

Application Number	15/1364/FUL	Agenda Item	
Date Received	15th July 2015	Officer	Mr Sav Patel
Target Date	9th September 2015		
Ward	Kings Hedges		
Site	50 Alice Bell Close Cambridge Cambridgeshire CB4 1YF		
Proposal	Change of use from a residential dwelling (use class C3) to a large 7-bedroom House in Multiple Occupation (Sui Generis), incorporating single storey rear extension and internal alterations.		
Applicant	Mr C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> -The proposed change of use would not have a significantly adverse impact on the character of the area as there would be no material change to the appearance of the dwelling; -The proposed development would not have a significantly adverse impact on the residential amenity of the surrounding neighbours; -The proposed single storey rear extension is of an ancillary scale such that it would not have any detrimental impact on the adjacent neighbours;
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site consists of a modern three storey four bed

linked-detached property that is located on the corner of Alice Bell Close and Gladeside. The property forms part of a modern housing development containing similar style three and four storey properties. The property is an 'L' shape with the main three storey element on the corner of the plot and a two storey element to the south. To the north of the site is an identical property (no.52). The three storey element has a chamfer edge detailing. The palette of materials is consistent through the development which includes black and grey timber panelling and grey window frames.

- 1.2 Opposite (south-west) the site is a four storey block of flats. To the north, beyond no.52 is a terrace of three storey town houses. To the south is another three storey property of different design and beyond this is a three storey block of flats.
- 1.3 The area is predominantly residential consisting of flats and dwellings.
- 1.4 The site is not allocated within the Cambridge Local Plan (2006) and the site is not located within a conservation area.

2.0 THE PROPOSAL

- 2.1 The proposal is for the change of use of the existing property from a dwelling (C3 use) to a seven bed (seven person) house in multiple occupation (Sui-Generis use). The proposal also seeks permission for a single storey lean to rear extension. The proposal also includes bin and cycle storage provision.
- 2.2 Apart from the proposed rear extension, the proposal does not include any other external alterations.
- 2.3 The proposed single storey rear extension would be 5.6 metres wide and 3 metres in depth at a height of 2.6 metres to the eaves and 3.4 metres to the highest point.

3.0 SITE HISTORY

Reference	Description	Outcome
C72/0542	Erection of 2 no. external fire escapes	APPROVED

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 3/14 4/13 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)

	<p><u>City Wide Guidance</u></p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
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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 Whilst the applicant advocates that future residents would not choose to keep cars, there is nothing to prevent residents from keeping cars on site for occasional use. The applicant should reassess the proposed parking provision as all off street parking is removed. Whilst the proposal is unlikely to result in any significant adverse impact on highway safety, the proposal may impose to additional parking demand upon on street parking. The following conditions/informatives are recommended relating to the dropped kerb to be reinstated; offence to carry out work to public highway without consent; and public utility.

Head of Refuse and Environment

- 6.2 The proposed development is acceptable subject to conditions on construction hours, waste, waste management and informatives on contaminated land and licensing of houses in

multiple occupation.

- 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:

- 48 Alice Bell Close
- 52 Alice Bell Close
- 54 Alice Bell Close
- 73 Gladeside
- Email from "Group of residents from Alice Bell Close"
- Sustrans, 4-6 Cowgate, Peterborough

- 7.2 The representations can be summarised as follows:

- Concerned with the size of the proposed HMO and harmful impact on the area;
- Inadequate car parking facilities including visitor and disabled spaces;
- The proposal would increase car parking demand in the area;
- Additional traffic impact on the area and existing residents;
- Any additional increase in cars would increase risk to safety of children;
- The applicant underestimates car ownership;
- The proposed extension is disproportionate and on the boundary and there has been no attempts to reduce the bulk and height – flat roof would reduce impact;
- Proposed extension would cover half the garden and make the garden usable;
- Concerns with surface water drainage and potential impact excess water on neighbouring properties;
- Inadequate cycle parking arrangements and inconvenient access and use;
- Unreasonable to expect future occupiers not to own a car and to use public transport all the time;
- Increase level of activity and noise not compatible with residential area;
- Potential for rooms to be occupied by 2 or more tenants each

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

Principle of Development

8.2 Policy 5/7 (Supported Housing/Housing in Multiple Occupation) of the Cambridge Local Plan (2006) is relevant to test whether the principle of the proposed use is acceptable. Policy 5/7 states that 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 I set out below my assessment of the proposed use in accordance with the above policy criteria:

Impact on residential amenity

8.4 In my view, the proposed use of the dwelling as a seven bed HMO would not have a significant adverse impact on the residential amenity of the local area. The affects from the proposed use would not be materially different from that which would occur if the dwelling was used as a C3 dwelling. The dwelling could be used as a six bed dwellinghouse to serve a

large family without planning permission. The applicant is proposing to house seven occupiers (1 per bedroom). Therefore the proposed use would not be materially different in terms of intensification of the use and noise and disturbance. However, I have recommended condition (8) to ensure the maximum number of occupants is restricted to seven to mitigate concerns and to avoid over intensification of the use.

- 8.5 The proposal would result in the removal of the one existing off street parking space in order to provide the require bin and cycle storage provision. Concerns have been raised regarding the potential impact the proposed use would have on car parking in the area and intensification of traffic. It is important to note that the housing development has unrestricted highways and many residents park on street. Furthermore, the occupiers of the existing four bed property could have at least one car per bedroom and the property could be used as a 6 person HMO without planning permission. Therefore, in view of this fall back position, I do not consider the addition of an extra bedroom to create a seven bed HMO would be materially different of the existing such that it would have a significant adverse impact on the residential amenity of adjoining neighbours or car parking in the area.
- 8.6 The proposed single storey rear extension is considered to be modest in scale and would not in my view appear overbearing on the neighbouring occupier such that it would create an adverse sense of enclosure on their residential amenity. Due to the way the boundary line is defined the proposed extension would taper away from the boundary. Furthermore, there is a car port between no.50 and no.48 which would mean the extension would be set away from the ground floor windows in the rear elevation.

Suitability of the building

- 8.7 The property is a large four bed dwelling with a loft room. Having assessed the layout of the property and site, I am satisfied that there is enough internal space to accommodate the number of occupiers and provide sufficient communal provision such as dining, living room and washing facilities. 6 of the 7 rooms would also have en-suites. The applicant is aware that separate licensing consent will be required from the Council's Residential Team.

- 8.8 In terms of outdoor space, the applicant is proposing to utilise the car port to provide bin and cycle storage provision. The car port currently has an open frontage. The proposal is to introduce double gates. This would provide increased security and reduce the visual appearance of the bins and cycles. Whilst the applicant has indicated space for 8 cycle stands, I do not consider these would comply with the Council's Cycle Parking Standards. I have therefore recommended a cycle condition (7) to ensure such details can be provided in accordance with the Cycle Parking Guide.
- 8.9 There is also a rear garden area which would provide outdoor space for the occupiers. The garden area would be 3.7 metres in depth and between 7.3 and 7.3 metres wide. Whilst the proposed extension would reduce the amount of garden space, I consider the proposed level would provide outdoor space for future occupiers to enjoy.

Proximity to public transport, shops and services

- 8.10 The site is considered to be within reasonable walking distance of the nearest bus stop which is on Milton Road. The site is also close to a cycle route and trail into the city centre. The railway station is an approximate 15 minute cycle ride away and 43 minutes on the bus. However the site would be closer to the new Chesterton terminus once it has been built. Therefore, in terms of access to public transport, the site is located in a sustainable location for this.
- 8.11 In terms of proximity to shops, the site is located within a 10 minute walk and 4 minute cycle ride to the nearest local centres which are on Milton Road, Arbury Road and Kings Hedges. The site is also within a 20 minute bus journey, 40 minute walk and 13 minute cycle ride to the Grafton Centre, which has a variety of shops and services within the centre and around it such as banks, dentist, chemist and post office. I am therefore satisfied that the site is accessible to shops and services.
- 8.12 In my opinion, the principle of the development is acceptable and in accordance with policy 5/7.

Context of site, design and external spaces

- 8.13 The proposal does not include any external alterations to the frontage of the dwelling. The main alterations consist of a timber gate to enclose the cycle and bin store and the single storey lean-to rear extension. Neither of these alterations to the property would have an adverse impact on the visual appearance of the property or appear as alien features such that they would be considered out of keeping.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.15 I have addressed this issue in the above section. I do not consider the proposed use of the property as a seven bed HMO would have a significant adverse impact over and above that which it could otherwise be used as.
- 8.16 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

- 8.17 Future occupants would have access to suitable facilities within the property in terms of the number of bathrooms, communal areas inside and out and suitable bin and cycle storage (subject to agreeing the details). The property is also located within an accessible location in terms of public transport links and shops and services.
- 8.18 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) policy 3/7.

Refuse Arrangements

- 8.19 There appears to be enough space within the curtilage of the

site to accommodate suitable provision. However, the Environmental Services team have requested clarification on the number of receptacles and details of the waste management strategy. I have recommended two waste conditions (5 & 6) to ensure such details are agreed in accordance with the required of the Waste Officer and Waste Design Guide.

- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 5/7.

Highway Safety

- 8.21 The Highway Officer has requested a condition to ensure the redundant crossover is reinstated to a full kerb. I do not consider this necessary as the use of the proposed HMO, if approved, could revert back to its original use (subject to planning permission) and so it would be convenient to retain the dropped kerb.

Car and Cycle Parking

Car Parking

- 8.22 The proposal does not include any specific off street car parking provision other than the loss of the existing car port. The loss of the car port cannot be protected as the occupier of the dwelling could utilise this space for other uses. Also there is no parking restriction on Alice Bell Close or Gladeside. Therefore, even if the car port was retained it would not preclude the existing or future occupiers from parking on street.

Cycle parking

- 8.23 The applicant has proposed to provide eight cycle parking space (including one visitor space) within the car port. However the layout of the cycle stands as shown would not comply with the requirements of the cycle parking guide. I have therefore recommended a cycle parking condition (6) to secure the specific details for this.
- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.25 I set out below my response to the third party representations received.

Representation	Response
Concerned with the size of the HMO	The proposed HMO would accommodate one additional occupier which is why planning permission is required. I do not consider the additional occupiers would materially affect the residential amenity of the adjacent residents.
Inadequate car parking	The existing property consists of one off street parking space. As the property could be used as a 6 person HMO without planning permission, I do not consider the one additional occupier would materially affect car parking in the area.
Increase parking demands	The fall back position for the applicant is that the property could be occupied by 6 people without planning permission. Each could own a car. However, due to the constraints on car parking in this housing development, it would, in my view, put off people from owning a car. Furthermore, the site is within accessible distance of a bus stop, the forthcoming Chesterton Road railway terminus and city centre. The site is also within walking distance of the Local Centre which contains a variety of shops and services.
Increase risk of injury and	Alice Bell Close and Gladeside

death to children	are shared surface roads. I do not consider the proposed use of the property as a HMO would materially increase the risk of injury to local residents.
The proposed extension would be disproportionate and would appear bulky	The proposed extension would maintain a sufficient amount of outdoor space to serve future occupiers. The proposed extension would not have a significant adverse impact on the residential amenity of the adjacent neighbour to the south.
Surface water drainage	The proposed extension is unlikely to cause flooding of neighbouring properties.
Inadequate cycle parking arrangement and inconvenient access	I have recommended a condition to ensure adequate cycle parking arrangement is provided. The cycle store location is entirely convenient.

9.0 CONCLUSION

9.1 The proposed use of the dwelling as a seven bed (seven person) HMO is considered to be acceptable in this location and I do not consider it would have a significantly adverse impact on the residential amenity of the adjacent occupiers.

9.2 The proposed single storey rear extension is also considered to be acceptable as it would not be of a significant scale such that it would appear overbearing to the neighbour to the south.

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. The extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (Cambridge Local Plan 2006 policies 3/4, and 3/14)

4. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

5. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, will be stationed and walk distances for residents including the specific arrangements to enable collection from the kerbside or within 5m of the adopted highway/ refuse collection vehicle access point. The approved facilities shall be provided prior to the commencement of the use hereby permitted and 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. Cambridge Local Plan 2006 policies 3/12 and 4/13

6. Prior to the commencement of the use hereby permitted, the arrangements for the disposal of waste detailed on the approved plans shall be provided and information shall be provided on the management arrangements for the receptacles to facilitate their collection from a kerbside collection point. 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. Cambridge Local Plan 2006 policies 3/12 and 4/13

7. No development shall commence until 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 before use of the development commences.

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

8. The house shall be occupied by no more than seven people at any one time.

Reason: A more intensive use would need to be reassessed in interests of the amenity of neighbouring properties. (Cambridge Local Plan 2006, policy 3/7)

INFORMATIVE: If during the works contamination is encountered, the LPA should be informed, additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA. The applicant/agent to need to satisfy themselves as to the condition of the land / area and its proposed use, to ensure a premises prejudicial to health situation does not arise in the future

INFORMATIVE: The use of the property as an HMO may require a licence under the Housing Act 2004. You are advised to contact Housing Standards in Environmental Health at Cambridge City Council on 01223 457000 for further advice in this regard.

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

INFORMATIVE: Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.