

Application Number	16/1495/FUL	Agenda Item	
Date Received	11th August 2016	Officer	Rob Brereton
Target Date	6th October 2016		
Ward	Arbury		
Site	6 Blanford Walk Cambridge CB4 3NQ		
Proposal	Alterations and change of use of dwelling house to large HMO (House in Multiple Occupation) (sui generis).		
Applicant	Ms Othman Cole 4 Chariot Way Orchard Park Cambridge England CB4 2GY		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposed change of use would not have a significant detrimental impact on the amenities of occupiers of neighbouring properties. <input type="checkbox"/> External works proposed are minimal and will not have an adverse impact on the streetscene.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application property is located at the end of the cul-de-sac of Blandford Walk on the north-eastern side. It is a two storey detached dwellinghouse that is currently used as a small House in Multiple Occupation (HMO). Two protected (TPO'd) trees are located in the rear garden.

2.0 THE PROPOSAL

2.1 Planning permission is sought for alterations and change of use of dwellinghouse to large HMO (House in Multiple Occupation) (sui generis).

- 2.2 The proposed HMO would comprise 10 bedrooms, 5 on the ground floor and 5 at first floor level, with communal kitchen and dining space at ground floor level to the rear. A bin store is proposed adjacent to the eastern side boundary and cycle parking in the rear garden next to the western boundary. One off-street car parking space is proposed to the front of the property.

3.0 SITE HISTORY

Reference	Description	Outcome
05/0091/FUL	Erection of single storey rear extension and side extension above garage.	Approved
C/65/0043	Estate roads and 72 dwellings	Approved

The Council's Planning Enforcement Team made a visit to the property in June 2016. It was found there were more than six unrelated individuals whom used the property as their only or main residence. The amount of residents has since decreased and is currently at six which is lawful without planning permission.

4.0 PUBLICITY

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

5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/14 4/13 5/1 5/2 5/7 8/2 8/6 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of

instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No additional off-street car parking provision is made for the additional sub-households proposed.

The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets 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.

Environmental Health

- 6.2 No objection to proposed works subject to a condition controlling construction hours. Informatives also recommended regarding the need to comply with the Housing Health & Safety Rating System in the Housing Act 2004 and the Management of Houses in Multiple Occupation (England) Regulations 2006.

Sustainable Drainage Engineer

- 6.3 No objection.
- 6.4 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:

- No. 2 Blanford Walk
- No. 4 Blanford Walk
- No. 7 Blanford Walk
- No. 9 Blanford Walk
- No. 10 Blanford Walk

7.2 The representations can be summarised as follows:

- A change of use from a family home to a HMO with 10 bedrooms is wholly out of character with the area.
- The house next door No 8 is a Chinese Christian Church and already causes much disturbance in terms of noise and parking. This proposal will add to this.
- This proposal will put a lot of stress on water and sewage provisions.
- The additional refuse collection this proposal will require will have additional impacts on parking.
- Scope for 19 people to be living in this dwelling with very limited facilities including one kitchen and one dining room.
- There are currently problems with driveways being blocked and the proposal will increase this.

7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Highway Safety and Car and Cycle Parking
6. Third party representations

Principle of Development

- 8.2 Policy 5/7 of the Cambridge Local Plan (2006) states that the development of properties for multiple occupation will be permitted subject to the potential impact (A) on the residential amenity of the local area, (B) the suitability of the building or site (C) and the proximity of bus stops and pedestrian and cycle routes, shops and other local services. These impacts will be assessed in the paragraphs below.

Context of site, design and external spaces

- 8.3 The proposal does not include any extensions, and only proposes a number of minor alterations to the exterior of the building. The only works proposed visible from the streetscene would be the bricking up of the garage access and the formation of a new window. This is considered a minor development that would not materially alter the character of the property. All other work proposed to the dwellinghouse would take place inside the property.
- 8.4 Blanford Walk is a residential street mainly comprising detached family dwellings. The HMO would offer an alternative type of accommodation along the street which would help meet the needs of a diverse and mixed community. I acknowledge that there would be an increase in the number of occupants compared to its previous use as a family dwelling and small HMO. However, as the proposal seeks to utilise the existing structure and that there is enough space to accommodate bin and cycle storage, I consider the use can be achieved without harm to the character of the area. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.6 As no extensions to the existing footprint are proposed no overshadowing or enclosure would result to adjoining neighbours. One additional window (bedroom 4) is proposed to

face the boundary and No. 8. However as this window faces a blank elevation and is one metre away from the boundary, it is considered to have an acceptable impact on this neighbour.

- 8.7 The HMO will increase the number of occupiers living at the property and the number of people coming and going which could increase noise levels. The Environmental Health Team does not consider that this proposed change of use to a large HMO will create a significant additional detrimental level of noise impact to neighbours. I agree with this assessment. The day to day running of the HMO is not assessed under planning but both the landlord and tenants have a responsibility to be neighbourly under other legislation and an informative will be added to remind the applicant of their responsibilities. The planning statement states clearly this proposal will have 10 occupants and I have recommended that a condition be added to ensure this. A construction hours condition will also be added to ensure that any disruption is minimised.
- 8.8 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and parts (A) and (B) of 5/7.

Amenity for future occupiers of the site

- 8.9 The outlook for the majority of windows proposed is acceptable. However the window opening into bedroom No. 4 is less satisfactory. This ground floor window will face the blank side elevation of No. 8, 1 metre away and future occupants may walk past when parking their bikes to the rear. As this window is to a bedroom rather than to a predominantly daytime habitable space and as it is the only window in this scheme in a compromised position it is considered, on balance, acceptable. It is noted that cycles can also be walked the other side of the house to the cycle store.
- 8.10 The large amenity space to the rear of this property is considered sufficient for 10 occupiers even with some of the area being taken up by bin and cycle stores. It is also considered of a high quality with mature trees to the rear.
- 8.11 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity

for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/12 and part (B) of 5/7.

Refuse Arrangements

- 8.12 A sufficient amount of bin space in a secure store has been provided for the amount of bins required for a 10 bed HMO. It is also noted this bin store will not adjoin a neighbouring boundary but rather the boundary with Histon Road. It is noted that additional bins will have to be collected. However it is considered that this will not cause undue disturbance to neighbours.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12 and part (B) of 5/7.

Car and Cycle Parking

- 8.14 The Highway Authority have raised concern regarding the potential for the application to increase on-street parking, although state this is an amenity rather than highway safety issue. A number of local residents have concerns that this proposal with just one car parking space will have an adverse impact on the limited on street parking situation especially when coupled with the nearby ecclesiastical use of No. 8. There are no parking standards for HMOs in the Cambridge Local Plan (2006). The City Council promotes lower levels of private car parking particularly where good transport accessibility exists. Part C of policy 5/7 state that HMOs should be permitted if they are located in buildings with good proximity to bus stops and pedestrian and cycle routes, shops and other local services. The subject building is located just off Histon Road which has excellent transport links to the city centre and contains many shops/services.
- 8.15 A communal cycle store is proposed in the rear garden. Ten cycle parking spaces would be provided. This meets the requirements of Appendix D of the Cambridge Local Plan and is acceptable.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6, 8/10 and Part (C) of policy 5/7.

8.17 Third Party Representations

Concern	Response
HMO is out of character	Para 8.4
Impact on off-street parking	Para 8.14
Impact of additional noise	Para 8.7
Impact on infrastructure	Not a planning issue, will be dealt with under building control.
Refuse collection	Para 8.12
Number of people	Para 8.7
Limited facilities (kitchen/dining room)	Not a planning issue, will be dealt with under licencing.
Blocked driveway	Not a planning issue, this is a civil matter.

9.0 CONCLUSION

I am of the opinion that the proposal complies with the relevant policies and will not have a significant detrimental impact on neighbouring properties, highway safety or the amenity of future occupiers. I recommend that the application is approved subject to conditions.

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 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 2006 policy 4/13)

4. The House of Multiple Occupation hereby permitted shall have a maximum of 10 occupants.

Reason: In the interests of the neighbours' residential amenities and to accord with policies 3/7, 5/7 and 4/13 of the Local Plan 2006.

INFORMATIVE: 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 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>