

Application Number	19/1669/FUL	Agenda Item	
Date Received	4th December 2019	Officer	Aaron Coe
Target Date	29th Jan 2020 (EOT 29 th May 2020)		
Ward	Arbury		
Site	101 Perse Way Cambridge CB4 3SB		
Proposal	Change of use to 9 bed HMO (House in Multiple Occupation) for 10 persons (sui generis). Single storey front extension; two storey side extension; part two storey, part single storey rear extension and roof extension incorporating front and rear dormers. Erection of detached cycle store to rear.		
Applicant	Mr Unai Ayo 101, Perse Way Cambridge CB4 3SB		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposal would not 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 is not within a controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal seeks to change the existing use (dwelling, use class C3) to a 9-bed (10 person) House of Multiple Occupancy (sui generis use class), together with the erection of a 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.
- 2.2 There is an extant permission which was approved at planning committee by members on 2nd October 2019, application reference 19/0469/FUL. This application granted permission for an 8-bed (10 person) HMO. The difference between the extant permission and the proposed development is that this proposal involves an additional bedroom on the second floor, two dormers on the front elevation and increasing the size of the dormer on the rear elevation. The proposal does not involve an increase in the number of people occupying the property.
- 2.3 The application is accompanied by the following supporting information:

1. Drawings

3.0 SITE HISTORY

Reference	Description	Outcome
19/0469/FUL	Change of use to 9 bed HMO (House in Multiple Occupation) for 10 persons (sui generis). Single storey front extension; two storey side extension; part two storey, part single storey rear extension and roof extension incorporating front and rear dormers. Erection of detached cycle store to rear.	Permitted.
18/1314/FUL	Single storey front and rear extensions, and two storey side	Permitted

18/0706/FUL	extension. 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:	Yes
Site Notice Displayed:	Yes

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 Plan 2018	Local	1, 28, 35, 48 55, 56, 58, 82

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 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (Jan 2020) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Cambridgeshire Design Guide For Streets and Public Realm (2007)

	Cycle Parking Guide for New Residential Developments (2010)
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6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The streets in the vicinity provide uncontrolled parking, and so, as there is no effective means to prevent residents from owning a car and seeking to keep it on the local streets this demand is likely to appear on-street in competition with existing residential uses. The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets, as there are only three off street car parking spaces being provided for up to ten residents 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.
- 6.2 Access to the proposed cycle parking and bin store is reliant on a path that is not adopted public highway and therefore, the proposed residents may not have an absolute right to use the same.
- 6.3 The drag distances from the proposed bin store to the kerbside collection point appears to be in excess of 30m. This may engender the keeping of bins on the adopted public highway which may result in conflict with pedestrians. It would be preferable if the bin store were relocated at the front of the proposed building thus allowing more convenient access to the same.

Environmental Health

- 6.4 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.

6.5 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:

-103 Perse Way

7.2 The representation can be summarised as follows:

Concerned by the proposal for the following reasons:

- The proposed front elevation is not in keeping with the appearance of the adjacent property, particularly concerned with the design of the second floor.
- The front drive is not large enough to serve three cars and it is not possible to restrict the nine occupants to have only three cars between them.
- The safety of children using the front and side paths.

7.3 The above representation is a summary of the comment that has been received. Full details of the representation can be inspected on the application file.

8.0 ASSESSMENT

8.1 From the consultation responses and representation received and from the inspection of the site and the surroundings, the main issues to be assessed 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 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, it is considered that the proposal would not create an overconcentration of large HMOs in the area. The principle of a large HMO serving 10 people in this location has been established under an extant permission (application reference 19/0469/FUL) and this is given significant weight in the assessment of this application.

Context of site, design and external spaces

- 8.4 In comparison to the extant permission the proposed alterations to the approved design include two additional dormers on the front elevation and a larger box dormer proposed on the rear elevation. Given that there is an extant permission on the application site significant weight is given to this factor.
- 8.5 The objector has raised concerns with the design and the appearance of the front elevation. In respect of the front elevation, the only proposed alteration from the approved scheme is the replacement of two skylights with two individual dormer windows. The proposed front dormer windows are considered to be in keeping with existing properties within the immediate vicinity, as front conventional dormers can be seen within the wider street context (e.g. 20 Acton Way).
- 8.6 In respect of the proposed increase in size of the second floor rear dormer, it is acknowledged that this element would create a

box dormer across the entire rear roof slope. However, given that this element would ordinarily be considered permitted development across the original roof slope and it is not visible from the road and on the rear of the property, officers support this aspect of the scheme.

- 8.7 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.
- 8.8 The proposal is considered to be compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 The attached neighbour, no. 103 Perse Way, is situated to south of the application site. By virtue of the location of the additional second floor roof space being on the northern side of the property it is considered that the proposal would not result in any adverse impacts on the residential amenity of No. 103 Perse Way.
- 8.10 The additional element proposed would not result in any further significant overbearing, overshadowing or overlooking issues on neighbouring properties. The main built form, design and layout has been approved under reference 19/0469/FUL, the impacts on the residential amenity has already been assessed and considered acceptable under this application.
- 8.11 The addition of two front dormers will not result in any adverse impacts on the amenity of neighbouring properties.
- 8.12 The proposal adequately respects the residential amenity of its neighbours and the constraints of the site. The development is considered to be compliant with Cambridge Local Plan (2018) policies 55 (58) and 35.

Amenity of future occupiers

8.13 The proposal would provide nine bedrooms, seven of which would have en-suite bathrooms and the two other bedrooms would share a bathroom. The communal areas consist of two large kitchens, a living room and a laundry room. The internal communal space proposed totals 66m². Additionally, the rear outside amenity space would be 132m². The proposal is considered to provide a sufficient amount of communal space both internally and externally with all of the bedrooms being considered an appropriate size (see table below). Overall, it is considered by officers' 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	1	17	7.5	+9.5
9	1	14	7.5	+6.5

8.14 It is considered that the proposal provides an adequate level of residential amenity for future occupiers and is compliant with Cambridge Local Plan (2018) policies 50, 51 and 56.

Highway Safety

8.15 The Highway Authority has reviewed the proposals and has not objected on highway safety grounds and as such officers are satisfied that the proposal would not result in any highway safety concerns. The Highways Engineer has raised comments in respect of rights of way to the rear garden space via the path to the north of the site which is not adopted public highway. The proposed access arrangement is the same as the approved scheme (19/0469/FUL) and securing this would require a separate agreement between the landowner and the applicant.

8.16 The proposal is considered compliant with Cambridge Local Plan (2018) policies 80 and 81.

Car and Cycle Parking

8.17 The submitted block plan and revised car parking layout shows that there is sufficient space for two car parking spaces within the front driveway which can be independently accessed. In accordance with Appendix L of Cambridge Local Plan 2018 the maximum number of car parking spaces allocated to one dwelling (3 bedrooms or more) outside of the controlled parking zone is two spaces.

8.18 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 an additional space for guests. As the proposal is situated in a sustainable location and provides an adequate number of cycle parking spaces.

8.19 The proposal is considered to be compliant with Cambridge Local Plan (2018) policy 82.

Refuse arrangements

8.20 The refuse would be situated adjacent to the proposed cycle store in the rear garden of the application site. This was considered acceptable as part of the extant permission and the proposal remains the same within this application and is considered acceptable.

Third Party Representations

8.21 One third party representations has been received. The following matters have been raised:

Table 1: Representations Received:

Issue	Officer response/ report section
Inappropriate design	Paragraph 8.4 and 8.8
Car parking	Paragraph 8.17- 8.19
Safety of pedestrians	Paragraph 8.15

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 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 2018 policy 35)

4. 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)

5. 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).

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:

Management of Houses in Multiple Occupation (HMOs)

Management Regulations apply to all HMOs (whether or not they are licensable) and impose certain duties on managers and occupiers of such buildings. Persons in control of or managing an HMO must be aware of and comply with the Management of Houses in Multiple Occupation (England) Regulations 2006. These regulations stipulate the roles and responsibilities of the manager and also the occupiers of HMOs. Further information may be found here:

<https://www.cambridge.gov.uk/houses-in-multiple-occupation>

INFORMATIVE:

Licensing

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>