

Application Number	15/1834/FUL	Agenda Item	
Date Received	1st October 2015	Officer	Michael Hammond
Target Date	26th November 2015		
Ward	East Chesterton		
Site	1 Nuffield Road Cambridge Cambridgeshire CB4 1TF		
Proposal	Change of use of dwellinghouse to a house in multiple occupation (HMO) including conversion of garage to accommodation		
Applicant	Ms Tracey Smith 1 Nuffield Road Cambridge CB4 1TF United Kingdom		

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 proposal provides an acceptable living environment for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site, no.1 Nuffield Road, is comprised of a two-storey semi-detached dwelling situated on the north side of Nuffield Road, close to the traffic junction with Green End Road. The property has three on-site parking spaces at the front and a garden to the rear of the property. The Shirley Community

Nursery and Primary School is situated to the south of the site. The surrounding area is residential in character and is formed of similar sized residential properties.

- 1.2 There are no site constraints.

2.0 THE PROPOSAL

- 2.1 The proposal seeks planning permission for the change of use of the existing property from a dwelling (C3 use) to a seven bedroom (seven person) house in multiple occupation (Sui-Generis use). The proposal includes bin and cycle storage in the covered area around the side of the property which is accessed through a front gate. The proposal does not involve any extensions or significant alterations but does involve the replacement of the garage door with a door and window and the replacement of one of the rear sliding patio doors with a French style door.

- 2.2 The application is accompanied by the following supporting information:

1. Planning Statement
2. Drawings

3.0 SITE HISTORY

- 3.1 There is no relevant planning history.

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 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)
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 that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The proposal reduces off-street parking provision by one space. The development may therefore add 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 which the Planning Authority may wish to consider when assessing this application.

Environmental Health

- 6.2 No objection, subject to conditions regarding waste and construction hours, and informative regarding housing standards.
- 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:
- 30 Nuffield Road
 - 72 Green End Road
 - 74 Green End Road

7.2 The representations can be summarised as follows:

- Inadequate parking provision
- Increase in on-street parking in surrounding area.
- Increase in noise, disturbance and anti-social behaviour.
- The use of the property as a HMO is an overdevelopment and not in keeping with the residential character of the surrounding area.
- Poor quality of living environment for future occupiers.
- Arrangement of rooms not suitable for HMO use.
- Noise disturbance for future occupiers of former garage bedroom due to shared wall with neighbouring garage.

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 one of the one existing off street parking spaces so the total number of dedicated parking spaces for the future occupiers would be two spaces. 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 Nuffield Road is not within a controlled parking zone 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.

Suitability of the building

- 8.6 The property is a large four bed dwelling. 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 a kitchen, sitting room and washing facilities. One of the rooms would also have an en-suite and there would be two bathrooms

and one toilet room communally across the two floors. The applicant is aware that separate licensing consent will be required from the Council's Residential Team. It is noted that there would be a separate entrance for the former garage bedroom. In order to ensure that this is not independently used from the HMO and let as a separate unit, a condition has been attached to restrict this from happening as this would require planning permission separate from this application.

- 8.7 It is noted that a concern has been raised from a neighbouring property regarding the noise and disturbance that the future occupants of the former garage bedroom could experience due to the fact it would be sharing a party wall with the neighbouring garage of no.1a. The Environmental Health team has been made aware of this point but consider that as no.1a is also a domestic property, the likely intensification and type of use of this garage is not going to cause levels of noise and disturbance so great as to result in an unsatisfactory living environment for the future occupant of this room.
- 8.8 In terms of outdoor space, the applicant is proposing to utilise the side covered area to provide bin and cycle storage provision. The existing gate is to be retained to provide secure access through to this cycle and bins storage area. This would provide increased security and reduce the visual appearance of the bins and cycles. The applicant has indicated space for 7 cycle stands which would comply with the Council's Cycle Parking Standards. The Environmental Health team has identified that the proposed bin storage is not sufficient for this level of development. However, as there is sufficient space in this side area for additional bin storage the Environmental Health team is content that this can be dealt with through condition and so further details of bin storage will be required through condition.
- 8.9 There is also a rear garden area which would provide outdoor space for the occupiers. The garden area would be 7 metres in depth and roughly 12 metres wide and I consider the proposed level would provide sufficient 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 stops along Green End 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 35 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 on Milton Road and Green End Road. 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 only proposed change to the front elevation is the replacement of the garage door with a door and window. This change to the front fenestration does not drastically alter the appearance of the building and would not harm the character of the area. The proposed change from a patio door to a French door on the rear elevation will not be visible from any public viewpoints and is a relatively minor alteration, not harmful to the character of the area.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/11.

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 a condition to demonstrate the arrangement of the additional waste bins required for this proposed HMO. I agree with this advice and have attached the recommended waste management condition accordingly.
- 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 Authority has raised no objection to the application on the grounds of highway safety and I agree with this advice.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.23 The proposal provides two designated parking spaces for future occupiers. There are no parking restrictions along Nuffield

Road. The level of parking is in accordance with the maximum car parking standards of the Local Plan (2006).

- 8.24 The applicant has proposed to provide seven cycle parking spaces in a secure covered area with vertical cycle storage. This is in accordance with the cycle parking standards of the Local Plan (2006).
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

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

Representation	Response
Concerned with the size/ quality of the HMO	The proposed HMO would accommodate one additional occupier than what is allowed without the benefit of planning permission. I do not consider the additional occupiers would materially affect the residential amenity of the adjacent residents. All rooms have acceptable outlooks and sufficient communal areas for future occupiers.
Inadequate car parking	The existing property consists of three off-street parking spaces. As the property could be used as a 6 person HMO without planning permission, I do not consider the one additional occupier and loss of one parking space 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.

	<p>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.</p>
Arrangement of rooms not suitable for HMO use.	<p>The movement of occupiers from their bedrooms through the kitchen area to the bathroom would not, in my opinion, provide an unacceptable living environment for future occupiers. HMOs are commonly set up in this way and I do not consider this arrangement to be unique from other HMOs or detrimental to the living environment of future occupiers.</p>
The use of the property as a HMO is an overdevelopment and not in keeping with the residential character of the surrounding area. / Increase in noise, disturbance and anti-social behaviour.	<p>Again, the fall back position for the applicant is that the property could be occupied by 6 people without planning permission. The levels of people coming and going and use of this property as a seven bedroom HMO compared to a dwellinghouse or six bedroom HMO will not be so different as to adversely harm the character of the area.</p>
Noise disturbance for future occupiers of former garage bedroom due to shared wall	<p>See paragraph 8.7</p>

with neighbouring garage.	
---------------------------	--

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.

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. 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)

4. 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

5. The former garage bedroom hereby permitted shall be used solely in conjunction with and ancillary to 1 Nuffield Road and shall not be separately used, occupied or let.

Reason: To protect the amenity of the adjoining residential properties and to avoid the creation of a separate planning unit. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

6. 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: 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.