

Application Number	15/1308/FUL	Agenda Item	
Date Received	3rd August 2015	Officer	Lorraine Casey
Target Date	28th September 2015		
Ward	West Chesterton		
Site	94 Milton Road Cambridge CB4 1LA		
Proposal	Change of use from C3 domestic dwelling house to 10 person House in multiple occupation and 2 studio flats		
Applicant	Mr Phil Scherb 41 Tenison Road Cambridge CB1 2DG		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed change of use is acceptable in principle 2. The proposal would not materially harm the character and appearance of the area 3. The change of use would not have a significant impact on neighbour amenity.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 No.94 Milton Road is a substantial detached three-storey Victorian property located on the corner of Milton Road and Herbert Street on a site that slopes downwards from the front to rear. The property is used for the provision of accommodation for Language School students. The site lies in a predominantly residential area, with dwellings to both sides and on the opposite side of the road. The site is not within a Conservation Area and is outside the Controlled Parking Zone.

1.2 The property has three floors of accommodation and comprises 10 bedrooms and 2 studio flats.

1.3 The site was used as a family home and guest house for at least 20 years until it was purchased by the applicant in 2011, since when it has been used as accommodation for language students.

2.1 THE PROPOSAL

2.2 The proposal seeks to change the use of the property from a single dwelling to a 10 person House in Multiple Occupation and 2 studio flats. The application is retrospective in nature and seeks to regularise a change of use that has already occurred, with the existing property providing student accommodation for up to 12 people. The 10 HMO rooms are contained within the main house, whilst the 2 studio flats are within a rear extension to the property and accessed through the main house.

2.3 Cycle storage for 10 cycles is provided to the front of the building. Bin storage areas are provided to the front of the building (4 bins) and to the side facing Herbert Street (3 bins).

2.4 The application is accompanied by the following supporting information:

1. Design & Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
C/78/0386	3 storey extension to existing lodging house	Approved
C/78/0619	2 storey extension (submission of reserved matters)	Approved
C/79/0831	Erection of fire escape and alteration to second floor of existing lodging house	Approved
11/0404/FUL	External alterations including installation of new windows and entrance door and removal of existing garage doors	Approved

12/1421/FUL External alterations including Approved installation of new windows and replacement of roof construction

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 Local Plan 2006	3/1 3/4 3/7 3/11 4/13 5/1 5/2 5/7 8/2 8/6 8/10

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, there are no policies in the emerging Local Plan of relevance:

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

- 6.1 No off-street car parking provision is made for the HMO, which has the potential to increase car parking demand above that which would be anticipated from a single dwelling of this size. The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity that the Planning Authority may wish to consider when assessing the application.

Head of Refuse and Environment

- 6.2 Advises that additional information will be required before comments can be provided. The issue of waste and refuse has not been properly covered within the application. The site would be capable of accommodating 14 people (1 in each of the HMO bedrooms and 2 in each of the studio flats). 7 bins are denoted in the plans. However, clarity is required on what bins are present and which occupants they serve. Further details are also required on who is responsible for ensuring the bins are all placed kerbside and returned to the storage areas. It also appears the bins may be required to go up and down steps and further details are required about this.

Housing Standards

- 6.3 In January 2014, an HMO licence was granted for 10 people. The two self-contained units to the rear do not form part of the HMO licence as no amenity is shared. There appear to be no changes compared to what was noted at the time and, on this basis, there are no comments regarding the application.
- 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 owners/occupiers No.53 Milton Road have objected to the application for the following reasons:
- The building is already being used on a multiple occupancy basis and two buildings have already been erected to the rear.
 - It is assumed the building will be used by students rather than local people.
 - The use will increase demand for parking which is already critical around these streets.
 - The use is likely to lead to noise disturbance to surrounding residents.
- 7.2 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

Principle of Development

8.2 Policy 5/7 of the Cambridge Local Plan (2006) states that the development of properties for multiple occupation will be permitted 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 Local shops and services are easily accessible from the site, whilst the site has good pedestrian and cycle linkages and is close to bus routes. The proposal therefore complies with part c) of Policy 5/7 of the Local Plan. Parts a) and b) are addressed in further detail in the following sections of this report.

Context of site, design and external spaces

8.4 The building has been previously extended with the benefit of planning permission. The proposal involves no external alterations to the property or its curtilage and, as a result, the development does not have a significant adverse impact upon the character and appearance of the area.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.6 The massing of the development and window positions etc have been considered under previous applications, and the current proposal involves no further physical additions or alterations to the building. As such, the proposal would not have a harmful overlooking or overshadowing impact.
- 8.7 With regards to the issue of potential noise disturbance to surrounding residents, there is no car parking on the site and bin/cycle storage are provided to the front and side of the building adjacent to Milton Road and Herbert Street respectively. Whilst there is likely to be some increased noise due to increased activity compared to the original use as a dwelling, the site has been used intensively for in excess of 20 years, including as a 12 person HMO for the past 4 years. In light of this, together with the fact that the site is located on a corner plot, my opinion is that any increased noise would not be significant enough to materially impact the neighbours.
- 8.8 In my opinion, the proposal would adequately respect the residential amenity of its neighbours and be compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7, and part a) of Policy 5/7.

Amenity for future occupiers of the site

- 8.9 There is no outdoor amenity space for the enjoyment of occupiers of the HMO. Whilst the provision of some outdoor amenity space would normally be desirable for HMO's, the site is located in very close proximity to substantial areas of public open space at Jesus Green and Midsummer Common. The site is also in a sustainable location, close to services and facilities in the immediate area and within walking distance of nearby bus stops. In my opinion, the proposal therefore 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) policy 3/7 and part c) of policy 5/2.

Refuse Arrangements

- 8.10 Space for storage of 7 bins is provided to the front and side of the property. The Environmental Health Officer has sought further clarification of the bin storage capacity and management arrangements. The applicant's agent has been requested to provide this information, in order to establish whether the development complies with part b) of Policy 5/7 of the Cambridge Local Plan (2006), and further details will be set out in an update prior to the Committee meeting.

Highway Safety

- 8.11 The Highways Authority has raised no specific objections to the highway safety implications of the development, although does note that the use has the potential to increase car parking demand above that expected for a single dwelling. My observation was that Herbert Street experiences significant on-street parking demand and pressures due to its proximity to the city centre and absence of any parking controls. However, this is a highly sustainable location where car ownership would not be necessary. Additionally, I would add that, as the building is used to accommodate language students that tend to be there on a short-term basis only, they do not typically own cars.

Car and Cycle Parking

- 8.12 There is no off-street car parking provision for the property. There are no parking standards specifically relating to HMO's. Due to the proximity to local amenities, and bus and cycle links, I consider the absence of any parking to be acceptable in this location.
- 8.13 Secure cycle storage for 10 cycles is provided to the front of the property at lower ground floor level. The standards require the provision of 1 space per bedroom which equates to 12 spaces. 2 further spaces therefore need to be provided and the applicant's agent has been requested to amend the plans to address this.
- 8.14 In my opinion, subject to the satisfactory provision of 2 additional cycle spaces, the proposal will be compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.15 The comments raised by No.53 Milton Road have been addressed within this report.

9.0 CONCLUSION

- 9.1 In conclusion, I consider that, subject to the satisfactory provision of refuse and cycle storage, the proposed development is acceptable and would comply with the provisions of the relevant development plan policies. As such, approval is recommended. Given that almost the entire site has been covered with built form, and the lack of space to provide additional bin and cycle storage, it is recommended that a condition be added to limit the occupation to a maximum of 14 people (this is based on 1 person per room in the HMO and 2 people per studio flat).

10.0 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 shall be occupied by no more than fourteen people at any one time.

Reason: A more intensive use would need to be reassessed in interests of the amenity of neighbouring properties, and securing an adequate level of cycle and refuse storage provision. (Cambridge Local Plan 2006, policy 3/7)