on-street parking pressure. Lack of car parking provision.</p>	<p>See paragraph 8.20 of this report.</p>
<p>Noise and disturbance from change of use. Additional noise and comings and goings from a 6 bedroom HMO would negatively impact on neighbours.</p>	<p>See paragraph 8.19 of this report.</p>
<p>Where would bins be stored?</p>	<p>The identification of bins on the drawings is not a requirement for a householder application.</p>
<p>The approval would set a precedent for other changes of use to HMOs along Greville Road.</p>	<p>Any future applications for changes of use from dwellinghouses to HMOs occupied by seven or more persons (sui generis) will be assessed on their own merits. See paragraphs 8.2 – 8.6 of this report regarding the principle of the change of use to a six person HMO (C4).</p>
<p>The management plan referred to in the cover letter has not been included.</p>	<p>There is no requirement for a management plan to be submitted as part of a householder application.</p>
<p>Should this not be a developer application rather than a householder application?</p>	<p>The application seeks planning permission for extensions to an existing dwellinghouse. The change of use does not need planning permission, nor is it referred to in the description of development.</p>
<p>There is a discrepancy in the drawing relating to the corner of the proposed two-storey rear extension in relation to the 45° line from no.8 Greville Road.</p>	<p>A revised drawing has been submitted to address this.</p>

9.0 CONCLUSION

- 9.1 In conclusion the proposed extensions are considered to respect the character and context of the site and are acceptable from a design perspective. The proposal would not have a detrimental impact on neighbour amenity. The use of the property as a HMO (C4) does not require planning permission in this instance and there are consequently no policy grounds on which to object to the principle of the change of use.

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 construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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. 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)

INFORMATIVE: The occupation of the site by seven or more persons will require planning permission for a change of use of the site from C3 or C4 to Sui Generis in accordance with the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).