

<b>Application Number</b>	21/01107/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	10th March 2021	<b>Officer</b>	Charlotte Spencer
<b>Target Date</b>	15th June 2021		
<b>Ward</b>	Castle		
<b>Site</b>	72 Canterbury Street		
<b>Proposal</b>	First floor rear extension to create 2no 2bed apartments.		
<b>Applicant</b>	Adrian Fairburn 75 Canterbury Street		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal respects the character and appearance of the existing property, street scene and Castle and Victoria Conservation Area.</p> <p>The proposal does not adversely impact the residential amenity of neighbouring properties and provides adequate living conditions for future occupiers.</p> <p>The proposal would not have a detrimental impact on Highway safety.</p>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application relates to a two storey detached building located to the South East of Canterbury Street at the junction with Canterbury Close. The existing property consists of a vacant dental practice at ground floor and a residential flat at first floor. The brick, render and tile dwelling is set back from the road by an area of soft landscaping and there is currently no off street parking that lies within the red outline, although it is noted

that parking is available within the garages at the rear included within the blue outline.

- 1.2 The application property shares a side boundary with No.70 Canterbury Street to the South West. To the rear lie garages which are under the ownership of the applicant, beyond which lies the side boundary of No.1 Canterbury Close.
- 1.3 The area is residential in character and appearance and the site lies within the Castle and Victoria Road Conservation Area and the Controlled Parking Zone

## **2.0 THE PROPOSAL**

- 2.1 The application is seeking planning permission for a first floor rear extension to create 2no 2bed apartments. The ground floor would be converted from a vacant dental practice to a 2-bed self-contained flat. At first floor the extension would have a depth of 2.9 metres and would span for a width of 3.2 metres and would create a second bedroom to the existing flat. The extension would be characterised by a hipped roof with a maximum height of 6.8 metres. A new door would be installed on the front elevation. A new dropped kerb would be installed from Canterbury Close and two parking spaces would be provided. The garden area would be split into two private amenity spaces.
- 2.2 During the determination process, an en-suite has been removed from the ground floor flat and details of the boundary treatment have been submitted.
- 2.3 The application is accompanied by the following supporting information:
  1. Drawings
  2. Design and Access Statement
- 2.4 This application was originally considered at Committee on 7<sup>th</sup> July but was deferred so that a site visit could take place to the neighbouring property at No.70 Canterbury Street in order to assess the impact of the extension upon windows in the neighbouring property. This visit has taken place and the residential amenity section of the report updated accordingly.

### 3.0 SITE HISTORY

Reference	Description	Outcome
21/01219/FUL	Demolition of existing garages and erection of a 2 storey dwelling and associated parking	Under Determination
C/01/1305	Single storey side extension to provide storage space to existing doctors surgery	PERM 14.01.2002
C/83/0015	Change of use from residential dwelling house to dental surgery (ground floor) with residential flat over	PERM 28.03.1983
C/82/0823	Change of use from residential to Dental Surgery	REF 13.01.1983

### 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 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1 3 29 30 31 35 36 50 53 55 56 58 59 61 71 75 81 82

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework July 2018</p> <p>National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Greater Cambridge Sustainable Design and Construction SPD (2020)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
	<p><u>Area Guidelines</u></p> <p>Castle and Victoria Road Conservation Area Appraisal (2012)</p>

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Control)**

6.1 No objections subject to conditions.

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

6.2 No material conservation issues

## **Environmental Health**

- 6.3 No objections subject to conditions.
- 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:  
- 70 Canterbury Street
- 7.2 The representations can be summarised as follows:  
- Block the light to landing;  
- Impact light to kitchen.
- 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 the main issues are as follows:
1. Principle of development
  2. Context of site, design and external spaces and impact on heritage assets
  3. Residential amenity
  4. Highway safety
  5. Car and cycle parking
  6. Bin and Cycle Storage
  7. Third party representations

### **Principle of Development**

- 8.2 Policy 53 of the Cambridge City Local Plan (2018) states that proposals to convert a single family dwelling house or a non-residential building into self-contained flats will be permitted where a) the proposed development has an internal gross floor area of at least 120 square metres and b) the ground floor

includes a family unit (two bedroom plus) with garden access. The proposal includes the conversion of the existing property into two flats. The proposed development would have an internal gross floor area of 128 square metres and the ground floor unit would benefit from two bedrooms with direct access to a private garden area. As such, it is considered that the proposal would comply with parts a and b of Policy 53. The other sections of Policy 53 will be discussed in more detail as part of the material considerations.

8.3 The existing dental surgery is vacant and Policy 75 of the Cambridge Local Plan (2018) does not restrict the loss of health care facilities. As such, there is no concern with the loss of the existing use.

8.4 Subsequently, it is considered that the proposal would be acceptable in principle.

### **Context of site, design and external spaces and impact on heritage assets**

8.5 Policies 55, 56, 57 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment. Policy 53 states that the proposal should not have a negative impact on the amenity of character of the area.

8.6 Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Paras 189 – 202 of the NPPF provide advice on proposals affecting heritage assets and how to consider different levels of harm. Para. 194 states ‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification’. Policy 61 of the Local Plan aligns with the statutory provisions and NPPF advice.

8.7 The site lies within the Castle and Victoria Conservation Area, however, the conservation Area appraisal states that the western parts of Canterbury Street, where the application site lies, is less visually pleasing due to the fragmentary nature but it

is softened by garden shrubs and trees. The immediate area is highly residential in character and appearance and it comprises of a mixture of houses that vary in size, design and age resulting in a piecemeal appearance.

- 8.8 It is considered that as the extension would be set down from the ridge and slightly set in from the site it would appear subordinate to the main property. As it would be located to the rear of the property and would adjoin the existing two storey rear projecting element it is considered it would not be overly visible from the street scene. It would be partially visible from Canterbury Close when viewing up the road towards the junction, however, it is considered that it would not have a detrimental impact on the character of the area. In addition, the Conservation Officer has not raised any concerns with the proposal. The new door to the front would be a minor addition that would have limited visual impact.
- 8.9 Subsequently, it is considered that the proposed dwelling would have an acceptable impact on the character and appearance of the street scene and surrounding area and would not detract from the character of the Castle and Victoria Conservation Area. As such, the proposal would be compliant with Policies 53, 55, 56, 57, 59 and 61 of the Cambridge Local Plan (2018).

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.10 Policy 58 of the Cambridge Local Plan (2018) permits extensions and / or alterations to existing buildings provided they do not unacceptably overlook, overshadow or visually dominate neighbouring properties. Policy 53 adds that works to allow a conversion to flats should avoid cumulative and negative impacts on neighbouring residential properties.
- 8.11 The first floor extension would be sited 0.4 metres from the shared boundary with No.70 Canterbury Close. Due to the size and siting of the extension and the neighbouring property it would not project rearwards of the rear wall of No.70, however, the occupier has raised concerns in terms of the impact of light on the side windows. The extension would be located 1.5 metres from side windows of No.70 and so it is considered that it would result in some impact on the light to these windows.

However, the first floor window serves a landing and the ground floor window serves a kitchen. Regulation 19 of Part Two of the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 defines habitable rooms as any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms. The officer has visited No.70 Canterbury Close and confirms that the first floor window does serve a landing and the ground floor serves a kitchen that is only used for cooking purposes. In addition, the kitchen benefits from a rear window within a utility area.

- 8.12 In addition, No.70 is located to the South of No.72 and so it is considered that the proposal would have limited impact on direct sunlight. The extension would intersect the 25 degree vertical line from the kitchen window, however, it is noted that the existing extension at No.72 already intersects this line.
- 8.13 Subsequently, whilst it is considered that the extension would have an impact on the light to these windows, due to the orientation of the site, the existing situation and the use of the rooms that the windows serve, it is considered that on balance, the impact on the residential amenity of this property would not be high enough to warrant a refusal.
- 8.14 No side windows would be installed facing No.70. The new first floor window would be located over 21 metres from the side boundary of No.1 Canterbury Close and so it is considered that it would not result in a loss of privacy to these neighbours. However, it is noted that a planning application for a new dwelling house in the rear garden area of No.72 is currently under determination, some consideration needs to be given to this. The window would be approximately 11.5 metres from the new dwelling if approved, however, due to the design of the new dwelling it would overlook a blank side wall and so would not result in a loss of privacy to any potential occupiers of this property.
- 8.15 The Environmental Health Officer has requested a condition requesting a restriction on construction hours to protect the health of neighbouring occupiers. This is considered reasonable.



8.16 As such, it is considered that the proposal would have an acceptable level of impact on the amenities of the neighbouring properties in terms of loss of light, loss of outlook, sense of dominance or loss of privacy. Therefore, the proposal is compliant with Policies 35, 53, 55 and 57 of the Cambridge Local Plan (2018).

#### Amenity of future occupiers

8.17 Policy 53 of the Cambridge Local Plan (2018) states that in order for flat conversions to be acceptable the proposed room sizes needs to comply with the residential space standards. Policy 50 sets out internal residential space standards. The proposed residential units would be in accordance with the minimum standards, including size of bedrooms, and would provide a high-quality internal living environment for the future occupants. The gross internal floor space measurements for units in this application are shown in the table below:

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Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	2	3	1	61	65	+4
2	2	3	1	61	63	+2

#### Size of external amenity space:

8.18 Policy 50 also states that new residential units will be expected to have direct access to an area of private amenity space. The existing garden area would be separated into two private garden areas. The ground floor flat would benefit from approximately 35 square metres which would be directly accessed from the proposed unit. The first floor flat would be accessed from the parking area and would be of a size of approximately 25 square metres. It is considered that due to the shape of both amenity areas they would allow for space for a table and chairs for sitting and relaxing in the garden. In addition, it is noted that the property would be in very close proximity to Histon Road Recreation Ground which would allow for other amenities such as play. Plans demonstrate that 1.8

metre high close boarded fences would be installed to separate the garden areas to allow for adequate privacy. It is considered reasonable to add a condition to ensure that these are installed prior to the new residential unit (ground floor) being occupied. Subsequently, it is considered that the proposal provides an adequate level of residential amenity for future occupiers and is compliant with Policies 50, 51 and 56 of the Cambridge Local Plan (2018).

### **Highway Safety**

- 8.19 The Local Highway Authority has been consulted as part of the application and is satisfied there would not be any adverse impact upon highway safety subject to conditions. The proposal is therefore compliant with Policy 81 of the Cambridge Local Plan (2018).

### **Car Parking**

- 8.20 Policy 82 of the Cambridge Local Plan (2018) states that planning permission will not be granted for developments that would be contrary to the parking standards set out in Appendix L. The parking standards states that within a controlled parking zone a 2 bed property should have no more than one parking space. The plans demonstrate that 1 parking space of adequate size would be provided for each of the two units. The applicants have not indicated that they intend to include an EV charging for vehicles however, it is considered that this could be easily accommodated on the site. Therefore, this detail can be secured by way of a condition. Subsequently, it is considered that the proposal would comply with Policy 82 of the Cambridge Local Plan (2018).

### **Bin and Cycle Storage**

- 8.21 The plans demonstrate that refuse storage and cycle storage could be accommodated to the rear of the property. It is considered that this is a reasonable storage located for bins and cycles. The proposal is therefore considered to be compliant with the Cambridge Local Plan (2018).

## **Third Party Representations**

8.22 The impact of the proposal on the residential amenity of No.70 Canterbury Road has been discussed in paragraph 8.11 above.

## **9.0 CONCLUSION**

9.1 Having considered the proposed development against the applicable national and local planning policies and having taken all relevant material into account, it is recommended that planning permission should be granted in this instance.

## **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 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. Prior to the occupation of the new residential unit (ground floor flat) the boundary treatment as shown on drawing 21007-04 shall be installed and retained as approved thereafter.

Reason: To ensure an appropriate boundary treatment is implemented in the interests of visual amenity and privacy (Cambridge Local Plan 2018 policies 55, 57 and 59).

4. The development, hereby permitted, shall not be occupied or brought into use, until visibility splays have been provided each

side of the vehicular access in full accordance with the details indicated on the submitted plan No 210007-03. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81).

5. The proposed driveway shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: for the safe and effective operation of the highway. (Cambridge Local Plan 2018 policy 81).

6. The driveway hereby approved shall be constructed with bound material to prevent debris spreading onto the adopted public highway. Once constructed the driveway shall be retained as such.

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81).

7. No construction or demolition work shall be carried out and no plant or power operated machinery 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, unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

8. No permanent connection to the electricity distribution network shall be undertaken until a dedicated electric vehicle charge point scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that one of the new car parking spaces shall have an active electric vehicle charge point will be designed and installed with

a minimum power rating output of 7kW and a passive electric vehicle charge point will be installed for the second parking space.

The approved scheme shall be fully installed before the development is occupied and retained as such.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality (Cambridge Local Plan 2018 policies 36 and 82 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

9. No dwelling, hereby permitted, shall be occupied until the curtilage of that dwelling has been fully laid out and finished in accordance with the approved plans. The curtilage shall remain as such thereafter.

Reason: To ensure an appropriate level of amenity for future occupiers and to avoid the property being built and occupied without its garden land (Cambridge Local Plan 2018 policies 50, 52, 55 and 56).

## **INFORMATIVES**

1. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
2. Residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.