

<b>Application Number</b>	15/0602/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	24th April 2015	<b>Officer</b>	Miss Alison Twyford
<b>Target Date</b>	19th June 2015		
<b>Ward</b>	Abbey		
<b>Site</b>	564 Newmarket Road Cambridge Cambridgeshire CB5 8LL		
<b>Proposal</b>	Change of use from family home to an HMO (House in Multiple Occupation) (Sui Generis). Retrospective application.		
<b>Applicant</b>	Mr Rob Mortimer 564 Newmarket Road Cambridge Cambridgeshire CB5 8LL		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>-The proposal will not have a significant impact on neighbouring amenity.</li> <li>-The proposal has sufficient provision for parking and waste.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The property is a two-storey rendered, end of terraced property located on the north side of Newmarket Road. Newmarket Road is an urban primary road, the principal axis into and out of the City from the east. The immediate area is residential in character.
- 1.2 The property is not in a conservation area.

## 2.0 THE PROPOSAL

2.1 The proposal is retrospective and involves the change of use from a dwelling house (c3) to a 7 person HMO (sui generis). Two bedrooms, a kitchen, dining area and bathroom are located on the ground floor, with five bedrooms on the first floor.

2.2 The application is accompanied by the following supporting information:

1. Plans

## 3.0 SITE HISTORY

Reference	Description	Outcome
06/1401/FUL	Installation of new dropped kerb to existing highway.	PERM
06/1185/FUL	Erection of part single part two storey rear extension.	PERM

## 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 5/2 5/7

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

Central Government Guidance	National Planning Policy Framework March 2012  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u>  Cycle Parking Guide for New Residential Developments (2010)

### 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, policies 48, 55, and 56 in the emerging Local Plan are of relevance. The current

status of the emerging plan does not allow me to attach significant weight to these policies in my considerations but I note that they are very similar to the current local plan policies that I will be taking into account.

## **6.0 CONSULTATIONS**

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

- 6.1 Car parking provision is made at a level of less than one space per dwelling sub-unit. Concern additional parking demands may impact on residential amenity.

### **Head of Refuse and Environment (Environmental Health)**

- 6.2 No adverse comments made regarding this application.
- 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.

## **7.1 REPRESENTATIONS**

- 7.2 The owners/occupiers of the following addresses have made representations:

-562 Newmarket Road

- 7.3 The representations can be summarised as follows:
- Gardens in poor condition.
  - Poor condition of property.
  - issues with holly tree in garden
  - concern of management of property
  - issue over previously approved extension not being “finished”
  - loss of family home
- 7.5 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 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.

I have looked at each of the criteria of this policy to assess if the application is acceptable.

**Impact on residential amenity of local area:**

- 8.2 The property is not, in my view, used any differently to a large dwellinghouse. I do not consider the comings and goings of the additional residents, or potential additional noise, compared to the previous use (c3) would have a significantly detrimental impact on the residential amenity of the adjoining neighbours.
- 8.3 In terms of overlooking, no additional windows are proposed that would otherwise increase the level of overlooking of the adjoining sites.
- 8.4 As there are no proposed extensions or external works the amenity of neighbouring properties will not be exacerbated by the proposed change of use.
- 8.5 The proposal therefore complies with the provisions of policy 5/7 in this regard.

**The suitability of the building or site;**

- 8.6 In terms of outdoor space, there is sufficient amenity space to the rear to provide a private communal area. The rear garden is roughly 28m in depth by 8m in width and can be accessed through the house or via a rear gate.
- 8.7 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.
- 8.8 In these terms, therefore, I am satisfied that the building is sufficient to accommodate the proposed change of use to an HMO.

### **The proximity of bus stops and pedestrian and cycle routes, shops**

- 8.9 The property is located within close proximity to the nearest bus stops on Newmarket Road and within reasonable cycling distance of local shops and the city centre.
- 8.10 There is a District Centre on Bramwell Road, which is within short walking distance of the site and there are also shops along Newmarket Road itself including a supermarket within relatively close distance.
- 8.11 The proposal includes a bin store area to the front of the property and cycle parking at the rear of the building through a side gate into the large back garden.
- 8.12 In my opinion, the development is acceptable and in accordance with policy 5/7 of the Cambridge Local Plan (2006).

### **Local and future amenity.**

- 8.13 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.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, and 3/11.

### **Refuse Arrangements**

- 8.15 Refuse arrangements have been provided at the front of the site, along the side garden wall. The environmental health team have raised no objection to the proposed refuse arrangements and so it is considered that these arrangements are acceptable.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

## **Car and Cycle Parking**

- 8.17 No car parking is proposed. As the site is a sustainable one I do not consider the lack of car parking warrants refusal. The Highway Authority have also not raised any concerns.
- 8.18 The applicant has designated an area to the rear of the site for cycle parking. I consider that the size of the garden areas gives ample room for parking of cycles and I have considered if a condition would be suitable to specify a number of spaces. I am satisfied however that a condition would not be required in this case.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Third Party Representations**

- 8.20 Concerns over the condition of the garden and inside of the property were looked at during my site visit. The property was not considered to be of a condition that would warrant formal action through the planning system and I have therefore not been able to attach significant weight to these comments.
- 8.21 The finish of a previous extension and the problems experienced with a holly tree within the garden were also considered but I was not able to attach significant weight to these issues in relation to the assessment of this particular application. I am unable to consider a tree that is no longer present within the site or an adjacent one and no further extension works are proposed as part of this application.
- 8.22 I note concerns regarding the management of the property and considered this during my site inspection. I did not note any particular issues that I considered could be controlled through a planning condition and I am satisfied that other legislation under Housing Standards is available to tackle any issues that may arise. In order to ensure that issues are not exacerbated by further occupation and impact however I consider the attachment of a condition limiting the occupation is suitable.
- 8.23 The loss of a family home has been raised in the third party representations. Policy 5/4 restricts the loss of housing, and the Provisions of this Policy have been considered. In this case the

property will remain in residential occupation and will not be lost to a different non-residential use. The proposals therefore, comply with criteria of the policy 5/4.

## **9.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

1. 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.

2. The House in Multiple Occupation hereby approved shall not be let out to more than 7 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.