

Application Number	15/0603/FUL	Agenda Item	
Date Received	22nd April 2015	Officer	Miss Alison Twyford
Target Date	17th June 2015		
Ward	Coleridge		
Site	31 Gisborne Road Cambridge Cambridgeshire CB1 3RZ		
Proposal	Change of use to HMO (retrospective)		
Applicant	Mr R Mortimer 31 Gisborne Road Cambridge Cambridgeshire CB1 3RZ		

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

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 31 Gisborne Road comprises a two-storey semi-detached dwelling and its gardens. The property is situated on the south eastern side of the road just north of the junction with Langham Road. The area is residential in character containing a mixture of detached and mainly semi-detached dwellings. The subject dwelling has an existing rear conservatory of circa 3m depth and is finished in Cambridge stock brickwork, render and tiles.

1.2 The site is not within a conservation area or the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal seeks retrospective planning permission for the change of use of the property from C3 domestic dwellinghouse, which can be occupied by up to 6 people, to a HMO (sui generis) use, for occupation by 9 people.
- 2.2 There is one bedroom on the ground floor, along with a kitchen, living room and two study areas. There are 6 bedrooms on the first floor, two with an en-suite and also a shared bathroom, and one further bedroom located within the roof space.
- 2.3 The application is accompanied by the following supporting information:
1. Plans

3.0 SITE HISTORY

Reference	Description	Outcome
12/0153/FUL	Two storey extension to rear and side and loft conversion of existing semi-detached dwelling including internal alterations, landscaping and associated works.	PERM
11/0135/FUL	Two storey extension to rear and side of existing semi-detached dwelling.	PERM
08/1198/FUL	Part single part two storey side and 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) Eastern Gate Supplementary Planning Document (October 2011)
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 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:

50 Langham Road

26 Gisborne Road

- 7.3 The representations can be summarised as follows:
- concerns previous extensions were made to change the use as proposed
 - possible parking problems/provision on parking to accommodate use
 - concern over accommodation of refuse
 - concern of use of the annex in connection with HMO use
 - increase in noise and disturbance
 - concern over increase the densely populated area
- 7.4 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

Principle of Development

- 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.

Impact on residential amenity of local area

- 8.2 The property is not, in my view, used significantly differently to a large dwellinghouse. I do not consider the comings and goings of the additional residents compared to the previous use (c3) would have a significantly detrimental impact on the residential amenity of the adjoining neighbours.
- 8.3 I note in third party representations that there is concern regarding the increased occupation of the property and I therefore have attached a condition which will limit the numbers to no more than 9 persons at any one time to allow any additional impact to be properly considered through a separate application if required.

- 8.4 Third party representations also point out that the area is densely populated and draw concerns over further numbers being added. There are also concerns raised regarding an external annexe which could be used to accommodate further sleeping accommodation. The outbuilding at the property is not included in the plans but I agree that the use of this building in connection to the HMO as sleeping accommodation could exacerbate the noise and disturbance to neighbours. I therefore consider a condition which prohibits the use of the outbuilding for sleeping accommodation is reasonable.
- 8.5 In terms of overlooking, no additional windows are proposed that would otherwise increase the level of overlooking of the adjoining sites.
- 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.
- 8.7 There are no proposed extensions or external works. The outbuildings at the property have been previously considered.
- 8.8 The proposal therefore complies with the provisions of policy 5/7 in this regard.
- 8.9 I have considered these issues and reached the conclusion that the proposed change of use is acceptable.

The suitability of the building or site

- 8.10 In terms of outdoor space, there is sufficient amenity space to the rear to provide a private communal area. The rear garden is 23 metres long by 6m wide with some outbuildings to the rear of the site.
- 8.11 The site is located within close proximity to public transport links and is within walking distance of local shops/services. 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.

8.12 In these terms, therefore, I am satisfied that the building is sufficient to accommodate the proposed change of use to an HMO and complies with the provisions of policy 5/7 in this regard.

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

8.13 The property is located within close proximity to the nearest bus stops on Perne Road and within reasonable cycling distance of local shops and the city centre.

8.14 In my opinion, the principle of the development is acceptable and in accordance with policy 5/7 of the Cambridge Local Plan (2006).

Local and future amenity

8.15 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.

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

Refuse Arrangements

8.17 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.

8.18 I have considered if a condition is appropriate to ensure adequate provision is retained on the site in light of the third party representations raised with the application, but I do not consider that this is suitable.

8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.20 The proposal includes cycle parking at the rear of the building via a side passage into the back garden, and has ample room to the front for the parking of 3 vehicles. There is also a garage that could be used for additional parking or storage of bikes. The car parking standards would look for 2 parking spaces to be provided.
- 8.21 I note that parking has been raised in the third party representations and I have considered if a condition would be suitable to address these concerns. As the property is able to provide accommodation for more than two parking spaces, and sufficient bike storage I am not of the view that a condition is required.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.23 The intentions of the owners when undertaking previous extensions are not something that I can attach great weight to in my considerations. I have however noted this point in the assessment.

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 of Multiple Occupation hereby approved shall not be let out to more than 9 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.

3. The outbuildings within the garden of the property shall not be used for sleeping accommodation at any time and must remain ancillary and incidental to the house in multiple occupation hereby approved.

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