

<b>Application Number</b>	15/0176/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	6th February 2015	<b>Officer</b>	Mrs Angela Briggs
<b>Target Date</b>	3rd April 2015		
<b>Ward</b>	Coleridge		
<b>Site</b>	52 Suez Road Cambridge Cambridgeshire CB1 3QD		
<b>Proposal</b>	Retrospective change of use from C3 dwellinghouse to sui generis HMO (House in Multiple Occupation), including annexe and boundary fence.		
<b>Applicant</b>	Mr A HYE 529C Newmarket Road Cambridge Cambridgeshire CB5 8PA United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The change of use for a Sui Generis HMO is suitable for the site;</li> <li><input type="checkbox"/> The site is in close proximity of bus stops and pedestrian and cycle routes, shops and other local services</li> <li><input type="checkbox"/> The use would not harm the residential amenity of neighbours.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 52 Suez Road is an end of terrace two-storey property, on the junction with Mamora Road. The property has a large two-storey side and rear extension with an attached single storey

extension to the side which projects forward in-line with the front building line. The extensions are clearly visible from both Suez Road and Mamora Road. To the rear of the dwelling, nearest the end of the back garden, is a single storey outbuilding. The area is characterised by terrace form dwellings on both sides of Suez Road whilst Mamora road has a less formal rhythm of dwelling types. The boundary with Mamora Road is made of timber fencing, 1.8m in height.

- 1.2 The site falls outside of a Conservation Area and is not a Listed Building.

## **2.0 THE PROPOSAL**

- 2.1 The full application seeks retrospective planning consent for a change of use from a C3 dwellinghouse to a Sui Generis HMO (House in Multiple Occupation), including an annexe and a boundary fence.

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
13/0127/FUL	Single storey part two storey extension.	Approved
13/0128/CL2PD	Construction of garden room in rear garden.	Certificate Granted

## **4.0 PUBLICITY**

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

## **5.0 POLICY**

- 5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

## 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/12 4/13 5/7 8/2 8/6

## 5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p> <p>Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government)</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
	<p><u>City Wide Guidance</u></p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>

## 5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan of relevance.

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 The proposal may increase demand for on-street car parking in an area where such demand is already intense which may result in some loss of existing residential amenity.

### **Head of Refuse and Environment**

- 6.2 No objection in principle.
- 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:

81 Cromwell Road

- 7.2 The representations can be summarised as follows:

- The use would result in over-crowding and the number of bedrooms is excessive for a property of this type;
- The fence along the Mamora Road boundary is unsightly;
- The application is not submitted by a resident, but by a third party.

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
7. Planning Obligation Strategy

### **Principle of Development**

8.2 Policy 5/7 of the Cambridge Local Plan (2006) is relevant. The policy generally supports the development of houses in multiple occupation subject to:

- a) The potential impact on the residential amenity of the local area;
- b) The suitability of the building or site; and
- c) The proximity of bus stops and pedestrian and cycle routes, shops and other local services.

8.3 The application seeks retrospective planning permission to change the use of the property from a family dwellinghouse (C3) to a Sui Generis HMO. The property lies within a predominantly residential area and thus is compatible with this use, in my view. The quality of the accommodation appears satisfactory, providing kitchen, bathrooms and a common room across both floors. The Sui Generis use means that the property would be occupied by more than 6 people. Eight

bedrooms are indicated on the plans, including one bedroom within the annexe, but could possibly be up to nine bedrooms if the “Annexe” room is converted. The application does not indicate whether the bedrooms would be single or double occupancy.

- 8.4 In terms of the location of the site, I consider that it is close enough to local amenities and the City Centre, and is therefore considered to be sustainable.
- 8.5 In my opinion, the principle of the development is acceptable and in accordance with policy 5/7 of the Cambridge Local Plan (2006).

### **Context of site, design and external spaces**

- 8.6 The site is situated within a predominantly residential area. It is located on the junction of Suez Road and Mamora Road. The rear elevation of the property and many of the Suez Road properties within the terrace, are also visible from Mamora Road. The annexe building is to the rear of the property at the end of the garden and is a rectangular building with a lean-to style flat roof, rising up to 2.5m in height at the front sloping down towards the boundary with no.54 Suez Road, to the south, which stands at 2m high. The plot is relatively spacious and therefore the level of private amenity space is good. No external alterations or additions are proposed as part of this application and therefore it is the change of use element which is the main planning consideration. The application is retrospective which means that the use has begun and the application seeks to regularise this use in planning terms.
- 8.7 The annexe accommodation would provide 1 additional bedroom, separate to the main HMO. The planning history of the site shows that a Certificate of Lawfulness application for proposed development was submitted in 2013 (see paragraph 3.0 above). The plans submitted as part of this application show a building which is identical to this in terms of size, location and design. It was considered that the building fell within the limits of permitted development and planning permission would not be required. Therefore, in terms of the scale and location of the building, we could not object to the building being erected, of these measurements. However, the annexe accommodation now requires permission by virtue of

the fact that the property has been changed from a C3 dwellinghouse to a Sui Generis HMO (for more than 6 people).

- 8.8 In terms of the timber fencing along Mamora Road, I consider that this enhances this boundary line and would make a positive contribution to the street scene. The fence is stained a light brown colour and blends in well with the buff brick of the host property. It also provides the property with a good level of privacy, which in my view, would be expected in a residential area.
- 8.9 In my view, I consider that a Sui Generis HMO on this site would not detract from the character of the area and would provide a good quality living environment for occupiers. There is ample amenity space to the front and rear.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.11 In my view, the main issue in terms of neighbour amenity impact is potential noise and disturbance from the HMO use. There are eight bedrooms in total, including the one in the annexe building. I consider that it would be reasonable to restrict the number of people to single occupants per bedroom and therefore having a maximum of 8 people across the site. I am therefore recommending a condition to this effect which in my view would minimise the impact on neighbour amenity (condition 1).
- 8.12 A local resident has objected to the application. The objector is not an immediate neighbour and in my view, would not be directly affected. The first concern raised is that the quality of the living environment would be poor. I disagree with this view and consider that the property is large enough to occupy 8 people, comfortably. In terms of the concern raised about the fence, I have explained why I consider this to be acceptable in planning terms in paragraph 8.8. I will discuss the third concern of the application submission in paragraph 8.21.

- 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 and 3/7.

#### Amenity for future occupiers of the site

- 8.14 In my view, the property offers a good quality of living accommodation for 8 people to live comfortably, with a good level of amenity both inside and outside of the property.
- 8.15 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

#### **Refuse Arrangements**

- 8.16 In my view, there is ample space for bin storage on the site which can be brought out for collection easily. A bin storage site is indicated on the block plan, which is situated in the rear garden. At the time of my site visit, bins were stored at the front of the property. This is not ideal and I would recommend a condition requiring further details of the bin storage to ensure that they can be accommodated successfully (condition 3).
- 8.17 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

#### **Car and Cycle Parking**

- 8.18 In terms of car parking, the area is not situated within the Controlled Parking Zone and parking is ad-hoc on the surrounding streets. There is an area to the front which is indicated for the parking of cars. However, given the sustainable location of the site, close to public transport routes, car provision is not necessary in my view. The highways authority have raised the issue of increasing demand for on-street car parking from the development. At the time of my site visit, I did not witness competition for car parking on the surrounding streets. Many of the properties along Suez Road and Mamora Road have off-street car parking, which in my view, helps to reduce on-street car parking.

- 8.19 In terms of cycle parking, the block plan indicates cycle parking to be in the rear garden, close to the annexe building. Whilst this may be a good location, the cycle parking needs to be secure. I am therefore recommending a condition to request further details of the cycle parking, to ensure that there is adequate provision for 8 people (condition 2).
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.21 The local resident has raised a concern about the application being made by a third party and not by a resident of the building. Planning applications do not need to be made by property owners and can be submitted by someone who is not related, provided that they serve notice on the owner as part of the application form. In this case, the architect has submitted the application on behalf of the applicant who has confirmed that he is the property owner. This is shown as Certificate A on the application form. I have no reason to believe that this declaration may be incorrect.

### **Planning Obligation Strategy**

#### **Planning Obligations**

- 8.22 As a result of the Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government) developer contributions on small-scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1,000 square metres, affordable housing and tariff style contributions should not be sought. This also applies to all residential annexes and extensions. The proposed development falls below this threshold therefore it is not possible to seek planning obligations to secure community infrastructure in this case.

## **9.0 CONCLUSION**

- 9.1 In conclusion, I consider that the development is acceptable and approval is recommended.

## 10.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

1. The House of Multiple Occupation (known as 52 Suez Road) hereby approved shall not be let out to more than 8 tenants at any one time.

Reason: To restrict the intensity of the use in the interests of neighbouring amenity, Cambridge Local Plan 2006 policy 5/7.

2. 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.

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

3. Details of the waste and recycling facilities shall be submitted and approved in writing by the Local Planning Authority. The waste and recycling facilities shall thereafter be implemented in accordance with the approved details, unless otherwise agreed in writing.

Reason: To ensure appropriate provision for the secure storage of waste and recycling provision. (Cambridge Local Plan 2006 policy 5/7)