

Application Number	11/0726/FUL	Agenda Item	
Date Received	11th July 2011	Officer	Miss Sophie Pain
Target Date	5th September 2011		
Ward	Market		
Site	Victoria House 1 Victoria Street Cambridge Cambridgeshire CB1 1JP		
Proposal	Change of use from 6 bedroom residence to 4 sustainable boutique bed & breakfast including private residential accommodation for proprietor.		
Applicant	Mrs Elizabeth Cameron 69 De Freville Avenue Cambridge Cambridgeshire CB4 1HP		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 1 Victoria Street is located close to the junction with Emmanuel Road, to the east of the City Centre on the northern side of the street. The property is located at the end of a terrace and is adjacent to the rear of 7, 8 and 9 Emmanuel Road. It comprises four floors, 3 above ground level and one below. The street is mainly residential with the Unitarian Church situated on the opposite side of the road.
- 1.2 There is access to the rear of the property through a shared garage area, which is accessed from Earl Street, which runs parallel to Victoria Street.
- 1.3 The site falls within the City of Cambridge Conservation Area No.1 (Central) and is assessed in the Kite Conservation Area Appraisal.

2.0 THE PROPOSAL

- 2.1 The applicant seeks planning permission for a change of use of the property from a residential dwelling (Use Class C3) to a guesthouse (Use Class C1), while retaining part of the property as permanent residential accommodation.
- 2.2 The guest-house would consist of four bedrooms, two bathrooms, a drawings room and dining room for use by guests. The owners would retain 2 bedrooms, a bathroom and a kitchen/breakfast room.
- 2.3 The application is accompanied by a series of floorplans, which show the distribution of the guest and owners rooms.

3.0 SITE HISTORY

- 3.1 No recent site history.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

Planning Policy Statement 3 (PPS3): Housing has been reissued with the following changes: the definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010)

Planning Policy Statement 5: Planning for the Historic Environment (2010)

Planning Policy Guidance 13: Transport (2001)

Circular 11/95 – The Use of Conditions in Planning Permissions

5.2 **East of England Plan 2008**

T9: Walking, Cycling and other Non-Motorised Transport

T14 Parking

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

WM6: Waste Management in Development

5.3 **Cambridge Local Plan 2006**

3/4 Responding to context

3/7 Creating successful places

4/11 Conservation Areas

4/13 Pollution and amenity

6/3 Tourist accommodation

8/2 Transport impact

8/6 Cycle parking

8/10 Off-street car parking

5.4 **Material Considerations**

Central Government Guidance

Letter from Secretary of State for Communities and Local Government (27 May 2010)

The coalition government is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

Written Ministerial Statement: Planning for Growth (23 March 2011)

Includes the following statement:

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant and consistent with their statutory obligations they should therefore:

(i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

City Wide Guidance

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 The car parking layout would be impractical to provide independent access for four vehicles. Following implementation of any permission issued by the Planning Authority in regard to this proposal the residents and guests of the establishment will not qualify for Residents' Permits (other than visitor permits for the resident) within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the

attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.

Head of Environmental Services

- 6.2 Recommendation of conditions relating to construction hours and waste storage.

Historic Environment Manager

- 6.3 This application refers to a building within the Central Conservation Area. The proposal is to change the use of the above building from residential to a bed and breakfast property. There are no external alterations proposed and therefore there will be limited impact on the character and appearance of the Conservation Area.

Access Officer

- 6.4 The change of use will be subject to Part M of the Building Regulations and that while the property cannot accommodate wheelchair users, perhaps they could ensure that they make appropriate provision for those who do not use wheelchairs but who may have mobility, sensory, dexterity or learning difficulties.
- 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 made representations:

- 2 Victoria Street
- 4 Christ's Court, 26 Victoria Street

- 7.2 The representations can be summarised as follows:

- Concerns regarding the submitted property boundaries and the ownership of the covered side passage;

- The boundary between 1 and 2 Victoria Street should be suitably secured as there will be strangers using this space which is in close proximity to the rear elevation of No.2;
- Concerns regarding guests creating noise as they return late at night;
- Concern that the proposal will increase traffic generation and contribute to the congestion experienced in the area.

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. Impact upon the Conservation Area
3. Disabled access
4. Residential amenity
5. Other matters
6. Refuse arrangements
7. Car and cycle parking
8. Third party representations

Principle of Development

8.2 Policy 6/3 of the Cambridge Local Plan (2006), relating to tourist accommodation states;

‘Development which maintains, strengthens and diversifies the range of short-stay accommodation will be permitted. Provision should be made for disabled visitors. In the case of change from residential use, part of the accommodation must be retained as permanent residential accommodation.’

8.3 The floor plans demonstrate that at basement level, the rooms and sauna will be retained for private use, at ground floor level the inner hall, kitchen and breakfast room will be retained as a private accommodation for the owners and at second floor, there are two bedrooms and bathroom for private use. This

level of private permanent residential accommodation for the proprietors is considered to be adequate and is in accordance with policy 6/3 of the Cambridge Local Plan 2006.

- 8.4 The principle of the development is in accordance with policy 6/3 of the Cambridge Local Plan (2006).

Impact upon the Conservation Area

- 8.5 As the proposal is for a change of use, there are no concerns that the proposed use will harm the Conservation Area.
- 8.6 The development is in accordance with East of England Plan 2008 policies ENV6 and ENV7 and policy 4/11 of the Cambridge Local Plan 2006.

Disabled access

- 8.7 The supporting text to Policy 6/3 of the Cambridge Local Plan 2006 states that the needs of disabled people should be considered in all applications for new tourist accommodation. The Access Officer has commented that attempts should be made to include facilities for those who do not need a wheelchair, but may have mobility, sensory, dexterity or learning difficulties. This is required by Part M of the Building Regulations and as a result will be addressed correctly through this legislation.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 6/3.

Residential Amenity

- 8.9 The neighbouring occupier at 2 Victoria Street has raised an objection. Given the proximity, the impact of the change of use has to be carefully considered.
- 8.10 The ownership of 1 Victoria Street is unusual in that it extends and wraps around the rear of 2 and 3 Victoria Street. As a result, the garden areas of these two properties are relatively small and in the case of No.2, the rear elevation of the property forms part of the boundary with a small courtyard garden to the west. With the intensification of the use of the garden area by guests of the guesthouse, I agree with the objector, that some

arrangement to provide a suitably secure boundary treatment should be conditioned.

- 8.11 The application proposes to provide car parking for 4 cars directly behind No.2. This has the potential to impact upon the amenity of the occupiers. It has been verbally suggested by the Highway's Authority that the level of car parking is reduced to two spaces to remove the necessity of maneuvering cars in order to get other cars out, which would disturb the neighbouring occupiers. I consider that this is an appropriate solution.
- 8.12 Moving onto concerns that noise from the proposed use would disturb the wider street. The property is presently a 7-bedroom property. The proposed use, at full capacity would accommodate 8 guests and the two owners of the property, which is an intensification of the use of the property than if it were used by one family. However, the property does retain a level of private accommodation and will be managed. As a result, if there were to be instances where guests were noisy, this could be reported to the owners. The additional impact is not considered so significant as to warrant a refusal and will not detrimentally impact upon the amenity of those living in the neighbouring area.
- 8.13 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 4/13.

Other Matters

- 8.14 The Environmental Health Officer has recommended that conditions are imposed concerning working and delivery hours, in order to protect neighbouring properties. However, I consider it unreasonable to attach these conditions, as the change of use only requires decorative renovations to the property and should not disturb neighbouring residents.

Refuse Arrangements

- 8.15 An indication of the location of the bin store has been provided, but no large-scale details have been submitted relating to waste storage, as part of the proposal. In order to ensure that this is

adequate, further details are required which can be appropriately conditioned. I consider that there is appropriate space in the rear garden to accommodate the appropriate facilities.

- 8.16 In my opinion the proposal is compliant with East of England Plan 2008 policy WM6 and Cambridge Local Plan (2006) policy 3/7.

Car and Cycle Parking

- 8.17 The application proposes 4 car parking spaces to the rear of the property, which is considered to be impractical to allow independent access as the spaces are in two rows, behind one another. As stated above the increased manouevering involved with this arrangement would unduly impact on residential amenity. Furthermore, as a result of the proposed change of use, the resident's parking permit belonging to No.1 will be withdrawn. Therefore, it is considered appropriate, for the level of car parking to be reduced to two spaces to be used as a appropriate. This is in accordance with the Car Parking Standards within the Cambridge Local Plan 2006. The site is located centrally and within walking distance of the bus station. Subject to a revised car-parking layout for 2 cars being appropriately secured by condition, the arrangement would be satisfactory.
- 8.18 Inevitability, there will be some guests who arrive by car, but the owners will need to manage and market this carefully as the surrounding streets benefit from resident parking schemes, in which guests will not be able to park.
- 8.19 The application makes reference to a cycle storage area for 3 cycles. I consider that this level of provision is inappropriate and a greater number of spaces is reconfigured. The cycle parking standards within the Cambridge Local Plan 2006 require as a minimum for guesthouses, 2 cycle spaces per 10 bedrooms and 1 space for every 2 members of staff. Additional space should therefore be provided for cycle storage in the event that guests wish to hire bicycles. At least 5 cycle spaces should be provided, and these are secured condition.

8.20 In my opinion the proposal is compliant with East of England Plan 2008 policies T9 and T14 and Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.21 The concerns regarding security, parking and noise have been addressed within the report. The outstanding matter of ownership is a legal matter, which is not within the remit of planning legislation. On submitting the application, the applicants signed the correct ownership certificates and a declaration specifying that the information submitted was correct.

9.0 CONCLUSION

9.1 The proposal will intensify the use of the house. However, I do not consider that the change from Class C3 (residential) to C1 (hotels and guesthouses) will have any significant detrimental impact on neighbour amenity or the character of the area.

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. Prior to commencement of the approved use, details of facilities for the covered, secured parking of 5 bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (East of England Plan 2008 policy T9 and Cambridge Local Plan 2006 policy 8/6)

3. Prior to the commencement of development, full details of the on-site storage facilities for trade waste, including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, paladins or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity (East of England Plan 2008 policy ENV7 and in accordance with policies 4/11 and 4/13 of the Cambridge Local Plan 2006).

4. Notwithstanding the approved car parking layout, prior to the commencement of the approved use, revised details shall be submitted to the local planning authority for the layout of two car parking spaces. The approved layout shall be provided in accordance with the approved details before use of the development commences and shall thereafter be retained as such.

Reason: To ensure the appropriate provision for car parking. (East of England Plan 2008 policy T14 and Cambridge Local Plan 2006 policy 8/10)

5. Prior to the commencement of the approved use, a plan indicating the positions, design, materials and type of boundary treatments to be erected, shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policy 3/4)

6. The owners accommodation as shown on the approved plan shall be retained and used as such and in no event shall it be used for additional guest accommodation.

Reason: to retain permanent residential accommodation (Cambridge Local Plan 2006 policy 6/3).

7. The rear car parking area shall accommodate a maximum of 2 cars in accordance with the details approved pursuant to condition 4 of this permission.

Reason: To protect the amenity of the neighbours (Cambridge Local Plan 2008 policy 4/13)

INFORMATIVE: The applicant is informed that while disabled access into the property will be addressed by Part M of the Building Regulations, it would be advisable that appropriate provision is made for guests who do not use wheelchairs but may have mobility, sensory, dexterity or learning difficulties. You are advised to contact Mr Mark Taylor, Access Officer, Cambridge City Council 01223 457075.

INFORMATIVE: The applicant is advised that following the implementation of this permission, the residents and guests of the property will not qualify for residents parking permits for Victoria Street or within the existing resident's parking schemes operating in the surrounding streets.

Reasons for Approval

1. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: T9, T14, ENV6, ENV7 and WM6

Cambridge Local Plan (2006):
3/4,3/7,4/11,4/13,5/4,6/3,8/2,8/6,8/10

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

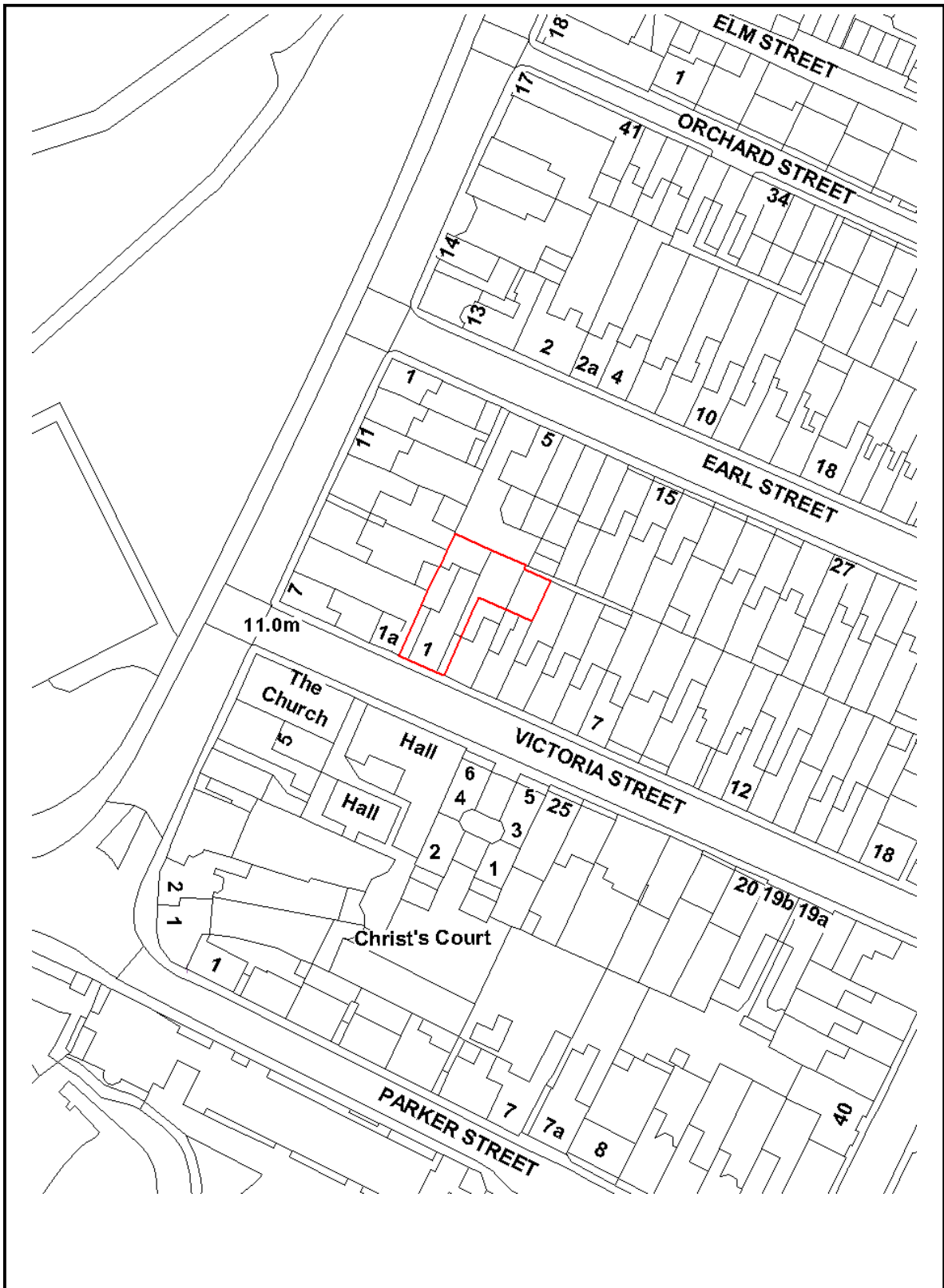
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected on the City Council website at:
www.cambridge.gov.uk/planningpublicaccess
or by visiting the Customer Service Centre at Mandela House.



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Victoria House 1 Victoria Street Cambridge Cambridgeshire