

Application Number	11/0727/FUL	Agenda Item	
Date Received	23rd June 2011	Officer	Miss Sophie Pain
Target Date	18th August 2011		
Ward	West Chesterton		
Site	The Cambridge Guest House 201 Milton Road Cambridge Cambridgeshire CB4 1XG		
Proposal	Retrospective application for both the change of use from dwelling house (C3a) to guest house (C1) with 4 bedrooms and the construction of an out building to the rear for use as a independant annex.		
Applicant	Mr Enzo Dama 201 Milton Road Cambridge Cambridgeshire CB4 1XG		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 201 Milton Road is a large, significantly extended, detached property on the north-western side of Milton Road, south of 203 Milton Road and the Milton Arms Public house, in the north of Cambridge.
- 1.2 This section of Milton Road is typified by large, two-storey detached and semi-detached properties, and forms a busy access route to and from Cambridge City Centre. There are two relatively recently built residential properties to the rear of 203 in what used to be the large garden. To the north of the site behind the public house is its car park and behind that are a number of linked bungalows. There is an existing access to the north-east of number 203, which leads to the new properties to the rear, 203A & B, which are located to the rear of a garage which is at the end of the garden of 203.
- 1.3 To the south west there is Birch Close, a cul-de-sac of terraced properties, with a parking court situated between the first and second rows of housing.

- 1.4 The property is not located within a Conservation Area, as identified within the Cambridge Local Plan 2006, and is not in close proximity to any protected trees or listed buildings, although there are areas to the rear in which there are trees of a significant size. There is no on-street parking on Milton Road, although there is a degree of informal parking on the highway verges between the carriageway and the broad pavement/cycle lane.

2.0 THE PROPOSAL

- 2.1 The applicant seeks planning permission for a retrospective 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 guesthouse consists of four en-suite and a dining room for use by guests. The owners would retain 3 bedrooms, 2 bathrooms, a lounge, a dining room and the kitchen.
- 2.3 In addition to the guesthouse, the applicant also seeks retrospective planning permission for the construction of an annex, which is situated at the bottom of the garden and provides dependent accommodation for the applicants son.
- 2.4 An amendment has been submitted, which alters the provision of car parking to the front of the property.
- 2.5 The application is accompanied by the following supporting information:

3.0 SITE HISTORY

- 3.1 No relevant 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 1: Delivering Sustainable Development (2005)

Planning Policy Guidance 13: Transport (2001)

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

5.2 East of England Plan 2008

SS1: Achieving Sustainable Development

T9: Walking, Cycling and other Non-Motorised Transport

T14 Parking

ENV7: Quality in the Built Environment

WM6: Waste Management in Development

5.3 Cambridge Local Plan 2006

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

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 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and Construction:

5.5 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

Cycle Parking Guide for New Residential Developments (2010)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 No significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.

Head of Environmental Services

- 6.2 I have no objection in principle to the above application, however our Waste Development Officer has commented as follows:-

This change of use will require 3 x 240L for the residential purposes of the owner as with any other residential property. They will also require collections of commercial waste either arranged by Cambridge City Council or a commercial contractor.

- 6.3 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:

- 10 Birch Close

- 7.2 The representations can be summarised as follows:

- The size of the annex has increased considerably from the original summer house;

- Increased noise having a dwelling this close to the boundary between the two gardens.
- There is a pipe, which is along the boundary fence of 201 Milton Road and 10 Birch Close, which may be for the dispersal of foul water. How will this be dealt with as the application is for retrospective permission;
- Concern that there is an increased risk of fire as the structure is made of wood and close to a wooden boundary fence; and
- How will the fire services access the annex.

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. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Car and cycle parking
6. 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 demonstrates that at ground floor level there will be a significant proportion of accommodation which will be retained for the owner use. This level of private permanent residential accommodation for the proprietries is considered to

be adequate and is in accordance with policy 6/3 of the Cambridge Local Plan 2006.

- 8.4 As the development retains an adequate level of permanent residential accommodation, it is considered that in policy terms there is no loss of housing resulting from the proposal and that policy 5/4 of the Cambridge Local Plan 2006 is not relevant to this application.
- 8.5 In my opinion, the principle of the development is in accordance with policy 6/3 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.6 The proposed change of use will not impact upon the character and context of the surrounding area.
- 8.7 The retrospective annex is located at the far end of the garden and comprises, what appears to be a garden shed painted in a dark green with a brick built extension, which is rendered in a pale blue. It is of a significant size as it provides independent accommodation, although the height of the building has been kept relatively low with a mixture of flat roofs and shallow pitches.
- 8.8 To the north of the site are two relatively recent chalet bungalows, which have been constructed in the rear garden of 203 Milton Road. To the south-west is Birch Close, which is a cul-de-sac of terraced properties with a parking courtyard central to these properties. As a result, there are already properties of a significant size that have been built in the rear garden environment and as such, I do not consider that the appearance of the annex detrimentally detracts from the prevailing character of the area.
- 8.9 The development is in accordance with East of England Plan 2008 policy ENV7 and policies 3/4 and 3/7 of the Cambridge Local Plan 2006.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.10 The site is surrounded by residential properties to all boundaries, save the south-east, which is bounded by Milton Road. 203 Milton Road to the east and 5 Birch Close, to the south are the properties, which would be affected by the guest house more greatly than the annex. There are proposals to accommodate car parking to the front of the property, in the same manner as other properties along this road. The property is a 7-bed property, which could accommodate 8 guests and the owners. I appreciate that this would be an intensification of the property rather than if one family used it. 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. I do not consider that the additional impact is so significant as to warrant a refusal and will not detrimentally impact upon the amenity of those living in the neighbouring area.
- 8.11 Turning to the annex, which is situated adjacent to the boundary with 10 Birch Close and a chalet bungalow to the rear of 201. This is presently used by the owners son, who has a kitchen, lounge, bedroom and bathroom, therefore making it a fully independent annex. Access to the annex is either through the guest house or via the side access which is adjacent to 203 Milton Road.
- 8.12 The building is set back between 0.8 m and 1 m from the common boundary with No.10. The annex spans nearly the full length of the garden, 14 m, of No.10 and there is no vegetation on this boundary, which would mitigate the presence of the building.
- 8.13 The shed like element of the proposal has an eaves height of 2.5 m with a roof, which slopes away from the boundary with No.10 to a ridge height of 3.5 m. The remainder of the annex is flat roofed at a height of 2.9 m. I appreciate that the building is significant, but given its height and location to the common boundary, I do not believe that the building has such a detrimental impact on the amenity of the neighbouring property, as to justify recommendation of refusal of the application.
- 8.14 The neighbour is concerned that there may be an increase in noise as the annex building is in close proximity to the boundary. I believe that if the building remains in its present use, then the number of comings and goings are limited. The

principle windows face into the garden of 201, which will limit some of the noise from the property. I do not believe that the use of the building in its present manner, creates more noise than bungalow to the north, which is in similar proximity to No.10.

8.15 I do believe that it is appropriate to condition any approval so that the annex is not separately sold or let to an un-related individual, as this would raise concerns as to the impact upon neighbouring properties.

8.16 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 and Cambridge Local Plan (2006) policies 3/4 and 4/13.

Refuse Arrangements

8.17 This change of use will require 3 x 240 litre bins for the residential purposes of the owner as with any other residential property as well collections of commercial waste. This can be drawn to the applicants attention through an informative. It is considered that there is sufficient space for the storage of such waste and that it is not necessary to impose a waste storage condition.

8.18 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

8.19 A revised car-parking plan has been submitted, which has reduced the number of guest parking spaces by 1. This is to allow for easier maneuvering within the drive and as the level of provision is in accordance with the Car Parking Standards in the Cambridge Local Plan 2006, I consider that this arrangement is acceptable.

8.20 The application does not make provision for cycle parking. The Cycle Parking Standards require 1 space for every two members of staff and 2 spaces for every 10 bedrooms. This would equate to 3 cycle spaces. Given the size of the site, I

believe that appropriate cycle parking could be provided and that it is reasonable to impose a condition.

- 8.21 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

- 8.22 The objector was concerned about the dispersal of foul water and the increased risk of fire. These issues will be addressed through Building Regulations rather than this planning application.

9.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. Within 3 months of the decision notice, details of facilities for the covered, secure parking of 3 bicycles for use in connection with the use hereby permitted have been 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 satisfactory provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

2. The development hereby permitted shall be used solely in conjunction with and ancillary to the main dwelling 201 Milton Road; and shall not be separately used by the guest house, occupied or let.

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)

3. The manoeuvring area as shown on the approved drawings shall be maintained so that it is free of any obstruction that would prevent a domestic vehicle from being able to manoeuvre with ease so it may enter and leave the property in a forward gear.

Reason: In the interests of highway safety (Cambridge Local Plan 2006, policy 8/2).

INFORMATIVE: The applicant should be made aware that the change of use will require 3 x 240L for the residential purposes of the owner as with any other residential property. They will also require collections of commercial waste either arranged by Cambridge City Council or a commercial contractor.

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: SS1, T9, T14, ENV7 and WM6

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 4/13, 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

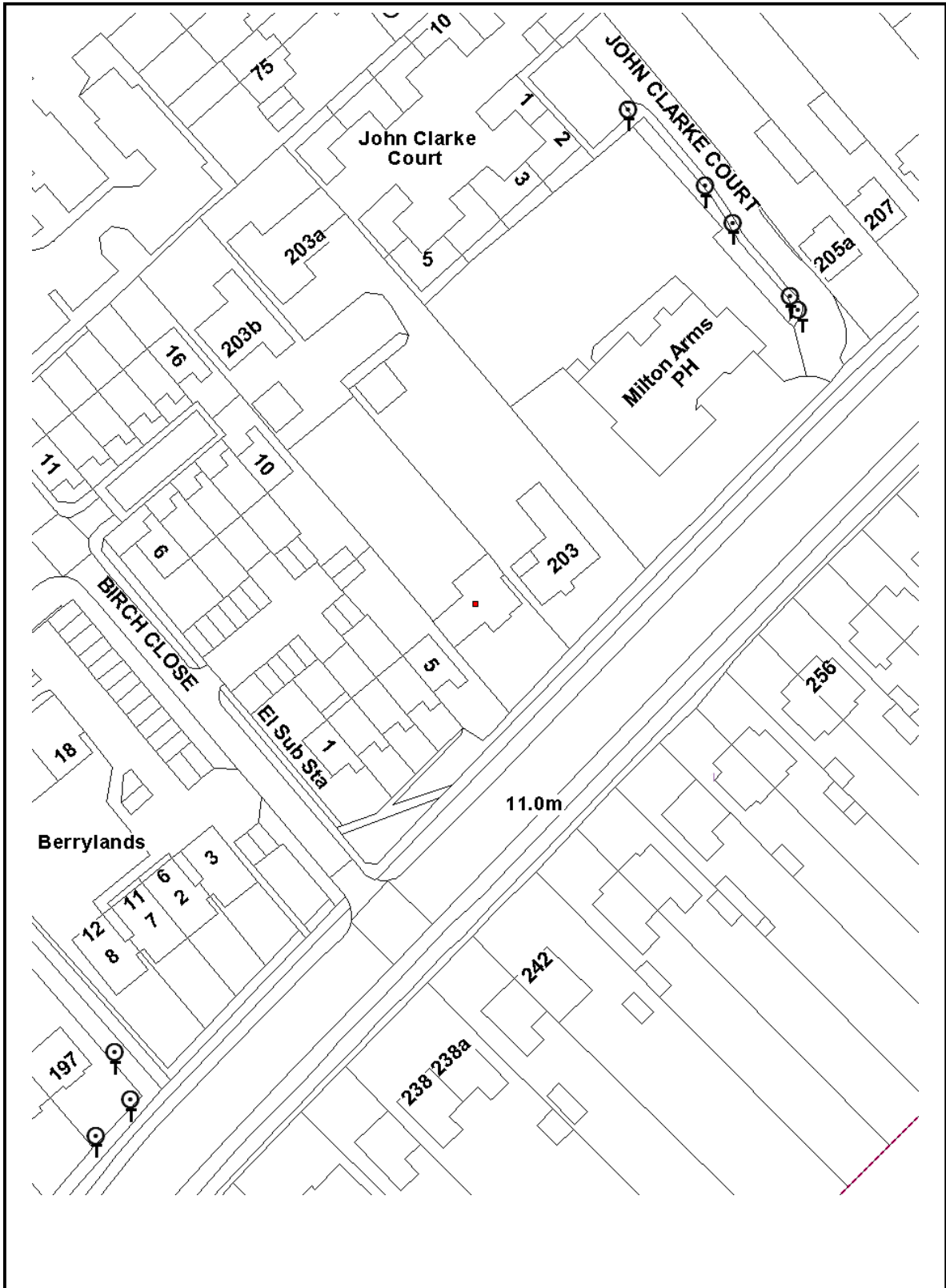
Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

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 by contacting John Summers (Ext.7103) in the Planning Department.



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