



Planning Committee Date	4 TH December 2024
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference	24/02836/FUL
Site	26 Foster Road, Cambridge CB2 9JR
Ward / Parish	Trumpington
Proposal	Extension to existing garden room conservatory and change of use from C4 (small HMO) to Sui Generis (Large HMO), including cycle parking to front garden
Applicant	Xiaohan Pan
Presenting Officer	Dominic Bush
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	1.Residential Amenity 2.Car and Cycle parking
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks permission for an extension to the existing property within the application site to facilitate a change of use from use class C4 (small HMO) to Sui Generis (Large HMO), including the relocation of cycle parking to the front of the dwelling.
- 1.2 Officers recommend that the Planning Committee approve the application subject to conditions.

2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 1	X
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

*X indicates relevance

- 2.1 The application site comprises the single residential dwelling of No.26 Foster Road. The existing building is two storey middle terraced property with car parking within the front garden and a side access beneath the property to the rear. The site is located in an almost entirely residential area and is to the southwestern corner of the King George Playing Field. The residential properties within the area are noticeably uniform in their design and appearance, largely comprising terraced or semi-detached pairs of dwellings centered around the playing field.
- 2.2 The site is adjoined to the southeast and northwest by neighbouring properties forming the same row of terraced dwellings. Beyond to the south is the residential properties of the Brambles accessed from Shelford Road.
- 2.3 The application site is not within a conservation area, however the boundary of the Trumpington conservation area is located a short distance from the rear boundary of the site. The entire site is located within Flood Zone 1 (low risk) and is not at risk of surface water flooding.

3.0 The Proposal

- 3.1 Extension to existing garden room conservatory and change of use from C4 (small HMO) to Sui Generis (Large HMO), including cycle parking to front garden.
- 3.2 This application is proposing a rear extension to the existing property within the site, measuring approximately 2 metres in depth and 3.5 metres in width. The extension has a flat roof to match the existing protruding element to the rear of the property. The application is also proposing the change of use of the building from a small HMO (Class C4) to a large HMO (Sui Generis) with a total of 8 units. To facilitate this change of use it is proposed that the cycle parking is to be re-located to the front of the dwelling alongside the car parking.

4.0 Relevant Site History

Reference	Description	Outcome
24/01420/FUL	Change of use to large HMO (8 persons).	Withdrawn
4.1	This application follows a previously withdrawn application at the site with the extension added at this stage to provide additional communal living space within the property for future occupiers.	

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

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

Technical Housing Standards – Nationally Described Space Standard (2015)

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 32: Flood risk
Policy 35: Human health and quality of life
Policy 36: Air quality, odour and dust
Policy 45: Affordable housing and dwelling mix
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 61: Conservation and enhancement of historic environment
Policy 62: Local heritage assets
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development
Policy 82: Parking management

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016

6.0 Consultations

6.1 County Highways Development Management – No Objection

6.2 No objection to the proposed development. Highlighted the lack of control over on-street car parking with conflict possibly arising from this potential increase in demand.

6.3 Sustainable Drainage Officer

6.4 No comment received

6.5 Conservation Officer – No Objection

6.6 The application has been assessed and it is considered that the proposal would not give rise to any harm to any heritage assets.

6.7 Environmental Health – No Objection

6.8 No objection to the proposed development, subject to conditions regarding:

- Construction Hours

7.0 Third Party Representations

7.1 Four representations have been received.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Car parking and parking stress
- Cycle parking provision
- Refuse arrangements
- Foul Drainage

8.0 Assessment

8.1 Principle of Development

8.2 Policy 3 of the Cambridge Local Plan 2018 states that the overall development strategy is to focus the majority of new residential development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities. The policy is supportive in principle of new housing development that will contribute towards an identified housing need. The proposal would contribute to housing supply and thus would be compliant with policy 3.

8.3 Policy 48 states that proposals for large houses of multiple occupation will be supported where the proposal: does not create an over-concentration of such a use in the local area, or cause harm to residential amenity or the surrounding area; 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; and will be accessible to sustainable modes of transport, shops and other local services

8.4 A review of the Councils evidence and a site visit undertaken by the case officer indicates that there is a limited number of large HMOs within the vicinity of the application site. Therefore, it is not considered that the proposal would create an overconcentration of large HMOs in the area.

8.5 The impact of the proposed development on neighbouring amenity is considered to be acceptable and this will be discussed in greater detail in paragraphs regarding amenity below.

8.6 Officers consider that adequate provision is made for the parking of cycles and cars as well as refuse. This is discussed again further into the report.

8.7 The application site is located in a highly sustainable location within the city of Cambridge, within a short walking distance of local amenities with access to transport links into the city centre and surrounding area.

8.8 Taking into account the above, the principle of the development is acceptable and in accordance with policies 3 and 48 of the Cambridge Local Plan (2018).

8.9 Design, Layout, Scale and Landscaping

8.10 Policies 55 and 58 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.

8.11 Foster road is a residential street located on the southwestern corner of the King George Playing Field. The residential properties along both sides of Foster Road are extremely uniform in their layout and design when viewed from the street scene, with a mixture of semi-detached pairs and small rows of terraced properties.

8.12 This application is proposing a small rear extension to the existing conservatory element to the rear of the building. The scale of the proposed extension is considered to be acceptable and is clearly subservient to the main form of the host dwelling. The materials used in the construction of the rear extension are chosen to match the existing garden room/ conservatory and are considered to be acceptable, to the rear of the property where there would be no public views.

8.13 No further alterations are proposed to the design or appearance of the existing dwelling.

8.14 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 55 and 58 and the NPPF.

8.15 Biodiversity

8.16 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.

8.17 The proposed change of use of the building would not in itself result in the loss of any biodiversity within the site. It is acknowledged that the proposed rear extension would result in the loss of a small area of the existing garden land. However, this area, would fall well below the 25m² de-minimis threshold for the requirement of Biodiversity Net Gain.

8.18 Taking the above into account, the proposal is compliant with Policies 69 and 70 of the Cambridge Local Plan (2018).

8.19 Water Management and Flood Risk

8.20 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.

8.21 The proposed extensions will utilise the existing drainage connections to the host dwelling and the scheme will allow for minor changes to the existing garden. Therefore, it is considered unnecessary to request surface or foul water drainage schemes in this case.

8.22 The applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

8.23 Highway Safety and Transport Impacts

8.24 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.

8.25 Para. 115 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.

8.26 The Local Highways Authority have raised no objections to the proposal. Access to the site would remain the same as the existing arrangements. As such it is considered that the proposed development would be acceptable with regards to any impact on highway safety.

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

8.28 Cycle and Car Parking Provision

8.29 Cycle Parking

8.30 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.

- 8.31 The site plan provided with the application shows that the cycle parking for the buildings is proposed to be located to the front of the property next to the car parking spaces. It is noted that third party representations received were concerned with this provision of cycle parking. Additional information has been provided during the process of the application showing details of the cycle store showing that there is space for the parking of 8 cycles which would be a space for each unit within the HMO and therefore compliant with Policy 50 and appendix L. A condition requiring compliance with the provided cycle store details is recommended to ensure that this is provided.
- 8.32 Car parking
- 8.33 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 2 spaces per dwelling for 3 or more bedrooms.
- 8.34 The proposal is to retain one car parking spaces to the front of the dwelling resulting in the loss of one space to make way for the proposed cycle parking. The Local Highway authority and third parties have raised concerns regarding the additional car parking pressure on surrounding residential streets arising from the increase in the number of occupants at the address and the loss of one car parking space within the site. Officers are satisfied that the application site is located within a sustainable location within walking distance to the Local Centre of Trumpington (approximately 200m), with good public transport links to the city centre. It is therefore considered that car dependency in this area is limited and the increase in the number of occupants within the building, in addition to the loss of a single car parking space would not result in an unacceptable increase in on-street parking pressures within the surrounding area. Indeed it is noted that the surrounding area is entirely unrestricted with potentially a large amount of available on-street parking availability.
- 8.35 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking. As the development is not creating a new dwelling, there is not a policy requirement to deliver EV charging on site. Officers consider that a condition to secure this would not be reasonable to impose.

8.36 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan.

8.37 Amenity

8.38 Policy 35, 48 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.

8.39 Neighbouring Properties

8.40 The proposal includes the proposed rear extension to the existing building to accommodate the proposed increase in occupancy. This extension is a single storey in height with an increased depth of approximately 2 metres. As such, it is not considered that it would lead to any undue harm through overbearing or loss of light to No. 24 Foster Road to the north.

8.41 Future Occupants

8.42 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).

8.43 Policy 48 of the Cambridge Local Plan (2018) states that for proposals for the change of use to HMOs, the space standards of Policy 50 will be aspired to and that this will determine the number of occupants that a property can reasonably accommodate.

8.44 The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	7.5	9.0	+1.5
2	7.5	7	-0.5
3	7.5	10.6	+3.1
4	7.5	7.5	0
5	7.5	6.5	-1
6	7.5	11.5	+4
7	7.5	6.9	-0.6
8	7.5	9.5	+2

8.45 It should be noted that the floor plan provided labels the total floor area of unit 7 at 12.1m². A through section of the building has been provided that allows calculation of the height of this room, where the 1.5m height is at the lower side of the door into the room. When calculating the useable floor space of the room with at least this 1.5m height, it comes to 6.97m² as per the latest floor plans provided.

- 8.46 Whilst three of the units fall below the suggested space standards of Policy 50, it is noted that for HMOs this is an aspiration (see para 6.24 of policy 48) rather than a policy requirement. It is noted that in some instances within HMOs, they are more dependent upon space within individual bedrooms for amenity than communal rooms. However, in this instance, whilst some of the units fall below the 7.5m² bedroom size requirement, it is considered that the provision of communal space is sufficient to ensure that future occupiers have sufficient amenity space. The proposed extension to the property would result in a lounge/ dining space measuring approx. 14.7m² in floor area. With an additional 10.4m² of space within the kitchen. This combined 25m² of internal communal space is considered sufficient to accommodate the proposed number of occupants without them spilling out into the rear garden. It is also deemed that the garden of the property is of a significant size that would allow for its use for activities such as sitting out and drying washing and cater for the needs of future occupants.
- 8.47 A condition is recommended to be attached restricting the occupancy of the HMO to no more than 8 occupiers.
- 8.48 Construction and Environmental Impacts
- 8.49 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.
- 8.50 The General Permitted Development Order permits a dwelling (C3 use) to change to a six person or less HMO (C4 use) without the need for planning permission. Therefore, when assessing the noise impact of this proposed development is assessed on the additional two people beyond what you can do without planning permission. The design enables sufficient space for occupiers internally, minimising the use of outside spaces. However, Officers acknowledge that the noise impact may be greater than a C3 or C4 use given the nature of the use and number of occupiers and therefore a condition is recommended to seek a management plan for the property. Given the concerns that have been raised by third parties regarding potential noise impacts, this is considered justifiable considering the number of people residing at the property.
- 8.51 The Councils Environmental Health team have been consulted on the application and have raised no objections to the proposals, subject to a condition regarding construction hours relating to the proposed extension. Given the level of construction expected of such works, this condition is considered to be reasonable in this instance. Informatives regarding the change to the HMO license, health and safety and management requirements for an eight person HMO which Officers considered reasonable and necessary to add to the proposal.

8.52 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 and 58.

8.53 Other Matters

8.54 Bins

8.55 Policy 58 requires refuse and recycling to be successfully integrated into proposals. It is understood that bins are currently stored to the rear of the dwelling. No details have been provided regarding a bin store for the proposed occupants in accordance with the RECAP Guidance. Therefore, given that there is sufficient external space, officers recommend a condition to provide these details and ensure a refuse store is provided prior to the occupation of the large HMO

8.56 Third Party Representations

Third Party Comment	Officer Response
Noise/Odour/Amenity Space	See sections 8.49-8.51
Character/ loss of family dwellinghouse	Officers acknowledge that the proposal would lead to the loss of a dwelling house. However, as set out within the Local Plan it is important to increase the support of all types of housing to meet a wide range of needs. The supporting text of Policy 48 it sets out that HMO's have an important role to play within the local housing market. They provide a range of shared accommodation, predominantly occupied by students and young professionals subject to meeting other criteria assessed within the report above.
Use of rear utility room as habitable space	Given the nature of this building to the rear of the main dwelling it has not been included in any of the internal space calculations as above.
Rear access	Whilst this access is likely less than 1m in width, it is an existing access. The location of the cycle parking to the front of the dwelling ensures that any cycles are easily accessible.
Sewerage	This is not a material planning concern and would be considered to be a civil matter.
Appearance of the proposed cycle store	It is noted that the proposed cycle store is of a reasonable size and would be visible within the public realm. However, given the current

	appearance of the application site with no vegetation to the front garden, it is not considered that the addition of the proposed cycle store would be unduly harmful to the site or its surrounding context.
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8.57 Planning Balance

- 8.58 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).
- 8.59 The proposed development is not considered to adversely affect the amenity of neighbouring occupiers.
- 8.60 Third party representations have also raised concern regarding the proposals impact on the highway with the increase in occupants. The Local Highways Authority have not raised any concerns regarding the proposal and given the siting within a sustainable location Officers do not consider that the proposal would give rise to a significant level of parking stress. Furthermore, a condition has been added to provide comfort to local residents regarding a Management Plan.
- 8.61 The proposed development is appropriate for its location and is in keeping with the character of the immediate context while providing, an acceptable living environment for future occupiers. The development would also positively contribute to the supply of residential accommodation available to the public within Cambridge.
- 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:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

10.0 Planning 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. (100 – 10.5.24 OS-02 REV A – 09.07.24),

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 development, hereby permitted, shall not be occupied, or the use commenced, until a management plan has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include provisions relating to:
 - a) management of the property and how any management issues will be addressed
 - b) external display of contact information for on-site management issues and emergencies for members of the public
 - c) provision for refuse, cycle and car parking and drying areas etc.
 - d) details of guidance for tenants re acceptable standards of behaviour/use of the premises.

The development shall thereafter be managed in accordance with the approved plan.

Reason: In order to ensure the occupation of the site is well managed and does not give rise to significant amenity issues for nearby residents (Cambridge Local Plan 2018 policies 35 and 47).

4. The application site shall have no more than eight [8] people residing within it 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).

5. The internal communal areas as shown on the approved drawings shall be provided prior to occupation of the building for 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).

6. No construction or demolition work shall be carried out and no plant or power operated machinery 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, , unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

7. The development, hereby permitted, shall not be occupied or the use commenced, until details of facilities for the bin storage 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 stores. A store proposed with a flat / monopitch 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.

Reason: To ensure appropriate provision for the secure storage of bicycles in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018

8. The bin and bike stores associated with the proposed development, including any planting associated with a green roof, shall be provided prior to first occupation in accordance with the approved plans and shall be retained thereafter. Any store with a flat or mono-pitch roof shall incorporate, unless otherwise agreed in writing by the local planning authority, a green roof 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.

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