

Application Number	18/0183/FUL	Agenda Item	
Date Received	7th February 2018	Officer	Mairead O'Sullivan
Target Date	4th April 2018		
Ward	Petersfield		
Site	65 Mill Road		
Proposal	First floor rear extension and change of use to 6 bed (7 person) HMO.		
Applicant	Mrs Laki Begum 65, Mill Road Cambridge CB1 2AW		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposal would not have any significant adverse impact on the amenity of adjoining occupiers in terms of loss of light, enclosure, loss of privacy or noise and disturbance. - The proposal would provide an adequately high standard of amenity for future occupiers - The extension is considered acceptable in terms of design and would not harm the character and appearance of the Conservation Area
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site lies on the north eastern side of Mill Road. This is a mixed use area within the Mill Road East Local Centre. The southern side of the street is predominantly in commercial use at ground floor with a mix of commercial and residential uses on the upper floors. The northern side of the street is more residential with many wholly residential buildings. The

application site and both adjoining properties are wholly in residential use.

- 1.2 The site lies within the Mill Road Area of the Central Conservation Area.

2.0 THE PROPOSAL

2.1 The application seeks full planning permission for the construction of a first floor rear extension and change of use to a 6 bedroom (7 person) HMO. The extension is to the first floor outrigger and would extend over an existing single storey extension. It would create an additional bedroom. The extension would be set off the boundary with no 63. The extension would have a pitched roof and maintain the eaves and ridge height of the outrigger with a stepped end wall. The extension would be finished in brick to match existing. Bike and bin storage remains as existing.

2.2 The application has been amended since submission to reduce the width of the extension as there were concerns that it would be harmful to the amenity of the adjoining property to the east of the site.

2.3 The application is accompanied by the following supporting information:

1. Design Statement
2. Plans
3. Revised plans

3.0 SITE HISTORY

Reference	Description	Outcome
06/0159/FUL	Part single part two storey rear extension.	Permitted

4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

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 3/12 3/14 4/11 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 (Annex A) Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)
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	<u>City Wide Guidance</u>

Considerations	Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (2011)

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 Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the site will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the attention of the applicant, and an appropriate informative added to any Permission. A condition and informative are requested requiring details of a traffic management plan prior to the commencement of works.

Urban Design and Conservation Team

6.2 There are no material conservation issues.

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:

- 7 Diamond Close (owner of 63 Mill Road)
- 63 Mill Road x 4

7.2 The representations can be summarised as follows:

- Would have an overbearing impact on two rooms closest to the boundary
- May impact on light to 63
- Will impact on privacy of 63
- Increased traffic, noise disturbance and bin requirements due to increased density
- Appreciate effort make to reduce impact in amended plans but remain concerned about loss of light and enclosure to the rooms in the rear of the property
- Roof windows in ground floor bathroom would look into upstairs of no.63

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 The site is currently is use as a small HMO (C4). The application proposes a change of use from C4 to a Sui Generis use as a large HMO with 6 bedrooms serving 7 people.
- 8.3 Policy 5/7 relates to houses in multiple occupation. It states that development of HMOs will be permitted subject to:
- a. the potential impact on the residential amenity of the local area;
 - b. the suitability of the building or site¹; and
 - c. the proximity of bus stops and pedestrian and cycle routes, shops and other local services.
- 8.4 The building is currently in residential use as a small HMO so the proposal meets criterion b. The site is located within the Mill Road East Local Centre close to bus stops, cycle infrastructure and local services and as a result meets criterion c. The impact on residential amenity will be assessed under the relevant heading within the body of my report.

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

- 8.5 The proposed extension is to the rear of the property and would not be visible in the streetscene. The extension would be set down from the ridge and would clearly read as a subservient later addition. The Conservation Officer is satisfied that there are no material conservation issues. I share this view and consider the proposed extension to be of an appropriate scale and in keeping with the surrounding area.
- 8.6 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.7 The original proposed extension protruded beyond the rear wall and to the side at first floor level. There were concerns that this would have an overbearing impact on no. 63's ground floor bedroom window nearest to the boundary which is already partially enclosed by the existing single storey extensions to no. 63 and 65. The plans have been amended and the side element has been largely removed with the revised extension being set off the boundary by 1.55m.
- 8.8 The extension is now set away from the boundary with no. 63. It would still protrude beyond the rear wall but given the distance between the extension and the windows on no.63, I am satisfied that there would be no significant further enclosure to this occupier. Given the distance from the boundary and the orientation of the extension to the north-east of this window, I am satisfied there would be no significant overshadowing to no.63
- 8.9 The other adjoining neighbour at no. 67 has an existing first floor extension to the rear. The proposal would be broadly in line with this extension and as a result there would be no significant impact on this occupier in terms of enclosure or overshadowing.
- 8.10 The representations raise concerns regarding the increase in the density on site and the additional pressure which this may create. The application proposes the building is used as a 7 person HMO. The building could be occupied by 6 people under permitted development and I am satisfied that one additional occupier is not going to result in any significant impact to traffic, bin requirement or noise on site.
- 8.11 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, 3/14 and 5/7.

Amenity for future occupiers of the site

- 8.12 The technical space standards do not apply for HMOs. The proposal would provide one additional bedroom to accommodate a total of 7 people and 6 bedrooms on site. The extension would result in some enclosure to bedroom one of the host dwelling but this would not be significant and occupiers of

this room would still have an adequate level of outlook. The rear garden is relatively small but as the extension is at first floor it does not eat into the existing amount of outdoor amenity space. Although the space is small, it is considered to be adequate and in line with other HMOs in the area. Occupiers of HMOs do not require the same level of outdoor amenity space as single dwellings given their more transient nature. The site is also within easy walking distance of a large area of public open space at Parker's Piece. The proposal is therefore considered to provide an adequately high standard of amenity for future occupiers.

- 8.13 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 and 3/14.

Highway Safety

- 8.14 The Highway Authority has no objection to the proposal. The requested condition and two informatives have been recommended.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.16 There is no off-street car parking provision. This is acceptable given the sustainable location of the site within a local centre.
- 8.17 There is an existing cycle store within the rear garden which appears to be adequate provision. Two additional spaces will need to be accommodated for the new occupiers but I am satisfied that this would be achievable.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Refuse Arrangements

- 8.19 The refuse arrangement remains as existing with bins stored to the front of the property. Whilst this is not ideal this is a current

situation. Many other properties on the street also store their bins to the front. The building is set back from the street so it is possible to store bins without obstructing the public highway.

8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/12 and 5/7.

Third Party Representations

8.21 I have addressed the majority of the third party representations within the body of my report. I will respond to any outstanding matters below.

Representation	Response
Would have an overbearing impact on two rooms in no.63 closest to the boundary	See paragraphs 8.7 - 8.10
May impact on light to 63	See paragraph 8.8
Will impact on privacy of 63	There is an existing window to the rear of the property and I am satisfied that the new window on the end wall of the extension would not result in any further overlooking than is currently the case. There are no new windows proposed in the side elevation which would look into no.63.
Increased traffic, noise disturbance and bin requirements due to increased density	See paragraph 8.10
Appreciate effort make to reduce impact but remain concerned about loss of light and enclosure to the rooms in the rear of the property	The revised proposal is considered to address the issues of loss of light and enclosure to no.63. See paragraphs 8.7-8.9
Roof windows in ground floor bathroom would look	The roof window would only allow for very acute views back at the

into upstairs of no.63	first floor of 63. This is not considered to have any significant impact on the privacy of the occupiers of no.63;
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9.0 CONCLUSION

- 9.1 The revised proposed extension is no longer considered to have any significant adverse impact on the occupiers of no.63. The proposed extension is considered acceptable in terms of design. The additional two people on site is not considered to give rise to any significant increase to noise and disturbance. The site is considered to provide an adequate standard of amenity for future 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. 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. No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Planning Authority. The works shall thereafter be implemented in accordance with the approved details.

Reason: in the interests of highway safety in accordance with policy 8/2 of the Cambridge Local Plan (2006)

6. The property shown as 65 Mill Road shall be occupied by no more than 7 no. 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 policies 3/7 and 5/7).

INFORMATIVE: The principle areas of concern that should be addressed by the Traffic Management Plan are:

- Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).
- Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

INFORMATIVE: Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the site will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.