



Planning Committee Date	1 March 2023
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/02162/FUL
Site	315 Milton Road
Ward / Parish	Kings Hedges
Proposal	Retrospective change of use of dwelling to a Large Scale HMO, with conversion of garage to habitable space
Applicant	Mr Neil Stepney
Presenting Officer	Laurence Moore
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	1. Internal Space 2. Noise 3. Parking
Recommendation	APPROVE subject to conditions.

1.0 Executive Summary

- 1.1 The application seeks to deliver a 7 bedroom HMO along 315 Milton Road which be for a maximum of 7 occupants. The site is not situated within a conservation area. The site is situated within the controlled parking zone.
- 1.2 The only external changes relate to the proposed garage conversion, which as shown in submitted image titled *Elevation Front – Proposed (received 9th of May 2022)*, will replace the existing garage door situated along the principal elevation with a wall and new window.
- 1.3 Following amendments provided throughout the course of assessment, all proposed bedrooms meet space standards as required by policy 50 of the local plan.
- 1.4 The application will deliver additional internal amenity areas through the conversion of the non-habitable room in the loft to a living room for all tenants and the conversion of the rear hall into additional kitchen space. The amended plans show a gross internal floor area of 149sqm, which is 7.4sqm larger than the space requirements outlined in policy 50 of the local plan, which would allow for 51.5sqm of internal amenity space for all tenants.
- 1.5 The property has a garden available for tenants, which equates to approximately 265sqm.
- 1.6 The hard landscaping to the front will remain as existing and would allow for no.2 car parking spaces in tandem. Whilst the application proposes accommodation for no.7 persons, the site is situated in close proximity to suitable public transport connections to the city centre and the area is well equipped with ample public transport connections. For these reasons, the development is considered to be situated within a sustainable location and therefore is not deemed car dependant. The proposed 2 parking spaces are considered acceptable.
- 1.7 Officers recommend that the Planning Committee approve this application subject to conditions.

2.0 Site Description and Context

Constraints

None-relevant	X
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*X indicates relevance

- 2.1 The existing property consists of a 6 bedroom HMO serving 6 persons. The existing HMO has less internal amenity space than the proposed development, with the garage and loft room not currently in use at the property, and the rear hall being used solely for access means. The existing property has 2 communal bathrooms at first floor and a large

garden to the rear. The existing property has space for no.2 car parking spaces in tandem and includes cycle stores to the front.

- 2.2 The area is primarily residential, with local shops and public houses in close proximity to the site.
- 2.3 North of the site consists of residential gardens serving properties fronting Milton Road and Ramsden Square, further north of the site consists of Ramsden Square, a residential development with a central area of green open space.
- 2.4 East of the site consists of Milton Road whereas further east of the site consists of Browns Field Youth and community centre and the adjacent BMX track.
- 2.5 South of the site consists of Milton Road, and further south of the site consists of Kendal Way, a residential street.
- 2.6 West of the site consists of residential gardens serving properties fronting Milton Road and Ramsden Square, whereas further west of the site consists of Woodhead Drive.

3.0 The Proposal

- 3.1 Retrospective change of use of dwelling to a Large Scale HMO, with conversion of garage to habitable space
- 3.2 The application seeks to provide a large scale house in multiple accommodation including 7 bedrooms for 7 persons. The application proposes to convert the existing garage to a bedroom, the existing rear hall into additional kitchen space, the existing utility room to a communal toilet and shower room and change the unused loft space into a habitable living room.
- 3.3 The application has been amended to address concerns with internal amenity space and comments received from neighbouring occupiers, yet it was not felt this required re-consultation as the changes were internal only, and so would not have any additional impacts on neighbouring occupiers.

4.0 Relevant Site History

Reference	Description	Outcome
22/00718/FUL	Retrospective change of use of dwelling to a Large Scale HMO, with conversion of garage to habitable space	WDN

- 4.1 The previous application was withdrawn.

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 13: Cambridge East

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 48: Housing in multiple occupation

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 58: Altering and extending existing buildings

Policy 59: Designing landscape and the public realm

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 Supplementary Planning Documents

5.4 Other Guidance

N/A

6.0 Consultations

6.1 Environmental Health –No Objection

6.2 “The development proposed is acceptable.”

6.3 Local Highways Authority – No objection

6.4 No Objection – Discussed in Highways Surgery 08/02/2023

6.5 No conditions suggested.

7.0 Third Party Representations

7.1 2 representations have been received.

7.2 Those in objection have raised the following issues:

- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Car parking and parking stress
- Internal Space for future tenants.

7.3 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council’s website.

8.0 Assessment

8.1 Principle of Development

8.1 The application proposes a change of use to large house in multiple occupation (HMO). The plans show the property subdivided into 7 bedrooms and it would, subject to condition, serve a maximum occupancy of 7 persons. Policy 48 of the Cambridge Local Plan 2018 supports applications for the development of HMOs where they:

- a. do 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 outbuildings) 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;

c. will be accessible to sustainable modes of transport, shops and other local services.

8.2 Parts a, b and c of the policy above will be addressed within the following sections of this report.

8.2 Design, Layout, Scale and Landscaping

8.3 Policies 55, 56, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.

8.4 The only external changes relate to the proposed garage conversion, which as shown in submitted image titled *Elevation Front – Proposed (received 9th of May 2022)*, will replace the existing garage door situated along the principal elevation with a wall and new window. The development is not considered to have any adverse impacts on the character of the area in terms of design, and so the proposed external changes are considered acceptable.

8.5 The existing property is in use as a 6-bedroom HMO serving 6 persons. The application proposes an increase in the number of bedrooms at the property from 6 to 7, to allow for one extra tenant, through the conversion of the garage. The increase in maximum occupancy from 6 to 7 individuals is considered a marginal increase in the use of the property and so the proposed change of use to a large scale HMO is not considered to have any adverse impact on the character of the area and is therefore compliant with policies 55, 56 and 58 of the local plan.

8.6 A condition will be added to any permission granted, restricting the maximum occupancy of the HMO proposed to 7 persons.

8.7 Policy 48 part a) states that proposals for large scale HMOs will be supported where the development will not result in an over-concentration of such a use in the local area.

8.8 The authority's records show there to be less than 6 large scale HMOs to be situated along Milton Road, no large-scale HMOs at Ramsden Square and only 2 in the areas proximate to College Fields. For this reason it is not considered that there is an over-concentration of large scale HMOs in the area, and so the addition of no.1 large scale HMO as proposed is not considered to give rise to any adverse impacts on the character of the area. The development is therefore considered compliant with Policy 48 part a) of the 2018 local plan.

8.9 The application seeks to retain the existing hard landscaping to the front of the property in order to ensure the retention of no.2 car parking spaces.

The application does not include any changes to the rear amenity space, which will remain as approximately 265sqm of private green space. The application shows no intentions to alter the existing landscaping and so is considered acceptable with regards to policy 59.

8.10 The application site is situated along Milton Road, and is within an area subject to adequate public transport connections and ample active travel arrangements, for this reason the development is considered to be situated within a sustainable location, and so the application is compliant with policy 48(c).

8.11 The proposal is compliant with Cambridge Local Plan (2018) policies 48(a), 48(c), 55, 56, 58 and 59.

8.12 Highway Safety and Transport Impacts

8.13 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.

8.14 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

8.15 Access to the site would remain as existing, and so there are no concerns on highway safety stemming from the proposed access arrangements.

8.16 There is a minimal amount of construction work required in order to complete the proposed development. The works would include minor internal re-arrangements in addition to the garage conversion. For this reason, the construction impacts of the proposals are considered to be of a minor nature and would not lead to adverse impacts on the safe operations of the public highway.

8.17 The highways officer shares this view, as discussed within the highways surgery on 08/02/2023.

8.18 The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

8.19 Cycle and Car Parking Provision

8.20 Cycle Parking

8.21 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as

set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.

8.22 The applicant has demonstrated that there is sufficient space to the front of the property to accommodate a suitable enclosure for the accommodation of bikes for all inhabitants plus visitor parking. Whilst detailed designs of the secure enclosure for the safe and secure storage of bikes has not been provided, the officer believes it is suitable to secure the designs via condition. The condition to be added will require the addition of biodiverse roofs to any cycle store enclosure to be constructed.

8.23 Car parking

8.24 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms. Inside the Controlled Parking Zone the maximum standard is no more than one space per dwelling for any dwelling size. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls. The Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking.

8.25 The application seeks the retention of no.2 off-street, car parking spaces. Whilst the application proposes accommodation for no.7 persons, the site is situated in close proximity to suitable public transport connections to the city centre and the area is well equipped with ample public transport connections. For these reasons, the development is considered to be situated within a sustainable location and therefore is not deemed car dependant. The proposed 2 parking spaces are considered acceptable.

8.26 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

8.27 Amenity

8.28 Policy 35, 50, and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

8.29 Neighbouring Properties

8.30 Impact on No. 313:

Concerns have been raised regarding the potential adverse impacts on residential amenity arising from additional noise at the property from the addition of no.1 additional tenant. The increase in maximum occupancy from 6 to 7 persons is considered a marginal increase in use and is not considered to significantly exacerbate any issues with noise.

Whilst the addition of no.1 additional tenant has raised concerns for the neighbour situated at no. 313 Milton Road, their concerns stem largely from noise emittance from the garden of the HMO, resulting from a lack of internal amenity space. The proposed development would allow for a significant increase in the amount of internal amenity space available, and so the potential noise impacts to be witnessed by neighbouring occupiers are not considered sufficient to negatively impact quality of life.

The lack of an objection from the Environmental Health officer supports this point.

8.31 Impact on No. 309

Whilst the addition of no.1 additional tenant has raised concerns for the neighbour situated at no. 309 Milton Road, their concerns stem largely from noise emittance from the garden of the HMO, resulting from a lack of internal amenity space. The proposed development would allow for a significant increase in the amount of internal amenity space available, and so the potential noise impacts to be witnessed by neighbouring occupiers are not considered sufficient enough to negatively impact quality of life.

The lack of an objection from the Environmental Health officer supports this point, and the development is therefore considered to have no adverse impacts on the residential amenity of neighbouring occupiers and is compliant with policies 35, 48 (a), 50 and 58.

8.32 Future Occupants

8.33 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standards (2015).

8.34 Concerns have been raised regarding internal space being too restrictive for seven persons, and bedroom sizes being too small. The gross internal floor space measurements for the proposed HMO equates to 149.1sqm, which exceeds the requirements of policy 50 for a 7-bedroom unit by 7.4sqm.

8.35 All bedrooms within the proposed development will exceed the national minimum space standards, as outlined in policy 50 of the Cambridge local

plan 2018. The size of each individual bedroom proposed is shown in the table below:

Unit	Number of bed spaces (persons)	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	1	7.5	12.4	+4.9
2	1	7.5	10.5	+3
3	1	7.5	11.1	+3.6
4	1	7.5	9.9	+2.4
5	1	7.5	8.7	+1.2
6	1	7.5	13.7	+6.2
7	1	7.5	17.6	+10.1

8.36 Garden Size = 265sqm

8.37 To ensure a satisfactory level of amenity and to ensure compliance with space standards, conditions will be added to any permission granted, requiring the proposed alterations to bedroom 5 and the proposed additional communal facilities/rooms to be delivered prior to the occupation of the 7th bedroom.

8.38 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space which should be of a shape, size and location to allow effective and practical use of the intended occupiers.

8.39 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met with 5% of affordable housing in developments of 20 or more self-contained affordable homes meeting Building Regulations requirement part M4(3) wheelchair user dwellings. While this is a policy requirement, the proposal is a conversion and would utilise the existing stairwells, the proposed units would not be housed completely within a new building envelope. Therefore, it is not practicable to require part M4(2) compliance in this instance.

8.40 Construction and Environmental Impacts

8.41 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.

8.42 The Council's Environmental Health team have assessed the application and recommended no conditions.

8.43 Summary

8.44 The development is considered suitable for use as a large HMO, subject to conditions regarding bins and cycle stores, and so is compliant with policy 48 (b) of the local plan.

8.45 The proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 48(b), 50, 51, and 58.

8.46 Third Party Representations

8.47 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

Third Party Comment	Officer Response
Noise	<p>The increase in maximum occupancy from 6 to 7 persons is considered a marginal increase in use and is not considered to exacerbate issues with noise.</p> <p>Whilst the addition of no.1 additional tenant has raised concerns for neighbouring occupiers, their concerns stem largely from noise emittance from the garden of the HMO, resulting from a lack of internal amenity space currently in use at the property.</p> <p>The proposed development would allow for a significant increase in the amount of internal amenity space available, and so the potential noise impacts to be witnessed by neighbouring occupiers are not considered sufficient enough to negatively impact quality of life.</p>
Parking	<p>The application seeks the retention of no.2 off-street, car parking spaces.</p> <p>Whilst the application proposes accommodation for no.7 persons, the site is situated in close proximity to suitable public transport connections to the city centre and the area is well equipped with ample public transport connections. For these reasons, the development is considered to be situated within a sustainable location and therefore is not deemed car dependant.</p>
Internal Space	<p>The application includes amended plans which show the inclusion of the loft space to be used as amenity space and proposed alterations to bedroom 5, to ensure the room complies with space standards.</p> <p>The proposals would allow for a significant increase in the amount of internal amenity space available to each individual tenant, which is supported.</p>

8.48 Other Matters

Bins

- 8.49 Policy 57 requires refuse and recycling to be successfully integrated into proposals.
- 8.50 The applicant has demonstrated that there is sufficient space to the front of the property to host the required number of bins for the maximum occupancy. Whilst no plans identifying the design of the proposed bin store have been provided, it would be suitable to secure the designs via a condition. A condition will be added to any permission granted requiring the submission of details identifying the proposed design of the bin store, to include roof top planters and be situated to the front of the property.

8.51 Planning Conditions

- 8.52 Members attention is drawn to following key conditions that form part of the recommendation:

Condition no.	Detail
1	Time
2	Drawings
3	Communal Areas
4	Kitchen Facilities
5	Bedroom 5
6	Bike and Bin Stores
7	Max Occupancy

8.53 Planning Balance

- 8.54 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 8.55 Summary of harm
- 8.56 No.1 additional tenant and the potential noise implications rising from the additional tenant as discussed in section 8.26-8.29. The support received from Environmental health shows that from a professional perspective there will not be adverse impacts regarding noise which would lead to negative impacts on the quality of life of neighbouring occupiers.
- 8.57 Summary of benefits
- 8.58 27sqm of additional internal amenity space available to all tenants, which otherwise would not be made available due to the costs needed to ensure they're suitable.

- 8.59 Additional cooking facilities and communal toilet facilities available to all tenants.
- 8.60 1 additional room on the housing market in a period of heightened market pressure and lacking housing supply.
- 8.61 Increase in size to bedroom 5 which otherwise would not be conducted due to the costs needed to make alterations.
- 8.62 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for Approval (subject to conditions).

9.0 Recommendation

9.1 **Approve** subject to:

Condition no.	Detail
1	Time
2	Drawings
3	Communal Areas
4	Kitchen Facilities
5	Bedroom 5
6	Bike and Bin Stores
7	Max Occupancy

10.0 Planning Conditions

1. Time Limit

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. Drawings

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. Communal Areas:

The internal communal areas as shown on the approved drawings shall be provided prior to occupation of the 7th bedroom and prior to the commencement of the proposed use and retained for communal uses and used for no other purpose(s).

Reason: To ensure adequate internal communal space is provided for future occupants (Cambridge Local Plan 2018 policies 48 and 50).

4. Kitchen Facilities:

The additional kitchen facilities shown on the approved drawings shall be provided prior to occupation of the 7th bedroom and prior to the commencement of the proposed use and retained for communal uses and used for no other purpose(s).

Reason: To ensure adequate internal communal space is provided for future occupants (Cambridge Local Plan 2018 policies 48 and 50).

5. Bedroom 5:

The proposed alterations to bedroom 5 will be provided prior to the occupation of the 7th bedroom and prior to the commencement of the proposed use and shall be retained at the approved size for the life time of the development.

Reason: To ensure compliance with space standards (Cambridge Local Plan 2018 policies 48 and 50).

6. Cycle/Bin Store

The development shall not be occupied or the permitted use commenced, until details of facilities for the covered, secure parking of cycles and the covered, secure storage of bins for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout of the cycle and bin stores. A cycle or bin store proposed with a flat / mono-pitch roof shall include plans providing for a green roof. Any green roof shall be planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick. The cycle store and green roof as appropriate shall be provided and planted in full in accordance with the approved details prior to occupation or commencement of use and shall be retained as such.

Reason: To ensure appropriate provision for the secure storage of bicycles, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 82).

7. Max Occupancy

The property within the site edged red, known as 315 Milton Road shall have no more than 7 people residing 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).

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs