

Application Number	13/1863/FUL	Agenda Item	
Date Received	16th January 2014	Officer	Mr Sav Patel
Target Date	13th March 2014		
Ward	Cherry Hinton		
Site	68 Mill End Road Cambridge Cambridgeshire CB1 9JP		
Proposal	Change of use from C3 dwelling to house in multiple occupation.		
Applicant	Mr John Scott 68 Mill End Road Cambridge Cambridgeshire CB1 9JP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>1) The proposed change of use would not have a significantly adverse impact on the character of the area as there would not be any external alterations to the principal elevations of the dwellings;</p> <p>2) The proposed change of use would not have a significantly adverse impact on the residential amenity of the adjoining neighbours;</p> <p>3) The HMO would be located within walking distance of bus stops and local shops and services.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No.68 is a detached bungalow with a room in the roof, and is set back from the road with car parking in front and a large rear garden, which contains an outbuilding used for additional living accommodation in connection with no.68.

- 1.2 The site is not located within an area of development constraint such as a Conservation Area or within close proximity to a listed building.

2.0 THE PROPOSAL

- 2.1 The proposal is for a change of use of the existing residential unit (C3 use) to a seven bed house in multiple occupancy (HMO). No external changes are proposed to the dwelling or outbuilding. The applicant has confirmed that the proposal does not include any change to the use of the outbuilding. However, the proposed HMO use would also apply to the outbuilding.

3.0 SITE HISTORY

No relevant planning history.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework (March 2012) – sets out the Government’s economic, environmental and social planning policies for England. These policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

Circular 11/95 – The Use of Conditions in Planning Permissions: Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Community Infrastructure Levy Regulations 2010 – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

5.2 Cambridge Local Plan 2006

- 3/1 Sustainable development
- 3/4 Responding to context
- 5/7 Supported housing/Housing in multiple occupation

5.3 Material Considerations

Central Government Guidance

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

- 6.1 The proposal is likely to increase demand for on street parking which could affect the residential amenity of existing residents. No highway safety concerns.

Head of Refuse and Environment

- 6.2 No objections subject to conditions/informatives.
- 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:

- ☐ 52 Mill End Road

7.2 The representations can be summarised as follows:

- ☐ Intensification of use;
- ☐ Traffic;
- ☐ Noise levels.

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. Highway safety
6. Car and cycle parking
7. Third party representations

Principle of Development

8.2 Policy 5/7 states that HMOs will be permitted subject to the following criteria:

1. Impact on the residential amenity of the local area;
2. The suitability of the building or site; and
3. Proximity of bus stops and pedestrian and cycle routes, shops and other local services.

8.3 I have considered these issues below and reached the conclusion that the proposed change of use is acceptable in principle.

a) Impact on residential amenity of local area:

- 8.4 The application site consists of a detached chalet bungalow with single storey outbuilding/store.
- 8.5 The proposed use of the dwelling as a HMO would not, in my view, have any significant adverse impact on the residential amenity of the adjoining residents over and above that which would normally be expected by a dwelling of this size. Furthermore, it is important to note that if the proposal was for 6 bed HMO then planning permission would not be required as this would be considered as permitted development. Therefore, as the proposal is for a 7 bed HMO the additional one bedroom would not be materially different such that it would warrant refusing the application.
- 8.6 In terms of noise disturbance, whilst I accept that there is likely to be some level of increased noise as a result of increased activity, I am of the view that the proposal would not raise noise levels significantly enough to warrant the application to be refused. This is a detached property with a substantial garden.
- 8.7 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 5/7.

b) The suitability of the building or site;

- 8.8 The dwelling has been extended with a small lean-to element on the rear elevation. Other than this the property has not been significantly altered. The dwelling and outbuilding appear to have sufficient space to accommodate additional bedrooms as part of the proposed HMO use.
- 8.9 In terms of outdoor space, there is sufficient amenity space to the rear to provide a private communal area. Future residents would have access to this outdoor space.
- 8.10 In terms of car parking, there is sufficient off street car parking for at least three or four vehicles. Mill End Road is an unrestricted highway and there is provision to park on street without restriction. There is no requirement to provide car parking for the proposed use. The Local Plan sets maximum level of car parking permitted under the City Council's

Standards therefore there is no minimum number of spaces which need to be provided.

- 8.11 I am satisfied that due to the proximity of the site to public transport links and distance from the nearest 'District and Local Centre' in terms of walking and cycling, additional car parking would not be necessary.
- 8.12 In these terms, therefore, I am satisfied that the building and site area is sufficient to accommodate the proposed change of use to an HMO.

c) The proximity of bus stops and pedestrian and cycle routes, shops

- 8.13 The site is located within walking distance of bus stops on High Street and within reasonable cycling distance of the City Centre and railway station.
- 8.14 The 'District and Local Centre' has a range of shops and services which is located on High Street and is within distance of the site.
- 8.15 No specific details have been provided for the bin and cycle storage provision. However, there is storage space within the outbuilding to accommodate this. Nevertheless, I have recommended a condition requiring details of the cycle and bin store to be submitted for approval.
- 8.16 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 5/7 of the adopted Local Plan.

Context of site, design and external spaces

- 8.17 The proposal does not include any external alterations to the dwelling or outbuilding.
- 8.18 I am of the view that the proposal change of use would be acceptable in this context and would not give rise to any significantly detrimental impacts on the character of the area.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Refuse arrangements

- 8.20 No information has been put forward on how the refuse provision will be managed. I have therefore recommended a bin storage condition.

Highway Safety

- 8.21 The proposal does not include any alterations that would affect highway safety.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and cycle parking

- 8.23 There is enough space in front and to the side of the dwelling to accommodate at least 3 vehicles, possibly more if necessary. However, given the location of the site in terms of its proximity to public transport links and shops and services, I do not consider it necessary for the applicant to provide any additional car parking.
- 8.24 The proposal does not include any details for secured and enclosed cycle parking provision. However, there appears to be enough spaces within the outbuilding to accommodate this and possibly by the installation of a enclosed structure in the rear garden. I have therefore recommended a condition for secured cycle parking details to be provided.
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.26 Some of the concerns raised by the objector have been covered in the relevant sections of the main report. I set out below my response to the concerns I have not addressed.
- 8.27 In terms of noise from the site, it would be difficult to argue the proposed use would give rise to a significant increase in noise levels to such a degree that it would harm the residential amenity of the adjoining neighbours. The dwelling is detached with substantial garden and the proposed use would not be

materially different to a 6 bed HMO which would be considered as permitted development.

9.0 CONCLUSION

- 9.1 The proposed change of use from a five bedroom dwellinghouse (C3 use) to a seven bedroom Housing of Multiple Occupancy (Sui-Generis use) is considered to be acceptable in this context. The proposal does not include any external alterations to the elevations of existing dwelling or outbuilding.
- 9.2 The change of use would increase the number of bedrooms from five to seven. I do not consider this would be materially to cause an unacceptable intensification of the building. Therefore, I do not consider the proposal would have a significant adverse impact on the residential amenity of the adjoining neighbours such that it would warrant refusal.
- 9.3 In these terms, therefore, the proposed change of use is considered to comply with policies 3/4 and 5/7 of the adopted Local Plan.

10.0 RECOMMENDATION

FOR RECOMMENDATIONS OF APPROVAL

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. 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 until details of facilities for the covered, secured parking of 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. (Cambridge Local Plan 2006 policy 8/6)

4. Prior to the commencement of the use hereby permitted, the on-site storage facilities for residential waste, including waste for recycling and the arrangements for the disposal of waste detailed on the approved plans shall be provided. The approved arrangements 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 (in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006))

5. The outbuilding shall be used solely in conjunction with and ancillary to 68 Mill End Road and shall not be used, occupied or let as a separate residential unit.

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)