

Application Number	19/0469/FUL	Agenda Item	
Date Received	4th April 2019	Officer	Alice Young
Target Date	30th May 2019		
Ward	Arbury		
Site	101 Perse Way		
Proposal	Change of use to 8-bed (10 person) HMO (sui generis), together with erection of two-storey side and rear extension, single-storey front and rear extensions, rear roof extension, and detached cycle store in rear garden.		
Applicant	Mr Unai Ayo 101 Perse Way		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none">- The proposal would harm the character of the area- The proposal is considered to have an acceptable impact on the amenity of adjoining occupiers- The proposal provides a good quality living environment for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 101 Perse Way is a two-storey semi-detached property on the eastern side of Perse Way, opposite Harding Way. The existing dwelling is situated approximately equidistance between the western boundary and the eastern boundary, in the centre of the application site. Along the northern boundary with the application site is a public footpath which provides access to

Rockwell Road to the east. The site is located outside the conservation area and the controlled parking zones.

2.0 THE PROPOSAL

- 2.1 The proposal seeks to change of the existing use (dwelling, use class C3) to an 8-bed (10 person) House of Multiple Occupancy (sui generis use class), together with erection of two-storey side and rear extension, single storey front and rear extensions, rear roof extension, and detached cycle store in rear garden. The proposed cycle store, located within the rear garden, would be accessed using the existing public pedestrian footpath to the north of the site. On site at least two car parking spaces are provided to the front of the dwelling.
- 2.2 The proposal is very similar to an extant permission 18/1314/FUL which relates to the same site. The difference between the extant permission and the proposed is that the proposed includes the change of use from a dwelling (C3 use) to an 8 bed (10 person) HMO and the rear box dormer addition. The proposed rear box dormer is identical to the recently granted certificate of lawfulness 18/0705/CL2PD.
- 2.3 The application is accompanied by the following supporting information:

1. Drawings

3.0 SITE HISTORY

Reference	Description	Outcome
18/1314/FUL	Single storey front and rear extensions, and two storey side extension.	Permitted
18/0706/FUL	Single storey rear and two storey side extensions.	Withdrawn
18/0705/CL2PD	Rear roof extension, including 3 velux windows to front elevation.	Granted
07/0922/FUL	Roof extension including front and rear dormers.	Refused

4.0 PUBLICITY

- 4.1 Advertisement: No

Adjoining Owners:
Site Notice Displayed:

Yes
No

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge	Local	1, 28, 35, 48 55, 56, 58, 82
Plan 2018		

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

Central Government Guidance	National Planning Policy Framework February 2019 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Cambridgeshire Design Guide For Streets and Public Realm (2007) Cycle Parking Guide for New Residential Developments (2010)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

- 6.1 The application form states that there is no change in parking provision within the site. The application reduces the front garden and builds over a side access way. The applicant must provide a detailed dimensioned plan of the proposed parking arrangements to demonstrate that the proposed layout is feasible and practical.

Environmental Health

- 6.2 The development is acceptable subject to the construction hours and construction delivery conditions and the housing health and safety rating system and the licensing informatives.
- 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:

- 86 Perse Way

- 7.2 The representations can be summarised as follows:

- Insufficient provision for off street car parking for the number of residents which would detrimentally harm the current on street parking
- Inaccurate location plan
- The area in which the property resides is a residential area. The proposed changes resemble plans for a small hotel and would be unacceptable for the area.

- 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. Drainage
8. Third party representations

Principle of development

- 8.2 Policy 48 states that proposals for large houses in multiple occupation (*sui generis*) as defined by the Government's Circular 08/2010 and its successor documents will be supported, where the proposal:
- a. Does not create an over-concentration of such a use in the local area, or cause harm to residential amenity or the surrounding area;
 - b. The building or site (including any outbuilding) is suitable for use as housing in multiple occupation, with provision made, for example, for appropriate refuse and recycling storage, cycle and car parking and drying areas; and
 - c. Will be accessible to sustainable modes of transport, shops and other local services.
- 8.3 A review of the Council's evidence and site visit by the case officer indicates that there are a limited number of large HMOs within the vicinity. Therefore, I consider that the proposal would not create an overconcentration of large HMOs in the area. The proposal for a large HMO would not significantly harm the residential amenity of neighbours; this is discussed in paragraphs 8.7-8.11. The proposal is compliant with criterion b and c and both of these are addressed throughout the report.

Context of site, design and external spaces

- 8.4 As the built form has been approved under reference 18/1314/FUL, the scale, massing and character of the built form has already been assessed and is considered acceptable.
- 8.5 The application site is situated within a short walking distance of local amenities and transport links which provides access to the rest of the city and surrounding area. As such the location is

considered to be sustainable and appropriate for HMO development.

- 8.6 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.7 The attached neighbour, no. 103 Perse Way, is south of the application site. By virtue of the modest scale and massing of the proposed single storey rear extension and the separation distance between the proposed two storey element and the boundary with no. 103, it is considered that the proposal would not appear to visually dominate no. 103.

Overbearing/enclosure

- 8.8 In relation to overbearing or enclosure impacts to no. 103, the proposed single storey rear extension would project 2.65 metres further than no. 103's rear and the roof would have a lean-to design with a low ridge height. On this basis, the proposal is considered to have minimal enclosure or overbearing impacts on no. 103's rear habitable room and patio.

Overshadowing

- 8.9 With regard to overshadowing, a BRE horizontal 45 degree plane was taken from the midpoint of no.103's rear dining room doors and this plane cut across the proposed extension. However, a vertical 45 degree plane was taken from the midpoint of the sloping lean-to roof of the single storey rear extension and this plane did not cross the centre point of no. 103's rear dining room doors. Whilst it is acknowledged that one of the two sunlight tests failed, BRE guidance states that if the development fails only one of the two tests, the impact is considered on balance to be acceptable. It is considered that the proposed rear extensions would not have a significant impact on light to no. 103's rear habitable room. The two storey element would be 7.9 metres away from no. 103 and given this distance, there would be no significant impacts on light levels on no. 103's rear elevation. In terms of the front extension, this would project a shallow depth of 1.5 metres from the front

elevation and would be situated 3.3 metres from the common boundary with no. 103. Therefore, overshadowing to no.103 as a result of the development would be limited.

Overlooking

- 8.10 In terms of overlooking, there are no windows on the side elevation adjacent to no. 103, therefore, no direct overlooking is considered to result from the development proposed.
- 8.11 The flats to the north of the site are a significant distance away from the proposed two storey extension, therefore, the proposal would not to have a detrimental impact on amenity of the flat occupiers'. There are no windows on the northern elevation, therefore there would be no additional overlooking to these flats.
- 8.12 On the basis of the above assessment, 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 (2018) policies 55 (58) and 35.

Amenity of future occupiers

- 8.13 The proposal would provide eight bedrooms, six of which would have ensuite shower rooms and two bedrooms which would share a shower room. The communal areas consist of two large kitchens and a living room as well as a laundry room and utility room. This communal space totals 76m². Additionally, the rear outside amenity space would be 132m². Whilst the laundry room is considered modest in proportion to the number of occupants, the utility on the second floor could be used as a drying area. As the proposal provides a sizeable amount of internal space as communal, an appropriate number of bathrooms and all of the bedrooms are considered an appropriate size (see table below), it is officers' view that the proposal would provide a good quality living environment for future occupiers.

Bedroom	Number of occupants	Proposed internal space (m ²)	Policy Size requirement (m ²)	Difference in size
1	2	17	11.5	+5.5
2	1	10.5	7.5	+3
3	1	14.6	7.5	+7.1
4	1	10.6	7.5	+3.1
5	1	11.4	7.5	+3.9
6	1	10.5	7.5	+3
7	1	10.3	7.5	+2.8
8	2	15	11.5	+3.5

8.14 In my opinion the proposal provides an adequate level of residential amenity for future occupiers and I consider that it is compliant with Cambridge Local Plan (2018) policies 50, 51 and 56.

Highway Safety

8.15 The Highway Authority did not object on highway safety grounds and as such officers' are satisfied that the proposal would not result in any highway safety concerns.

8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 80 and 81.

Car and Cycle Parking

8.17 The Highways Authority requested that the applicant provides a detailed plan of the parking arrangements on site. However, the proposed block plan shows that the front garden would provide at least two car parking spaces which can be independently accessed. The maximum number of car parking spaces allocated to one dwelling is two outside of the controlled parking zone. Therefore, I am satisfied that the proposal provides adequate information to address the Highway Authority's concerns and would provide sufficient car parking on site. The proposed cycle store, located in the rear garden, would provide 12 covered and secure cycle parking spaces. This is considered proportionate to the number of occupants as well as providing two additional spaces for guests. As the proposal is situated in a sustainable location, provides an adequate number of cycle

parking spaces and provides the maximum car parking spaces, it is considered that the proposal would not result in parking stress.

- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Refuse arrangements

- 8.19 Refuse would be situated adjacent to the proposed cycle store in the rear garden of the application site, within an acceptable dragging distance to Perse Way for collection.

Third Party Representations

- 8.20 Third party representations have raised concerns regarding the provision of off street car parking and the impact on the character of the area, this has been addressed in the residential amenity section above.

9.0 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 91 of the Town and Country Planning Act 1990 (as amended by 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: 7638 BLOCK; 7638 LOC; SG/7638/01/18 10; SG/7638/01/18 11; SG/7638/01/18 12; SG/7638/01/18 4; SG/7638/01/18 5; SG/7638/01/18 6; SG/7638/01/18 8

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 property shown as 101 Perse Way shall be occupied by no more than 10 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 2018 policies 56 and 48).

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 2018 policy 35)

5. There shall be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 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 2018 policy 35)

INFORMATIVE: Housing Health & Safety Rating System

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, habitable rooms without adequate lighting or floor area etc. Further information may be found here:

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

INFORMATIVE: The Housing Act 2004 introduced Mandatory Licensing for Houses in Multiple Occupation (HMOs) across all of England. This applies to all HMOs occupied by five or more persons forming more than one household and a person managing or controlling an HMO that should be licensed commits an offence if, without reasonable excuse, he fails to apply for a licence. It is, therefore, in your interest to apply for a

licence promptly if the building requires one. Further information and how to apply for a Licence may be found here: <https://www.cambridge.gov.uk/licensing-of-houses-in-multiple-occupation>.