

Application Number	20/0050/FUL	Agenda Item	
Date Received	17th January 2020	Officer	David Norris
Target Date	13th March 2020		
Ward	Coleridge		
Site	54A Cherry Hinton Road		
Proposal	Change of use from HMO (use class C4), single storey rear extension and two-storey side extension following demolition of rear extension. To create 4no. artists studios (use class B1), 2no. communal / gallery spaces (use class D1) and associated service provision. Retention of barbers premises (use class A1). Retention of 1no. studio flat as caretaker's accommodation (use class C3).		
Applicant	Mr Ronald Pile 21 Bermuda Road		

SUMMARY	The development accords with the Development Plan for the following reasons:
RECOMMENDATION	<p>APPROVAL</p> <ul style="list-style-type: none"> - The proposed development would respect the character and appearance of the area - The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers in terms of overlooking, loss of light, over dominance or disturbance - The creation of this rear addition will provide additional employment and community space within an identified Local centre - The proposed use would not have a significant impact upon parking or highway

	safety in the locality
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1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is located on the western end of Cherry Hinton Road, close to the city centre. No.54 is a three storey (second floor in the roof) end of a terrace Victorian property. The ground floor of the property is used as a barbers with the upper floors being used as a House in Multiple Occupation (HMO) for 4 occupants.
- 1.2 The attached property (no.52) is a similar Victorian property but beyond this is a terrace row of two storey properties made up of residential housing, leading into the centre of the city. The next property to the east is a retail unit and this is adjoined by a variety of commercial units including a restaurant, takeaway and a bar. The site and commercial units form part of a group of units designated within a District and Local Centre in the adopted Local Plan (2018).
- 1.3 A private road provides access to the rear of the property as well as serving various other properties that back on to this communal area. The rear of the application property (the site) runs parallel to the access road and provides informal parking.
- 1.4 The site is not located within a Conservation Area and there are no heritage assets within the immediate locality.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the change of use from HMO (use class C4), single storey rear extension and two-storey side extension following demolition of rear extension. To create 4no. artists' studios (use class B1), 2no. communal / gallery spaces (use class D1) and associated service provision. Retention of barber's premises (use class A1). Retention of 1no. studio flat (use class C3).
- 2.2 Two studios on the ground floor behind the barbers shop and two at first floor level are proposed. The caretakers flat would be on the second floor and at front of the building.
- 2.3 The existing two storey rear element would be extended sideways at two storey level. A ground floor rear extension

would project rearwards into the parking/curtilage of the property. Two fin shaped roofs with south facing roof slopes would have rooflights which would provide natural lighting to the artist studios below.

- 2.4 To the rear of the studios, a cycle shelter and bin store with a flat roof are provided.
- 2.5 Four parking spaces are proposed on site, to the rear of the building and would be accessed from the private road which loops behind the rear of the terrace of dwellings at 36-54 Cherry Hinton Road.
- 2.6 The application has been amended following the receipt of comments from neighbours and this has resulted in a reduction in the height of the addition to the rear of the property. The description has been changed to remove reference to Caretaker's flat.
- 2.7 The application is accompanied by a Design Statement, including shade analysis (from previous larger scheme) together with drawings and supporting information. The submission also provides information in relation to the consultation that was carried out with the local community prior to the submission of this application.

3.0 SITE HISTORY

Reference	Description	Outcome
16/0835/FUL	Artist's studios incorporating a two-storey curved roof extension.	Withdrawn
17/0242/FUL	Change of use from HMO (use class C4) and single storey rear extension, following demolition of rear extension and internal alterations to create 6 no. artists' studios (use class B1), 1 no. gallery space (use class D1) and associated service provision. Retention of barber's premises (use class A1).	Withdrawn

19/0687/FUL	Erection of 9 flats on eastern side of access road (adjoining site)	Undetermined
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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 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Local Plan 2018		1 2 3 28
		31 32 34 35 36
		40
		55 56 58
		64 72 73 74 79
		80 81 82

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
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Supplementary Planning Guidance	Greater Cambridge Sustainable Design and Construction (Jan 2020) Cycle Parking Guide for New Residential Developments (2010) On-street Residential Parking Study (2017)
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6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

- 6.1 Raise no objections to the proposal. Applicant should be aware that any new residents will not qualify for residents parking.

Due to the nature and use of Cherry Hinton Road, recommend a condition requiring that all deliveries of materials or any removal of waste required as part of the conversion of the existing structures shall be constrained to the hours of 09.30hrs-15.30hrs seven days a week in the interests of highway safety.

Urban Design and Conservation team

- 6.2 The scheme offers a purpose-built studio space that is well designed and responsive to its surrounding context.

The proposed material palette shown in the Design & Access Statement (pg. 7) is acceptable in Urban Design terms and can be secured by way of condition should the application be approved.

As such the proposed scheme complies with Cambridge Local Plan (2018) policies 55, 56 & 57 and is therefore supported in Urban Design terms.

Environmental Health

- 6.3 The development proposed is acceptable subject to the imposition of the condition(s)/informative(s) outlined below.

- construction hours
- limit use of D1 element of the building to art gallery/studio

The D1 use class includes activities such as day nurseries, training centres and crèches. The current level of sound insulation is unlikely to be able to contain noise from these activities and has the potential to adversely impact upon the other uses within the building.

Recommend that a condition be placed on the decision notice (if permission is granted) restricting the D1 use to art gallery only.

Due to the close proximity to existing residential, it would be reasonable to restrict the use to standard daytime hours. The following hours are recommended:

- 08:00 – 18:00 hrs Monday to Saturday
- No use on Sundays, Public or Bank holidays.

Access Officer

6.4 Supports

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 addresses have submitted objections:

- 2a Rathmore Road
- 21 Rathmore Road
- 23 Rathmore Road
- 27 Rathmore Road
- 31 Rathmore Road
- 33 Rathmore Road
- 39 Rathmore Road
- 46 Cherry Hinton Road
- 52 Cherry Hinton Road
- A letter from residents with 46 signatures.

The objections can be summarised as follows:

Design

- The scale and mass of the proposal is not in keeping with the locality
- Amended scheme has not addressed earlier concerns
- Contrary to Para 58 of NPPF (Design Standards)
- Not in accordance with local policies/guidance that seeks high quality new build and extensions

Impact upon amenity

- Loss of amenity to the adjoining property through overshadowing and overdominance and loss of morning light
- Impact upon neighbour's skylight
- A new shadow study should have been submitted with the reduced scheme
- The mix of uses is not appropriate for this predominantly residential area.

Landscape

- Loss of trees on the site. Should be further planting to improve the 'boskiness' of this area
 - Other trees in area have Tree Preservation Orders which demonstrates the importance of trees in this urban area,
- #### Parking/Highway Issues
- The spaces are currently used by barbers shop and there will not be enough parking thereby resulting in unauthorised parking on private road
 - How will parking be managed?
 - Insufficient space for turning, lorries manoeuvring

Other Issues

- Depletion of housing stock through loss of HMO
- No objection to artist studio but fear may lead to further change of use to dwellings or another use

Support

Letters of support have been received from the following addresses:

- Kettle's Yard
- 152 Victoria Road
- 36 Grafton Street
- 21 Bermuda Road
- 11 New Court, Church Street
- 8 The Mount, Toft
- Old Rising Sun, Apthorpe Street

7.2 The letters of support can be summarised as follows:

- This is a well-designed scheme that makes good use of a vacant urban site
- This is a sustainable location, well related to the city centre and public transport
- This use will have a positive impact upon the local economy
- There is a shortage of creative space in the city, mainly as a result of the conversion of other spaces into homes.
- The space will provide a venue for cultural education which will be of benefit to all and especially those for whom creativity can be good for learning
- The scheme will provide a shared space and help to improve community cohesion
- The applicant is in the perfectly qualified to run a fantastic facility that will benefit the city

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

Principle of Development

- 8.1 The application site is located within the urban area of the city, in close proximity to all services including public transport. It is therefore considered to be a sustainable location for new development
- 8.2 The property is located within a designated local centre and Policy 72 of the local plan is particularly relevant when assessing applications. This policy seeks to retain community facilities to serve the local population and any loss of commercial use has to be properly justified through a marketing process. This application is not seeking to remove any commercial/community use but instead is seeking to enhance the local offer.
- 8.3 Policy 72 also states that community facilities will be supported where they maintain the commercial use and have suitable access.

- 8.4 Policies 73, 74 and 79 of the Local Plan support the provision on community facilities, educational facilities and tourist attractions. Whilst the building proposed is very modest in size, it is necessary to take into account the benefits that can be delivered through the creation of this artistic space.
- 8.5 The 'arts' are an important part of the culture of Cambridge and also make an important contribution towards the local economy.

Context of site, design and external spaces

- 8.6 The scale of the proposed extension to the rear would project a similar distance as the adjoining property at 52 Cherry Hinton Road which is situated to the west.
- 8.7 The proposed rear element with two fins providing roofs over the single storey element is eye catching. The combination of extensive glazing with brick sections and timber panels helps to reduce the mass and bulk of the extensions. The variation in height and form gives the proposed extension architectural interest and an ancillary scale. The contemporary form of the proposed extensions would contrast sympathetically with the traditional Victorian form of the host property.
- 8.8 The proposed extension would be barely visible from Cherry Hinton Road. Only oblique views would be possible through the gap in the frontage from the side access.
- 8.9 The variation in building forms achieves a good interrelation between buildings whilst achieving efficient use of space internally. The proposal also would provide good levels of natural surveillance onto the side access with glazing at ground floor to provide animation into the gallery/public area as well as increase the sense of natural surveillance on this side.
- 8.10 The proposed extension would provide an independent access for users off the side access into a communal area off which would provide access to the separate studios on the ground and first floor. A secondary access would also be provided which would be used for access and egress for the 'caretaker's' flat on the second floor.
- 8.11 The proposed extension is to provide studios for artists. The site is located within a highly sustainable location and within close

proximity to public transport links, shops and services, all of which are within reasonable walking and cycle distance.

- 8.12 The scale and mass of the proposed extension in relation to the host property appears to be acceptable. The proposed extension would not project beyond the neighbours' extension. The scale is also not considered to appear overly dominant when viewed on its own.
- 8.13 The proposed elevations are considered to be acceptable as they would offer architectural variation in terms of roof forms and materials used. In this 'backland' location, officers feel that such a contemporary approach would enhance the appearance of this area which can sometime appear overly utilitarian.
- 8.14 The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, and 58.

Residential Amenity

- 8.15 Impact on the amenity of neighbouring occupiers have been raised as a key concern
- 8.16 As the application property is attached, then it is necessary to consider the impact upon the property to which it is joined (52 Cherry Hinton Road). The owner of the house has made strong representations about the way in which this application will impact upon the amenity of their property.
- 8.17 The attached property is to the west of the application property and this orientation means that any loss of light will only be in the morning.
- 8.18 A shading study submitted with a previous (larger) scheme demonstrated that the shadowing was likely to be up until mid-morning, and that the shadow area was very limited.
- 8.19 This property has a kitchen to the rear and the main source of light in that room is from a long skylight running the length of the kitchen immediately next to the common boundary. The glazed wall to the southern facade opens onto a covered deck area and the garden is enclosed on all sides and the openings in the walls of the rear extension open onto walls and boundary of the property.

- 8.20 The roof skylight is the primary source of natural light to the kitchen. The other openings open onto a wall or boundary and afford little natural light. Indeed, the sky light was specifically installed in this location to increase the amount of natural sunlight to the kitchen. It is not considered that the proposed addition would have an unacceptable impact upon the light received through the neighbouring property's rooflight.
- 8.21 The proposed development would not have an adverse impact in terms of overlooking or loss of privacy, as there are no windows to the side elevation and the rooflights are high level and face down the application site.
- 8.22 There is a building at the rear of 52 Cherry Hinton Road (referred to as 52a) but this is ancillary to 52 and appears to be in use as a garden room/additional accommodation.
- 8.23 The additions, by reason of the reduced height and set back from boundary would not represent an excessively dominant form of development when seen from the garden of 52 Cherry Hinton Road.
- 8.24 The proposal is separated from the adjacent commercial building at 56 and 58 Cherry Hinton Road by the intervening private road. There would be no obvious detrimental impact upon these premises. An application has been submitted for the redevelopment of the rear of these properties, but the application is yet to be determined.

Noise and disturbance

- 8.25 The opening hours of the proposed development are 60 hours per week including Saturdays 08.00-18.00, these are considered acceptable in terms of neighbouring amenity.
- 8.26 The proposed use, as artist studios, would not be of concern in terms of amenity and B1 Business can be carried out in a residential area without detriment to its amenity
- 8.27 There are permitted changes from B1, C3 and D1 use without the requirement for a formal planning application.
- 8.28 In this instance, given a residential property is attached, it is considered necessary to restrict the use of the buildings to

studios and gallery space and it is recommended that a condition be imposed that removes any changes through permitted development.

- 8.29 The proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is compliant with Cambridge Local Plan (2018) policies 56 (58) and 35.

Vehicular access

- 8.30 It is noted that access to/from the proposed development would be taken from the existing access road between 54 and 56 Cherry Hinton Road. Neighbours have expressed concern that the intensification of this access road would be detrimental to the safety of pedestrians as the road is narrow and no pavement has been provided to access the proposed development. In addition, there is insufficient turning space within the proposed development to allow safe access/egress of vehicles, including larger delivery vehicles, fire engines and ambulances.
- 8.31 Given these concerns, it is considered that the development should be car free if possible.
- 8.32 The application site is within the Cherry Hinton Local Centre and there is parking available on street to the east near the junction with Rathmore Road. This is a short stay 30 minutes, no return within 30 minutes.
- 8.33 Parking stress is defined as occurring in those streets where surveys show that there is less than 10 per cent free notional parking capacity.

Within 200 metres of the application site are the following roads:

Rustat Road
Elsworth Place
Rathmore Close
Rathmore Road
Rock Road
Derby Road
Hartington grove

- 8.34 To the west is the Cambridge Leisure multi storey car park. The site is well located to access public transport links, encouraging

sustainable methods of transport by the artists and barber's staff and clientele. The site is located approximately 1 km, or a 10-minute walk, from Cambridge Train Station. Cherry Hinton Road is well served by local bus services.

- 8.35 The Cambridge 'On Street Residential Parking Study' 2017 provides an overview of parking pressures experienced across the city. The south side of Cherry Hinton Road falls within Area 5 of this study. Area 5 is identified as being under less parking pressure than other areas of the city and the surveys demonstrate that on-street parking is always available within the vicinity.
- 8.36 It is also necessary for members to bear in mind that this development would remove 3no. HMO flats and it is inevitable that the occupants of three units will have generated some parking demand.
- 8.37 On the basis of the above, it is considered that this is a sustainable location that will provide significant opportunity for employees and visitors to get to the property without the need for a car. Any parking on land that is within the ownership of a third party would be a civil matter.

Highway Safety

- 8.38 The Highways officer has not raised any concerns in relation to highway safety, however there is a potential impact during the construction phase on amenity and the Highway Authority requests that the times for collections and deliveries are restricted. A condition will be attached to control hours for collections and deliveries to and from the site.

Car and Cycle Parking

- 8.39 The application site is a designated local centre, close to public transport and other facilities. It is considered to be a sustainable location, in terms of accessibility by foot, cycle or public transport.
- 8.40 Policy 82 of the Cambridge Local Plan refers to maximum standards for parking within central locations and seeks to resist providing excessive parking.

- 8.41 The proposed use is a mixture of individual studios and a small communal area for displays, networking and therefore it doesn't naturally fall within one of the parking standards referred to in appendix L of the Local Plan. However, it is not considered that this will attract a significant amount of visits by car and those who do visit and are unable to park on site would have to seek alternative parking on the nearby streets or public parking.
- 8.42 The site can provide 4 spaces, one of which can be available for disabled use. This is considered to be sufficient for the scale of the building
- 8.43 The external cycle parking is to the rear and enclosed in a yard and there is natural surveillance to this area from a rear facing window in studio 2. The level of cycle provision is considered to be acceptable.
- 8.44 It is important to emphasise that the proposed addition for studio. Gallery space is limited and therefore the number of people working and visiting will be limited.
- 8.45 The proposal is compliant with policies, 80, 81 and 82 Cambridge Local Plan (2018).

Loss of Residential Accommodation

- 8.46 An objector has referred to this development resulting in the loss of some residential accommodation; namely the 4 bed HMO that currently exists above the barber shop. The scheme is proposing to retain a single self-contained flat in lieu of the four individual bedrooms.
- 8.47 Whilst this is a planning consideration, it does need to be considered against the Permitted Development Rights that exist. No planning permission is required to change between a single dwelling (C3 use) and a small HMO (C4 use) and therefore it is not considered reasonable to object on these grounds, when taking into account the other benefits arising from this scheme.

Third Party Representations

- 8.48 It is considered that all of the comments raised by contributors have been taken into account when assessing this application.

9.0 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 91 of the Town and Country Planning Act 1990 (as amended by 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 (apart from site clearance and demolition works) unless a plan that details the position of parking spaces (including a disabled space) and turning area has been submitted to and approved by the Local Planning Authority. The spaces and turning area shall be constructed in accordance with the approved details prior to the approved building being brought into occupation and shall be permanently maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to accord with Policy 81 and 82 of the Cambridge Local Plan 2018.

4. Notwithstanding the approved drawings, no additional windows shall be inserted in the west elevation without the specific grant of planning permission.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55 and 57).

5. The gallery, exhibition, and studio space shall not be used outside of the hours of 08:00 and 18:00 Monday to Saturday and at no time on a Sunday or Bank Holiday unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In order to preserve the amenity of neighbouring residents (Cambridge Local Plan 2018 policies 35 and 55).

6. The additions hereby approved shall not be brought into use unless refuse and recycling facilities have been provided in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The approved details shall be permanently maintained unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and health and to accord with Policy 57 of the Cambridge Local Plan.

7. No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: in the interests of highway safety (Cambridge Local Plan 2018 Policy 81)

8. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details including samples of the materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2018 policies 55 and 57)

9. The D1 use of the premises shall be used as an art gallery only and for no other purpose (including any other purpose in the D1 class 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).

Reason: In order to preserve the amenity of the locality (Cambridge Local Plan 2018 policies 35 and 55).

10. There shall be no deliveries of materials to or removal of waste from the site during the demolition and construction stages outside the hours of 0930 hours and 1530 hours on Monday to Friday, 0930 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties and in the interests of highway safety. (Cambridge Local Plan 2018 policies 35 and 81)

11. 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 2018 policy 35)