

Application Number	14/0658/FUL	Agenda Item	
Date Received	7th May 2014	Officer	Mr Sav Patel
Target Date	2nd July 2014		
Ward	Petersfield		
Site	19A Mill Road Cambridge CB1 2AB		
Proposal	Change of use from C4 to no.7 bed Sui-Generis HMO including single storey side and rear extension (amendment to planning permission 12/0657/FUL		
Applicant	Mr Wyness C/O Ely Design Group		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed change of use would not have a significantly adverse impact on the character of the area;</p> <p>The proposed development would not have a significantly adverse impact on the residential amenity of the adjoining neighbours;</p> <p>The property is located within a highly sustainable location due to its proximity to local shops and services and public transport links.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 19A Mill Road is a two storey terrace house, situated on the northeast side of Mill Road. The surrounding area is mixed in character with residential and commercial properties.

1.2 The site is within City of Cambridge Conservation Area 1 (Central) and is also located within a controlled parking zone.

1.3 The property is currently used as a C4 HMO where six individuals share basic amenities.

2.0 THE PROPOSAL

2.1 The proposal consists of a change of use from a C4 HMO to a Sui-Generis HMO and a single storey side and rear extension.

2.2 Planning permission was granted in 2012 for a single storey rear extension. The proposed extension is an amendment to the approved extension.

2.3 The applicant has also applied for a non-material amendment to the approved extension, which is currently pending consideration.

3.0 SITE HISTORY

Reference	Description	Outcome
12/0657/FUL	Single storey extension at rear (proposed) and retrospective application for loft conversion.	APPROVED
14/0389/NMA	Minor amendments to the design of the roof to the single storey rear extension	PENDING

4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework 2012
National Planning Practice Guidance 2014
Community Infrastructure Levy Regulations 2010
Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A)

5.2 Cambridge Local Plan 2006

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

4/11 Conservation Areas

5/7 Supported housing/Housing in multiple occupation

5.3 Supplementary Planning Documents

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

Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)

5.4 Material Considerations

City Wide Guidance

Cycle Parking Guide for New Residential Developments (2010)

Area Guidelines

Mill Road Area Conservation Area Appraisal (2011)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highway)

- 6.1 The proposed change of use to increase the number of residents at the property will not quality any future residents for residents parking permits (other than visitor permits). Add an informative to remind the applicant of this.

Streets and Open Spaces (Trees)

- 6.2 The proposed extension is likely to affect the existing trees close to the site boundary and therefore a tree protection condition is recommended to mitigate any adverse impact.

Urban Design and Conservation Team

- 6.3 No Conservation policy issues.

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 owner/occupier of the following address has made representations:
19 Mill Road

7.2 The representations can be summarised as follows:

- Impact on the existing trees;
- Concerned with the increase in number of people living next door
- Impact during construction

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. Third party representations

Principle of Development

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

- a) Impact on the residential amenity of the local area;
- b) The suitability of the building or site; and
- c) 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 proposed single storey rear and side extension would abut the common boundary with no.19 and be the same depth (5 metres) as the extension that was approved in planning permission ref: 12/0657/FUL. Therefore, it would be difficult to justify refusal of this extension on the basis of its depth given there is an extant planning permission for a similar extension. However, the proposed roof form is materially different to that which was approved. The proposed extension has a section of roof which extends off the main extension to accommodate a link passage from the kitchen in the main house to the proposed bedroom which would be contained in the extension. Whilst the roof for the link is set 400mm higher than the main extension, it is set off the ridgeline of the main extension and set further away from the boundary with no.19. No windows are proposed facing out towards 19 Mill Road, and there is therefore no potential to overlook this neighbour.
- 8.5 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, 3/7 and 5/7.

b) The suitability of the building or site:

- 8.6 The proposed extension would retain sufficient amenity space with the plot for existing and future residents to use as outdoor space. The property has extant planning permission for a single storey extension to accommodate an additional bedroom with en-suite.
- 8.7 The additional bedroom which would be created by the proposed extension, would be satisfactorily accommodated within the site and building without appearing to overdevelop the plot or have a detrimental impact on the appearance of the dwelling. The proposed extension would maintain an ancillary appearance to the main dwelling and would not be visible from the public realm or have a detrimental impact on the character and appearance of the Conservation Area.
- 8.8 The property is located within a highly sustainable location in terms of proximity to shops and services and public transport

links. The property is also within reasonable walking and cycling distance from the city centre and railway station. The property does not benefit from off street car parking. I am satisfied that the proposed change of use would not warrant the need for additional car parking.

- 8.9 The existing bins and cycle storage provision at the rear of the site is not proposed to change. The cycles are to be stored in a wooden structure within the garden of the property. The bins are proposed to be located adjacent to this and wheeled via the lane at the rear of the property to Guest Road for collection.
- 8.10 There are two trees within the adjoining neighbour's garden which are close to the common boundary which are likely to be affected by the proposed extension. The adjoining neighbour has also raised concerns with this. In light of this, the Council's Tree Officer was consulted for their comments. Tree Officer has advised that the root system of these trees could be affected and has therefore recommended a foundation condition to be applied to ensure special foundations are laid to mitigate the impact. If members are minded to approve, then I have recommended a foundation condition to be applied to any permission.
- 8.11 I am therefore satisfied that due to the site's proximity to shops and services, public transport links and distance from the city centre in terms of walking and cycling, the property and site are suitable for the proposed use and extension.

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

- 8.12 As explained above, the site is located within a highly sustainable location in terms of its accessibility (walking or cycling) to shops and services and public transport links (including railway station). I am therefore satisfied that the proposed use would comply with this element of the policy.

Third Party Representations

- 8.13 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 other concerns raised.

Occupation of building during construction and access

- 8.14 Construction work is a temporary aspect of development. If the applicant requires access over neighbouring land then they will need to seek the agreement of the landowner. Any requirement for a temporary boundary during construction work will need to be agreed with the applicant and neighbouring resident. I have recommended a construction hours conditions to mitigate the impact of construction on surrounding neighbours.

9.0 CONCLUSION

- 9.1 The proposed change of use from a C4 HMO to a Sui-Generis HMO is considered to be acceptable as the addition of one extra bedroom would not be materially significant in my view in terms of intensification. The property is also located within a highly sustainable area. The proposed single storey extension would not in view have a detrimental impact on the residential amenity of the neighbouring occupiers due to its height and depth. Also, consideration has been given to the fact there is an extant planning permission for a similar extension.

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. 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. Except with the prior written agreement of the local planning authority no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 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. (Cambridge Local Plan 2006 policy 4/13)

4. Prior to the commencement of development and with reference to BS 5837 2012, details of the specification and position of all protection measures and techniques to be adopted for the protection of any trees from damage during the course of any activity related to the development, including foundation design, shall be submitted to the local planning authority for its written approval in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP).

The approved AMS and TPP will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

INFORMATIVE: The owners/occupiers of the property will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.