

Application Number	14/1362/FUL	Agenda Item	
Date Received	27th August 2014	Officer	Mr Sav Patel
Target Date	22nd October 2014		
Ward	West Chesterton		
Site	34 Victoria Road Cambridge Cambridgeshire CB4 3DU		
Proposal	Retrospective change of use for use by 9 persons HMO (class sui generis from class C3 dwelling house).		
Applicant	Dr Yuqing Liu C/o Alenander Greens Property Office 1A 23-25 Gwydir Street Cambridge CB1 2LG		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1) The use would not result in any external alterations to the dwellinghouse as such the visual appearance of the dwellinghouse would be maintained. 2) The proposal will not adversely affect the residential amenity of the surrounding residential properties. 3) To use would add to and strengthen the range this type of accommodation.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 No.34 is an end of terrace four storey (including roof and basement level) Victoria property located on the northern side

of the highway. The property appears to sit on a higher level than the adjoining terrace as it projects above the ridge line of the adjoining terrace and has a higher eaves line. The dwelling also has a pitched roof dormer in the front and rear roof slopes.

- 1.2 The property has a metal spiral staircase which is located on the rear elevation property. Adjacent to the staircase is a two storey outrigger which connects to a single storey element.
- 1.3 The property and terrace row sits forward of the single storey dwelling to the west. The bungalow forms part of the Victoria Homes site. There are six single storey detached and semi-detached dwellings on the frontage of the Victoria Homes site. The dwellings are located on spacious plots.
- 1.4 To the rear of the site is a recently constructed block of flats which is located in Corona Road.
- 1.5 The site is located within the extended Central Conservation Area.

2.0 THE PROPOSAL

- 2.1 The planning application seeks retrospective planning permission for the change the use of a 6 bed dwellinghouse to a 9 bed House in Multiple Occupation (HMO). No external alterations are proposed.
- 2.2 The bin and cycle storage provision for the use is proposed to be located at the front and side of the property.

3.0 SITE HISTORY

Reference	Description	Outcome
04/1403/FUL	Change of use to form five flats (four 1-bed and one 3-bed).	REFUSED

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 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

3/4 Responding to context
3/7 Creating successful places
3/11 The design of external spaces
4/11 Conservation Areas
5/1 Housing provision
5/2 Conversion of large properties
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)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The proposal may increase parking demand in the area and whilst the proposal would not have any significant adverse highway safety impact it may have an impact on residential amenity.

Urban Design and Conservation team

6.2 The proposal is not considered to raise any material conservation issues.

Head of Refuse and Environment

6.3 The proposed bin storage arrangement whilst not ideal would in these circumstances be acceptable.

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:

- Victoria Homes, Victoria Road

7.2 The representations can be summarised as follows:

- The proposed use would have an adverse impact on the neighbouring sheltered housing site in terms of noise and disturbance;
- No need has been demonstrated for this type of use;
- The proposal does not make satisfactory provision for car, cycle or waste storage nor for delivery of goods;
- Lack of parking provision will increase demand for on street parking;
- There is a restriction on the freehold title which restricts the use of the dwelling as a residential dwelling only;

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

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 No.34 was a 6bed dwellinghouse before it was altered internally and used as a HMO. The property would contain 3 single rooms (3x1person=3) and 3 double (3x2person=6) rooms. The residents have access to communal facilities such as dining room, kitchen and utility room including external garden area.

8.5 The property is not, in my view, used any differently to a 6 bed dwellinghouse. 3 of the bedrooms are proposed as double rooms and therefore the maximum occupancy of the property is 9 people if all double rooms contain 2 residents. However, this is the worst case scenario. I do not consider the comings and goings of 3 additional residents would have a significantly detrimental impact on the residential amenity of the adjoining neighbours.

8.6 In terms of overlooking, no additional windows are proposed that would otherwise increase the level of overlooking of the adjoining sites.

8.7 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 (if used to maximum occupancy), I am of the view that

the proposal would not raise noise levels significantly enough to warrant the application to be refused.

8.8 The proposed bin storage area at the front of the property is likely to affect light entering the basement window for 'bedroom 1'. However this room would have the benefit of patio doors which would allow light into the room from the rear. Also, the proposed enclosure for the bins and location of the bins could be designed and laid out to maximise the amount of light this lower level receives. I do not consider this issue to be significant enough to warrant refusal.

8.9 In my opinion the proposal adequately respects the residential amenity of its neighbours and I consider that it is also compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7

a) The suitability of the building or site;

8.10 The property has been extended at two storey and single storey level at the rear of the property. There is adequate space in the individual rooms and shared spaces. The proposal does not include any additional alterations to the property.

8.11 In terms of outdoor space, there is sufficient amenity space to the rear to provide a private communal area.

8.12 The site is located within close proximity to public transport links and is within walking distance of local shops/services and the city centre. Due to the proximity of the site to local amenities, city centre and bus stops, I do not consider car parking would need to be provided for the proposed use.

8.13 In these terms, therefore, I am satisfied that the building is sufficient to accommodate the proposed change of use to an HMO.

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

8.14 The property is located within close proximity to the nearest bus stops on Victoria Road and Chesterton Road and within reasonable cycling distance of local shops, the City Centre and railway station.

- 8.15 There is a District Centre on Chesterton Road, which is within short walking distance of the site.
- 8.16 The proposal includes a bin store area along the frontage of the property and cycle parking stands within the communal garden area. Whilst the location of the cycle stands are not ideal, there is currently no existing provision within the site. However, no specific details have been provided for the bin store enclosure and cycle stands. Therefore, I have recommended a condition requiring details of the bin and cycle store to be submitted for approval.
- 8.17 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

- 8.18 No external alterations are proposed to the existing building other than the bin storage provision at the front of the site for which further information is required.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Refuse Arrangements

- 8.20 The applicant has provided details showing how the required level of bins will be accommodated without providing any specific details on how the bins would be enclosed. I therefore recommend a bin storage condition to ensure the detailed aspect of this provision can be satisfactorily addressed.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.22 No alterations are proposed to the existing highway. The proposal does include cycle parking within the site which would remove the need to park cycles on the metal railings at the front of the site.

8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

8.24 No car parking is proposed. As the site is a sustainable one and heavily constrained, I do not consider the lack of car parking warrants refusal.

8.25 The applicant has proposed to provide eight cycle stands within the site (2 behind the metal railings at the front of the site and 6 within the paved terrace area). The site currently does not benefit from any cycle parking provision. Therefore, whilst not ideal, the proposed arrangement is considered to be acceptable.

8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.27 I have addressed the comments raised in the third party representation received in the above section.

9.0 CONCLUSION

9.1 The retrospective change from of the 6bed dwellinghouse to 9bed HMO does not involve any external alterations. In my view, the additional occupiers would not result in any significant harm to the amenity of the neighbours.

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. Prior to the implementation of the use hereby approved details of the on-site refuse storage facilities including waste for recycling and the arrangement for the disposal of waste shall be submitted to and approved in writing by the Local Planning Authority. The details shall include layout of the external refuse storage area, type of enclosure and the type of refuse receptacles shall be accordance with the Council's domestic requirement which are as follows:

- Residual Waste _ 405-450L _ 2 x 240L
- Dry recycling _ 450-495 _ 2 x 240L
- Organic waste _ 180L _ 1 x 240L

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)

4. The HMO use hereby permitted shall be occupied by no more than nine people at any one time.

Reason: For the avoidance of doubt, and because any intensification of use of the property would require re-examination of its impact. (Cambridge Local Plan 2006 policies 3/4, 3/12, 4/13 and 8/2)