

<b>Application Number</b>	16/0873/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	26th May 2016	<b>Officer</b>	Lorna Gilbert
<b>Target Date</b>	21st July 2016		
<b>Ward</b>	Kings Hedges		
<b>Site</b>	5 Moore Close Cambridge CB4 1ZP		
<b>Proposal</b>	Retrospective change of use from dwelling (C3) to a 7 bed HMO (Sui Generis)		
<b>Applicant</b>	Mr & Mrs Gu 5, Moore Close CAMBRIDGE CB4 1ZP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>• The change of use of the dwellinghouse to a large HMO would not be detrimental to neighbours' amenities, road safety nor be visually harmful.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The property is a detached house located on the north-eastern side of Moore Close. The application site borders the rear gardens of No.s 1 to 4 Moore Close to the north-west, No.s 3 and 5 Hopkins Close to the north-east and borders the property of No.6 Moore Close to the south-east. The front boundary borders No.s 7 to 9 Moore Close to the south-west. Moore Close and the southern end of Hopkins Close are characterised predominantly by detached family dwellings.

1.2 The site is not within a conservation area.

## **2.0 THE PROPOSAL**

- 2.1 The application proposes a retrospective change of use of a family house to a seven bedroom House of Multiple Occupation that would accommodate up to nine occupants.
- 2.2 Two on-site car parking spaces are shown at the front of the property and landscape buffer strips are proposed in front of the building. A side access path leads to the rear of the property. Space for 6 bins is shown and five Sheffield cycle stands. These would be able to accommodate ten cycle parking spaces.

The drawings show an existing rear dormer and rooflights which are not part of this planning application. The dimensions are:

- 2.3 The rear dormer measures 8.1m in width, 2.7m in height and 3.8m in depth. It has a volume of 41.56m<sup>3</sup>. It is set up 0.3m from the eaves. It has been constructed from hanging tiles.
- 2.4 The drawings include three front velux rooflights. These project up to 0.15m from the roof plane.

## **3.0 SITE HISTORY**

- 3.1 No relevant 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 3/14 4/4 4/13 4/14 5/1 5/2 5/6 5/7 8/2 8/4 8/5 8/6 8/10 10/1

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

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p> <p>Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Planning Obligation Strategy (March 2010)</p>

Material Considerations	<u>City Wide Guidance</u>  Cambridge City Council (2011) – Open Space and Recreation Strategy  Cycle Parking Guide for New Residential Developments (2010)  Roof Extensions Design Guide (2003)
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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 that should be taken into account.

## 6.0 CONSULTATIONS

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

- 6.1 The proposal provides off-street car parking at significantly less than one space per sub-household.
- 6.2 Recent guidance contained within the National Planning Policy Framework and the IHT guidance on best practice in car parking provision moves away from maximum levels of provision and advises that parking provision for new residential development is based upon levels of access to a private car for comparable existing residential uses in the surrounding area. It is advised that

the applicant reassess the proposed parking provision in regard to the new guidance.

- 6.3 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 which the Planning Authority may wish to consider when assessing this application.

### **Environmental Health**

- 6.4 The development proposed is acceptable subject to the imposition of an informative relating to:
- 6.5 Housing Health and Safety
- 6.6 No concerns in terms of amenity regarding this development.
- 6.7 The premises has recently been inspected by the Residential Team and an HMO License has been issued.

### **Refuse and Recycling**

- 6.8 No objection. An additional black bin will be required because there are more than 6 residents in the house.

### **Senior Sustainability Officer (Design and Construction)**

- 6.9 No comment.

### **Consultations with Service Managers**

- 6.10 I have consulted the following Service Managers regarding potential mitigation measures to address demands for Informal Open Space/PlaySpace, Indoor/Outdoor Sports Facilities and Community Facilities:

Development Manager (Streets and Open Spaces)

Recreation Services Manager

Community Funding Development Manager

6.11 No comments were received.

6.12 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:

- 2, 3, 6, 7, 8, 10 Moore Close
- 3 Hopkins close

7.2 The representations can be summarised as follows:

- Loss of light/overshadowing from roof extension.
- Visual amenity – roof extension is large and out of keeping with the character and appearance of the surrounding houses.
- Overlooking/loss of privacy – roof extension affects No. 1 and 2 Moore Close and two houses in Hopkins Close (in the case of 2 Moore Close this includes 1 bedroom, a study, a bathroom, a kitchen and a lounge/diner).
- Parking has not been adequately addressed. The house has 7 bedrooms but only two parking spaces. It is highly likely to result in increased on-street parking in Moore Close to the detriment of existing residents.
- The inevitable parking on pavements will make access for wheelchair users or people with prams will be harder if not impossible.
- Disregard for the planning process. Approval will set a precedent.
- Moore Close is not designed for this level of density of the population.
- Extra residents will cause noise and disturbances with an additional strain on local services such as rubbish collection.
- The building has to be expanded to accommodate the use and the site is incapable of accommodating the use e.g. garden size, bins, cycles etc and parking.
- Policy 5/7 – Visual impact of removing green area at the front of the dwelling.

- Policy 3/7 spaces around buildings are key matters in design – the proposal does not provide high quality design.
- Policy 3/4 this proposal would impact upon neighbouring properties.
- Policy 5/7 significant adverse impact on amenity created by the inadequacy of the site and its location to cater for the number of occupants proposed.
- Policy 5/7 - it cannot be construed as an area with high levels of accessibility to services and facilities.
- Neighbour has experience issue with increased traffic, both in terms of people and vehicles, with their driveway being used for turning.
- The existing plans for e.g. show a study which has never existed.
- Street parking is an issue, with cars blocking access to services, deliveries, rubbish collection and emergency vehicles. Difficult to park in our drive with cars parked opposite.
- If any covenants/conditions can be imposed I would suggest restrictions on only permitting tenants who are not vehicle owners.

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 (and impact on heritage assets)
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 Local Plan (2006) states *'the development of supported*

*housing and 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 local services’.*

- 8.3 The application is for the retrospective change of use of a dwellinghouse to a large House of Multiple Occupation (HMO). Policy 5/7 is of relevance to this application. Moore Close is a residential street mainly comprising of detached family dwellings. The HMO would offer an alternative type of accommodation along the street which would help meet the needs of a diverse and mixed community. There is not a high concentration of HMO's along Moore Close. There would be an increase in the number of occupants compared to its previous use as a family dwelling. This in turn would increase the number of people coming and going from the property and could lead to a potential increase in car parking demands and bin and cycle storage provision. There is likely to be an increase in noise due to the increase in number of residents, however the property is detached and I do not consider the noise levels would be so great as to warrant refusal of the planning application.
- 8.4 The revised Block Plan shows provision for bin and bike storage for the occupants, in the rear garden. Two on site car parking spaces are provided at the front of the property. Paragraphs 8.15, 8.23 and 8.24 will consider the car parking provision.
- 8.5 In my opinion, the seven bedroom HMO would provide an acceptable standard of accommodation for the occupants. Each bedroom has an ensuite and there is a communal kitchen, common room and garden of approximately 90m<sup>2</sup>.
- 8.6 The property is within walking distance from bus stops along Milton Road which serve central Cambridge. There is also a cycle route along Milton Road. The property is near to shops and services along Milton Road and Arbury Road.
- 8.7 Two landscaped buffer strips are located directly in front of the property which provides some soft landscaping at the front of the

property and break up the hard landscaping of the car parking area.

- 8.8 In my opinion, the principle of the development is acceptable and in accordance with policy 5/7 of the Local Plan 2006.

**Context of site, design and external spaces (and impact on heritage assets)**

- 8.9 The application does not propose external changes to the house itself. The front garden has been reconfigured to accommodate two car parking spaces and bin and bike storage will be accommodated in the rear garden. I consider these external alterations to be acceptable. Some buffer landscaping is proposed in the front garden by the ground floor bedroom windows. This provides soft landscaping which I consider will compliment the appearance of the site.
- 8.10 The existing rear loft extension and front velux windows are not part of this current planning application. There is no planning history for the roof additions. However, the roof extensions are of an acceptable size to be considered permitted development for a dwellinghouse.
- 8.11 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11.

**Residential Amenity**

Impact on amenity of neighbouring occupiers

Noise and disturbance

- 8.12 The HMO will increase the number of occupiers living at the property. There is likely to be an increase in the number of people coming and going and this could lead to an increase in noise levels. The property is detached which would help to lessen the impact on its neighbours. In my opinion the change of use would not lead an unreasonable level of noise disturbance to nearby properties to warrant refusal of the planning application.

### Overlooking

- 8.13 Some neighbours have raised concerns with overlooking, in particular from the bedroom windows of the loft extension. The windows on the rear dormer are positioned no closer to neighbouring houses than the existing rear windows on the property. There will be an intensification of the building's use due to an increase in the number of occupants, however, in my opinion I do not consider the rear windows would cause an unreasonable level of overlooking to nearby properties.

### Overshadowing

- 8.14 The rear dormer does not form part of this planning application. However, a neighbour has commented that it leads to overshadowing. This size dormer can be constructed through permitted development. In my view, it would not lead to a detrimental loss of light to nearby properties due to its position at roof level.

### Overspill car parking

- 8.15 Concerns have been raised by neighbours over cars parking along the street, turning around in the front of other properties or making it difficult for people to manoeuvre into and out of their driveways. I note these concerns. There are public transport bus stops within walking distance of the property and shops and services nearby, which could encourage some occupants not to own a car. The car parking standards (Appendix C) in the Local Plan 2006 highlights a residential property of this size should have a maximum of 2 on site car parking spaces. In view of the number of potential occupants, cycle parking provision and proximity to public transport and services, in my opinion the car parking provision would be acceptable. The orientation of the car parking spaces should make it easier for cars to enter and exit the spaces without encroaching on neighbours' front gardens.
- 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 I consider the size of the accommodation and rear garden (at around 90m<sup>2</sup>) would provide an acceptable standard of accommodation for the occupants. The landscape buffers by the ground floor front bedroom windows will prevent people passing directly by these windows and I consider avoids an unreasonable loss of privacy to the occupants.
- 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) policies 3/7.

### **Refuse Arrangements**

- 8.19 The Waste Team considers there to be sufficient space to accommodate the required refuse and recycling bin storage. The Block Plan illustrates the location of the bin storage in the rear garden. I also find the provision to be acceptable.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.21 Highways highlight the development may impose additional parking demands upon the on-street parking on the surrounding streets. They acknowledge this is unlikely to result in any significant adverse impact upon highway safety. I consider it is unlikely the proposal would adversely harm highway safety.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

- 8.23 Ten cycle parking spaces are provided in the rear garden and two car parking spaces in the front garden. These meet the standards set out within the Local Plan 2006. I consider the car and cycle parking provisions to be acceptable.

8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **9.0 CONCLUSION**

9.1 In my opinion the change of use of the dwellinghouse to a large HMO would not be detrimental to neighbours amenities, road safety and would not be visually harmful.

## **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.

**INFORMATIVE:** The Housing Act 2004 introduced the Housing Health & Safety Rating System as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors.

Each of the dwellings must be built to ensure that there are no unacceptable hazards for example ensuring adequate fire precautions are installed; all habitable rooms have adequate lighting and floor area etc.

Further information may be found here:

<https://www.cambridge.gov.uk/housing-health-and-safety-rating-system>