

Application Number	13/1548/FUL	Agenda Item	
Date Received	5th November 2013	Officer	Mr Sav Patel
Target Date	31st December 2013		
Ward	Coleridge		
Site	128 Perne Road Cambridge Cambridgeshire CB1 3RR		
Proposal	Change of use from a 8 bed Guest House to HMO for 7 occupiers.		
Applicant	Mrs Alice Hudson-Peacock Sondes House Station Road Patrixbourne Canterbury Kent CT4 5DD uk		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No.128 is a two storey semi-detached 1930s property set back from the highway with a front garden area and rear gravelled drive area. The property is currently vacant and was previously used as a guesthouse known as Ashtree Guesthouse.
- 1.2 Whilst the property has a Perne Road address, access to it by car is via Birdwood Road.
- 1.3 The property forms part of a pair of properties, which face the adjacent roundabout.
- 1.4 The property lies within Flood Zone 2. To the west of the site beyond Perne Road is a parade of commercial units. To the north-west is John Conder court, which is a residential block of flats.

2.0 THE PROPOSAL

- 2.1 The proposal is to convert the property from an eight bed guesthouse (C1 use) into a seven bed/occupier house in multiple occupation (HMO). Although there are eight rooms within the property, room no.7 and no.2 on the first floor would be used for one resident. Room no.7 would be used as the bedroom and room 2 as the study room for room 7. The

property would still provide a communal lounge, kitchen, dining and utility to serve future occupiers.

2.2 The proposal does not include any external alterations to the property.

3.0 SITE HISTORY

Reference	Description	Outcome
13/0668/FUL	Proposed change of use from an 8 bed guest house to a 7 bed HMO	WITHDRAWN

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework (March 2012) – sets out the Government’s economic, environmental and social planning policies for England. These policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

Circular 11/95 – The Use of Conditions in Planning Permissions: Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Community Infrastructure Levy Regulations 2010 – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

5.2 Cambridgeshire and Peterborough Structure Plan 2003

Planning Obligation Related Policies

P6/1 Development-related Provision

5.3 Cambridge Local Plan 2006

3/1 Sustainable development

3/3 Setting of the City

3/4 Responding to context

3/7 Creating successful places

3/8 Open space and recreation provision through new development

3/12 The Design of New Buildings (*waste and recycling*)

5/1 Housing provision

5/7 Supported housing/Housing in multiple occupation

5.4 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and Construction

5.5 Material Considerations

Central Government Guidance

Letter from Secretary of State for Communities and Local Government (27 May 2010)

Written Ministerial Statement: Planning for Growth (23 March 2011)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

- 6.1 No overriding objections. The proposal is unlikely to result in any significant adverse impact on highway safety but is concerned with the potential impact on residential amenity.

Head of Refuse and Environment

- 6.2 No objections, in principle, subject to the following condition.
- 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 owner/occupier of the following address has made representations:

126/126a Perne Road.

- 7.2 The representations can be summarised as follows:

- Disruption from noise due to intensification of use;
- Occupancy could increase due to size of rooms;
- Insufficient parking provision and restricted access from site onto a busy highway is likely to create highway safety issues;
- Reduce the valuation of property;

- 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. Residential amenity
3. Refuse arrangements
4. Highway safety
5. Car and cycle parking
6. Third party representations

Principle of Development

8.2 Policy 5/7 states that HMOs will be permitted subject to the following criteria:

1. Impact on the residential amenity of the local area;
2. The suitability of the building or site; and
3. Proximity of bus stops and pedestrian and cycle routes, shops and other local services.

8.3 I have considered these issues below and reached the conclusion that the proposed change of use is acceptable in principle.

a) Impact on residential amenity of local area:

8.4 The proposed use of the property from an eight bed guesthouse use to a seven bed HMO is unlikely to have any additional impact over and above that which could be experienced by the existing guesthouse use. The guesthouse use would attract a more transient and infrequent clientele than the proposed HMO use, where the movements associated are likely to be more similar to a private residential dwellinghouse.

8.5 The proposal does not include any external alterations and very little will change internally. Therefore whilst the property is part of a semi-detached unit, I do not believe there would be any adverse noise levels associated with the proposed use such that it would warrant refusal.

a) The suitability of the building or site;

8.6 The property appears to have been extended at the side at two storey level. It also benefits from a road and rear amenity area albeit the rear amenity space is gravelled and appears to be suited for parking. However, there would be provision to use this area for amenity space in conjunction with the front garden area. I am therefore satisfied there is sufficient amenity space within the curtilage of the property to provide a good level of amenity provision for future occupiers.

8.7 In terms of car parking, there is provision for this from the previous guesthouse use at the rear of the property for at least 4 to 5 vehicles. Nonetheless, there is no requirement to provide

car parking for the proposed use. The Local Plan sets maximum level of car parking permitted under the City Council's Standards therefore there is no minimum number of spaces which need to be provided.

- 8.8 I am satisfied that due to the proximity of the site to public transport links and distance from the city centre in terms of walking and cycling, additional car parking would not be necessary. Furthermore, if additional, dedicated car parking provision was introduced on-site then this could potentially increase congestion on site and on the street, which would have a greater detrimental impact on the residential amenity of the adjoining neighbours. By discouraging additional on-site car parking, I am satisfied that the residential amenity of local residents will be reasonably protected.
- 8.9 In these terms, therefore, I am satisfied that the building and site area are sufficient to accommodate the proposed change of use to a HMO from guesthouse.

a) The proximity of bus stops and pedestrian and cycle routes, shops

- 8.10 The property is located within close proximity to the nearest bus stops on Perne Road and Birdwood Road and is within reasonable cycling distance of the City Centre and railway station.
- 8.11 There are several 'District and Local Centres' between the application site and City Centre the nearest being at the corner of Perne Road and Cherry Hinton Road and on Mill Road. I am therefore satisfied that the property is located within close proximity to public transport links and local shops and services.
- 8.12 In terms of cycle and bin storage provision, no specific details have been provided. I have therefore recommended a condition requiring details of the cycle and bin store to be submitted for approval.
- 8.13 In view of the above, I am satisfied that the proposed HMO would comply with the requirements of policies 3/4, 3/7 and 5/7 and would not raise any significantly adverse issues such that it would warrant refusal.

Context of site, design and external spaces

- 8.14 The proposal does not include any external alterations to the front, side or back of the property. Therefore, the main elevations of the property would remain as existing and property would appear as its original use, as a residential dwellinghouse.
- 8.15 There are other types of residential uses and building in the area ranging from dwellings that have been converted into flats and residential flat buildings. I am therefore satisfied that the proposed use would not have a detrimental impact on the appearance of the building or form and character of the area.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Highway Safety

- 8.17 The proposal does not include any alterations that would affect highway safety and no concerns have been raised by County Highway on highway safety.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

- 8.19 Some of the concerns raised by objectors have been covered in the relevant sections of the main report. I set out below my response to the other concerns raised.
- 8.20 In terms of occupancy, the proposal is to use the property as a seven bed/occupier HMO. The number of occupiers can be limited by condition, which I recommend.
- 8.21 As for concerns regarding impact on property value, this is not a material planning consideration.

Planning Obligations

- 8.22 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests.

If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements

The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. Cambridgeshire and Peterborough Waste Partnership (RECAP) : Waste Management Design Guide provides advice on the requirements for internal and external waste storage, collection and recycling in new residential and commercial developments. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

- 8.23 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.
- 8.24 The application proposes the conversion of an 8 bed guesthouse with 1 manager's flat into a 7 bed/occupier HMO. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and

teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£per person	£per unit	Number of such units	Total £
studio	1	238	238	5.5	1309
1 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
Total					1309

Indoor sports facilities					
Type of unit	Persons per unit	£per person	£per unit	Number of such units	Total £
studio	1	269	269	5.5	1479.5
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
Total					1479.5

Informal open space					
Type of unit	Persons per unit	£per person	£per unit	Number of such units	Total £
studio	1	242	242	5.5	1331
1 bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
Total					1331

Provision for children and teenagers					
Type of unit	Persons per unit	£per person	£per unit	Number of such units	Total £

studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264		
Total					

8.25 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

Community Development

8.26 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		1256
2-bed	1256		
3-bed	1882		
4-bed	1882		
Total			1256

8.27 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

- 8.28 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term and £300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

- 8.29 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

- 9.1 The proposed change of use from a guesthouse to a seven bed/occupier HMO is considered to be acceptable in this context. The proposal does not include any external alterations to the elevations of existing property.
- 9.2 I do not consider the use as a HMO would create any more intensification of use in terms of 'comings' and 'goings' than that which would be normally associated with an eight bedroom guesthouse. The proposed HMO would also not create any more issues than if the property was used as its original use as a six bed private residential dwellinghouse. Therefore, I do not consider the proposal would have a significant adverse impact on the residential amenity of the adjoining neighbours.
- 9.3 The proposed HMO would not result in any external alterations to the property so there would be no material change to the appearance of the property other than the removal of signage etc... for the guesthouse.
- 9.4 In these terms, therefore, the proposed change of use is considered to comply with policies 3/4, 3/7, 3/11, 3/12, 5/1 and 5/7 of the adopted Local Plan.

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. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

4. Prior to the commencement of the use hereby permitted, details of the on-site refuse and recycling receptacles including storage facilities and the arrangements for the disposal of waste shall be submitted to and approved in writing by the Local Planning Authority. The Council's domestic requirements for refuse and recycling receptacles for a 7 people HMO is as follows:

- ' Dry recycling = 360L
- ' Organic waste = 240L
- ' Residual waste = 2 x 240L

The refuse and recycling provision including storage facilities shall be provided in accordance with the approved details prior to occupation. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity (in accordance with policies 4/13 and 5/7 of the Cambridge Local Plan (2006))

5. The HMO use hereby approved shall be limited to seven occupiers only.

Reason: For the avoidance of doubt, and because any intensification of use of the property would require re-examination of its impact. (Cambridge Local Plan 2006 policies 3/4, 3/12, 4/13 and 8/2)

INFORMATIVE: The Housing Act 2004 introduces the HHSRS 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; all habitable rooms have adequate lighting and floor area etc.

The applicant/agent is advised to contact the Residential Team at Mandela House, 4 Regent Street, Cambridge and Building Control concerning fire precautions, means of escape and the HHSRS.