

Application Number	16/1201/FUL	Agenda Item	
Date Received	28th June 2016	Officer	Charlotte Burton
Target Date	23rd August 2016		
Ward	Coleridge		
Site	140 Perne Road Cambridge CB1 3NX		
Proposal	Change of use to Guesthouse and erection of outbuilding (retrospective)		
Applicant	Mrs Carolina Amabile 138 Perne Road Cambridge CB1 3NX		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal would include permanent accommodation for a staff member in accordance with policy 6/3;</p> <p>The proposal would have an acceptable impact on residential amenity of neighbouring properties, subject to conditions to control vehicle access to the rear; and</p> <p>The outbuilding would be of a size and design which would not have an unacceptable enclosing or overshadowing impact on neighbouring properties.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 No. 140 is a semi-detached property on the eastern side of Perne Road to the north of the roundabout with Radegund Road and Birdwood Road. The property is two storeys and set back from the road with hard standing at the front, a driveway to the side (north) and a long rear garden. There is a single storey outbuilding with a pitched roof which is currently under construction at the rear of the garden.

- 1.2 The surrounding area is residential. The adjoining property to the south (No. 138) is owned by the applicant and is where they live. To the north is No. 142 which is a semi-detached property. The rear of the garden adjoins No. 6 Tiverton Way which is a bungalow.
- 1.3 The site is not within a Conservation Area. The property is not listed and is not a Building of Local Interest. The site is outside the controlled parking zone. There are no other planning constraints.

2.0 THE PROPOSAL

- 2.1 The application seeks retrospective planning permission for a change of use of the property to guesthouse and for the erection of an outbuilding which is currently under construction.
- 2.2 The guesthouse has 3 no. guest bedrooms, a ground floor 'owner's room', and a serving/dining area. This is an existing use and the property is advertised as a guesthouse. The drawings show 3 no. car parking spaces at the front of the property.
- 2.3 Construction of the timber outbuilding commenced in January 2015, but has not been completed. The building under construction has a pitched roof, however the proposal would amend the roof to a lower mono-pitch. The outbuilding would be single storey and would be located at the rear of the garden. The applicant states this would be used for garage/store.

3.0 SITE HISTORY

Reference	Description	Outcome
15/0863/FUL	Change of use to guesthouse and erection of garage car port outbuilding	Refused

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	3/4 3/7 3/12 4/13 6/3 8/2 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) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)

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

6.1 Cambridgeshire County Council (Highways Development Management)

The application form states that there is no change in parking provision within the site, but provides no other details of existing or proposed provision. The application removes an existing garage. The applicant must provide information regarding existing and proposed parking arrangements to reconcile the above, seemingly contradictory, statements and allow informed comment upon the full impact of the proposals. The applicant must show the dimensions for the proposed car parking spaces, which should measure 2.5m x 5m. Please provide this information to the Highway Authority for comment prior to determination of this application.

6.2 Environmental Health

No objection subject to condition to control construction hours.

6.3 Refuse and Recycling

No comments received.

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:

- 4 Tiverton Way
- 6 Tiverton Way

7.2 The representations can be summarised as follows:

- Object to the erection of the outbuilding. The owners will not manage the maintenance of the outbuilding which will impact on No. 4 Tiverton Way.
- The proprietor does not reside at these premises.
- Procedures should be in place in the event of fire or other issues which require the proprietor's immediate attention.
- Maintenance of fences and trees on the boundaries.
- Outlook from the rear of No. 6 Tiverton Way.
- Use of the outbuilding.

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. Residential amenity
3. Context of site, design and external spaces (and impact on heritage assets)
4. Refuse arrangements
5. Highway safety
6. Car parking
7. Cycle parking
8. Third party representations

Principle of Development

8.2 Cambridge Local Plan (2006) policy 6/3 supports development which maintains, strengthens and diversities the range of short-

stay accommodation. For changes of use of residential properties, the policy states that part of the accommodation must be retained as permanent residential accommodation. Paragraph 6.10 of the supporting text to the policy states that the reason for this is to ensure there is no loss of residential units.

- 8.3 The previous application (15/0863/FUL) was refused on the basis that no part of the accommodation would be retained for residential use. The current application shows that a ground floor room would be retained as an 'owner's room'. The supporting text paragraph 6.10 states that this accommodation should be occupied by the proprietor. The applicant resides at the neighbouring property (No. 138), therefore it is understood that an employee of the guest house would occupy the owner's room as their permanent residence.
- 8.4 In my opinion, given that the proprietor has accommodation nearby and therefore would not be displaced by the change of use, the use of the permanent residential accommodation for an employee would be acceptable. It would not be reasonable to require the applicant to move out of their current accommodation and into the guest house. The proposal would retain an element of permanent residential accommodation, which in my view accords with the aims of policy 6/3.
- 8.5 I have recommended a condition requiring the 'owner's room' to be retained as permanent residential accommodation for the proprietor or an employee. In my opinion, this overcomes the previous reason for refusal and the change of use is acceptable in principle.

Residential Amenity

- 8.6 The nearest residential uses are the adjoining property to the south (No. 138) and the semi-detached property to the north (No. 142) which is separated by the driveway. To the rear of the garden is No. 6 Tiverton Way which is a detached bungalow with a rear garden. The impact of the use and the outbuilding on the amenity of these properties is considered below.

Guesthouse use

- 8.7 The guesthouse has 3 guest bedrooms and would have a maximum of 6 no. guests at any one time. The previous application was refused on the basis of the impact on noise and disturbance from guest parking at the rear on neighbouring properties, particularly as there would be no proprietor on site to oversee this. The concerns on the previous application were that late night arrivals to the B&B, or guests returning to the B&B by car at unsociable hours, could cause disturbance for the occupants of neighbouring properties through car engine and wheel noise, vehicular turning, car doors slamming and the comings and goings of guests. The types of noise would be infrequent and be more likely to disturb neighbours and, because this disturbance would occur in an otherwise residential rear garden environment, parking at the rear of the property for B&B guests would be likely to lead to an unacceptable impact on residential amenity.
- 8.8 The current proposal resolves this by providing guest parking at the front of the site. The plans show the existing gate across the driveway to the north would be retained. I have recommended a condition for this gate to remain in situ and for no guest parking to be allowed at the rear of the property, which would be controlled through the erection of signage demarcating the guest parking area. There would be an employee living on site to oversee this. In my opinion, this condition would be reasonable in order to control the impact on the residential amenity of neighbouring properties. In the event of complaints from neighboring properties, this could be enforced by ensuring that the gates are in situ and the signage has been erected.

Outbuilding

- 8.9 I have also considered the impact of the scale, massing and proximity of the outbuilding on No. 6 Tiverton Way to the rear. Compared to the pitched roof building that was the subject of the previous application and which has been partially constructed, the proposed mono-pitch roof would have a reduced height. The building would be a maximum of 2.75m high and approximately 2.35m high on the eastern elevation facing towards No. 6. This elevation would be 0.56m from the boundary. In my opinion, because of the relatively low height of

the outbuilding, I do not consider its physical mass would significantly impact on No. 6's garden in terms of enclosure or loss of light.

8.10 The application states that the outbuilding would be used for storage, however the drawings show three pairs of garage doors on the front (west) elevation. In my opinion, the outbuilding would have the potential to be used as a garage for three cars. I have recommended a condition for no guest parking to be allowed at the rear of the property, therefore the only vehicle access allowed to the outbuilding would be for staff which would be overseen by the employee living on site. As a result, the number of vehicles entering the rear of the site is likely to be low and is less likely to be during unsociable hours. In my opinion, the use of the outbuilding for storage or for staff car parking would not have an unacceptable impact on residential amenity of neighbouring properties. I have recommended a condition to prevent the outbuilding from being separately used, occupied or let, or to be used for sleeping purposes.

8.11 In my opinion the proposal provides an appropriate standard of residential amenity for neighbouring properties and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Context of site, design and external spaces

8.12 The outbuilding is relatively large but in my opinion, the proposed design, scale and materials would be appropriate for an outbuilding and I do not consider its presence, at the end of the site, results in any harm to the character or appearance of the surrounding area. There would be no change to the existing hard landscaping at the front of the site. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/11 and 3/12.

Refuse Arrangements

8.13 No details have been provided regarding the arrangements for the storage and collection of refuse and recycling, however in my opinion, this could be accommodated in a convenient location at the rear of the property without having an unacceptable impact on residential amenity. I have

recommended a condition for details to be submitted for approval and a bin store to be erected within six months. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.14 In my opinion, the number of trips generated by the 3-bedroom guesthouse would not have an unacceptable impact on the public highway. The proposal would use an existing dropped kerb access and therefore is acceptable. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car Parking

- 8.15 The adopted car parking standards for guesthouses outside the CPZ sets a maximum of 2 no. car parking spaces for 3-bedroom guest houses and 1 no. space per residential staff. The proposal would include 3 no. car parking spaces at the front of the property. The existing gated access to the driveway would be retained and I have recommended a condition which would restrict this to allow parking for staff only.
- 8.16 The Highways Authority has commented that there are no dimensions for the size of the car parking spaces shown on the plans. In my opinion, there would only be space for one car parking space in front of the property using the dimensions required by the Highways Authority. Therefore, guests for two of the guest bedrooms would not be able to park at the property. This may lead to some overspill car parking, however, in my opinion, the site is in a highly sustainable location close to the railway station so not all guests are likely to drive. I have recommended a condition for all guests to be advised that there is limited car parking available at the property.
- 8.17 Given the car parking standards set the maximum, rather than minimum, number of spaces that would be allowed, there is no requirement for guest car parking to be provided. Notwithstanding the Highways Authority comment, in my opinion, for this reason the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

Cycle parking

- 8.18 The adopted standards require 2 no. cycle parking spaces per 10 bedrooms. The proposal is for 3 guest bedrooms and therefore there is no requirement for guest cycle parking to be provided.
- 8.19 The standards require 1 no. cycle parking space per 2 staff members. No details have been provided for staff cycle parking, however in my opinion, there would be space to accommodate this at the rear of the property. I have recommended a condition to require details to be submitted for approval and installed within six months.

Third Party Representations

- 8.20 The representations from third parties have been considered as follows:

Representation	Response
Object to the erection of the outbuilding. The owners will not manage the maintenance of the outbuilding which will impact on No. 4 Tiverton Way.	The maintenance of the outbuilding is not a relevant planning matter.
The proprietor does not reside at these premises.	Accommodation would be retained for an employee to reside in the property and in my opinion, this is acceptable in accordance with the aims of policy 6/3.
Procedures should be in place in the event of fire or other issues which require the proprietor's immediate attention.	Notwithstanding the comment above, the response to urgent events is not a planning matter.
Maintenance of fences and trees on the boundaries.	The proposal does not include any new boundary treatments and therefore the maintenance of boundaries and trees is not a relevant planning matter in this instance.

Outlook from the rear of No. 6 Tiverton Way.	See paragraph 8.9
Use of the outbuilding.	See paragraph 8.10

9.0 CONCLUSION

- 9.1 In my opinion, the current proposal has overcome the reasons for refusal of the previous application in terms of retaining permanent residential use and the impact of noise and disturbance. I have recommended conditions to control access to the rear of the property for guest parking which in my opinion are reasonable and enforceable. There is no requirement for guest houses to provide car parking in accordance with the adopted maximum car parking standards.

10.0 RECOMMENDATION

1. The works to the outbuilding 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 driveway to the north of property shall remain gated at the front of the property for as long as the use hereby permitted persists. No vehicular access to the rear of the property shall be allowed for guests staying at the guesthouse hereby permitted. Signage shall be installed to demarcate the car parking space(s) for guests at the front of the property within 3 months of the date of this decision notice, and shall thereafter be retained for as long as the use hereby permitted persists. Guests shall be advised that there is limited parking available at the property prior to their arrival.

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

5. Details of the facilities for the covered, secured parking of bicycles for use by staff members in connection with the development hereby permitted shall be submitted to and approved by the Local Planning Authority in writing. The facilities shall be provided in accordance with the approved details within six months of the date of this decision notice.

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

6. Details of the facilities for the storage and collection of refuse and recycling in connection with the development hereby permitted shall be submitted to and approved by the Local Planning Authority in writing. The facilities shall be provided in accordance with the approved details within six months of the date of this decision notice.

Reason: To ensure appropriate provision for the storage and collection of refuse and recycling. (Cambridge Local Plan 2006 policy 4/13)

7. The outbuilding hereby permitted shall be used solely in conjunction with and ancillary to No. 140 Perne Road, and shall not be separately used, occupied or let. The outbuilding shall at no time be used for sleeping purposes.

Reason: To protect the amenity of the adjoining residential properties and to avoid the creation of a separate planning unit. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

8. The 'owner's room' as shown on the approved drawing number '15.15.01 A' shall be retained as permanent residential accommodation for the proprietor or an employee, and shall not be used at any time for guest accommodation.

Reason: In accordance with Cambridge Local Plan (2006) policy 6/3.