

Application Number	17/1955/FUL	Agenda Item	
Date Received	16th November 2017	Officer	Rob Brereton
Target Date	11th January 2018		
Ward	Coleridge		
Site	95 Cherry Hinton Road Cambridge		
Proposal	Roof extension including raising ridge height, rear dormer and additional front roof light. Change of use from guest house to large scale HMO (House in Multiple Occupation) (sui generis).		
Applicant	Mr Richard Fella 1 Lion Works Business Park Station Road East Whittlesford		

SUMMARY	The development accords with the Development Plan for the following reasons:
	<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 SUBJECT TO CONDITIONS

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The subject site is on the northern side of Cherry Hinton Road opposite the junction with Rock Road. Currently the property is used as a guesthouse/hotel called Brooklands Hotel. It is a two storey Victorian mid-terrace building. Features on the property include bay windows and white render to the front and a flat roof single and two-storey extension to the rear.
- 1.2 The surrounding area is predominantly characterised by residential uses, however, a variety of commercial units are

present on the ground floor of buildings facing onto Cherry Hinton Road.

- 1.3 The subject building is not Listed, a Building of Local Interest or within a Conservation Area.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the erection of a roof extension including raising the ridge height, a rear dormer, an additional front roof light and a change of use of the property from a guesthouse to a large scale HMO which would accommodate 12 persons.

- 2.2 Amendments have been made to the application and include the following:

- The proposed laundry room has been removed (to improve outlook from one of the bedrooms and the communal dining room).
- The gate into the communal garden has been moved to nearer the house (to improve movement around the property).
- A hedge is proposed to the rear of the conservatory (to improve privacy).

- 2.3 To the front the proposal would raise the ridge height by 0.4 metres by extending the plane of the roof and add two roof lights to the front roof slope. To the side the proposal would remove the existing lean-to single storey side extension to the dining room. To the rear a full width flat roofed box dormer is proposed. Internally the existing building would be reconfigured to have eight bedrooms (all with en-suites) and a dining room and kitchen for the occupants of the HMO. The applicant has stated the property would be limited up to 12 occupants as some of the rooms are doubles. To the front two cycle stands are proposed and off the side passage a bin-store is located. The existing outbuilding located at the rear of the property is to remain.

3.0 SITE HISTORY

Reference	Description	Outcome
C/96/0717	Retention of one wall mounted	Approved with

	illuminated sign on the front elevation of the guest house.	conditions
C/94/0062	Continued use of two additional rooms (in addition to the three rooms granted permission under reference c/0666/82), as guest bedrooms.	Approved with conditions
C/91/4057	Installation of illuminated sign onto guest house.	Approved with conditions
C/89/0583	Use of three additional rooms for guest house purposes (maximum guest bedrooms six).	Refused
C/87/0517	Erection of single storey rear extension to existing guest house to provide additional accommodation for proprietor.	Approved with conditions
C/82/0666	Continued use of part premises as guest house (3 bedrooms only) Section 32 application	Approved with conditions
C/73/1113	Erection of two storey extension to existing dwelling house	Approved with conditions

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 Local Plan 2006	3/4, 3/7, 3/11, 3/14, 4/13, 5/1, 5/7 6/3

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

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95 (Appendix A) Supplementary</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide</p> <p>Supplementary Planning Document (February 2012)</p>

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 The Highway Authority does not consider that this application will have any significant adverse impact upon the operation of the highway network.

Environmental Health

- 6.2 No objection subject to conditions on demolition/construction hours and two informatives on the Housing Health & Safety Rating System and the Management of Houses in Multiple Occupation (HMOs).

Drainage

- 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. 97 Cherry Hinton Road

- 7.2 The representations can be summarised as follows:

- Occupants of a HMO will create more noise nuisance than tourists using the Hotel.
- The Hotel has a manager present on site who can control noise nuisance if it occurs. This proposed HMO use would not have presence of a manager on site.

- Currently the Hotel has some parking outside in front of the premises and arrangements to use other spaces in the locality. Tourists rarely come by car as the Hotel is near the train station. This change of use would allow for 8-16 residents adding pressure on car parking in the area.
- The new residents would not have facilities to park their cycles. It must be noted cycles cannot be left in the passageway beside the house as this is a Right of Way to the rear of neighbouring houses and access is required at all times.
- The cycles would also obstruct the passageway for the exit of the rubbish bins. This also raises the question of who is going to manage or control the disposal of so much rubbish with so many people on site without a Live-in Manager. There has been in the past, in the area with the build-up of rubbish sacks outside HMO houses.
- Do not accept the agent's claim that the passageway is just belonging to No. 95.
- The management company would not be open outside of business hours and have not given contact details.

8.0 ASSESSMENT

8.1 From the consultation responses and representation 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
6. Car and cycle parking
7. Third party representations

Principle of Development

8.2 Policy 6/3 of the Cambridge Local Plan (2006) states that development will not be permitted which would result in the loss of existing short-stay tourist accommodation unless the change is to permanent residential accommodation. As the proposal would change the use of the existing hotel into permanent residential accommodation in the form of a House in Multiple Occupancy it is considered to comply with this policy.

- 8.3 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

- 8.4 The works proposed that would be visible from the streetscene would be the raising of the ridge by 0.4 metre and the addition of two cycle parking stands.
- 8.5 This area of Cherry Hinton Road contains buildings of various ridge heights. The adjoining No. 93 has the same ridge height as the existing subject property, while the adjoining No. 97 has a ridge height approximately 0.2 metres lower. While the proposed ridge height would be taller than these two immediately adjoining neighbours, it is not in my opinion considered out of character as Nos. 91, 103, 105 all have taller ridge heights. The roofline is not uniform and the increased height is in these circumstances acceptable.
- 8.6 Some cycle parking to the front is also considered acceptable in this location as many ground floor businesses have this arrangement. It would not detrimentally impact the streetscene and would be useful for visitors to the HMO.
- 8.7 To the rear the only construction proposed is to erect a full width box dormer. The site is not within a Conservation Area, the proposed dormer would not be visible from wider public views and it would maintain the original eaves line and the existing well-proportioned chimney. It would be finished in slate as per the existing property and is in my opinion acceptable.
- 8.8 The proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

Impact on amenity of neighbouring occupiers

- 8.9 The location and bulk of the proposed roof extension is not considered to create any detrimental overshadowing impacts to

adjoining neighbours. The proposed demolition of the existing single storey extension facing the side passage and replacement with a smaller bin store would have a minimal impact on the adjoining neighbour No. 93 Cherry Hinton Road. I consider this replacement to be an improvement on the existing situation.

- 8.10 None of the additional windows in the proposed roof dormer would harmfully overlook adjoining neighbouring boundaries. First floor bedrooms in the existing rear return have side elevation windows which face onto the boundary with No. 93 Cherry Hinton Road. This arrangement is not changing. I also note this neighbour has a rear extension, therefore views of their amenity space would be limited. I am of the opinion the proposal would not have a detrimental overlooking impact.
- 8.11 The frequency and times of people coming and going may change as visitors to a guesthouse would typically stay for a shorter amount of time than HMO occupants and may be arriving or leaving at more unsociable hours depending on the nature of their visit. The Environmental Health Team does not consider that the proposed change of use to a large HMO will create a significant additional detrimental level of noise impact to neighbours when compared to the existing use. I agree with this assessment. As per their advice, I recommend a construction hours condition.
- 8.12 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

- 8.13 The ground floor bedroom adjoining the dining room and hallway would be a single aspect glazed door facing north. The original scheme had maintained the existing lean-to side extension in close proximity (1m) to this room. Officers have sought amendments and this structure is to be demolished and a bespoke bin store located 4m away from this room. As a result, I consider the occupant(s) of this room would have an acceptable outlook.

- 8.14 The ground floor bedroom located to the north of the proposed utility room has its own conservatory space. Prior to the plans being amended there was concern future residents using this conservatory would be overlooked from the communal garden. The amended plans added a hedgerow and amended the location of the gate. These amendments overcome my concerns.
- 8.15 I consider the proposed rear communal amenity space is of a sufficient size and quality for future residents of the HMO.
- 8.16 I consider that in these and all other respects in terms of amenity, that the scheme is compliant with Cambridge Local Plan (2006) policies 3/7, 3/12, 3/14 and part (B) of 5/7.

Refuse Arrangements

- 8.17 A sufficient amount of bin space in a secure store has been provided for the amount of bins required for this size of HMO. The bin store would be in a very similar location to the existing guesthouse bins. Additional bins would have to be collected above the existing use. However, I cannot foresee how weekly collections from the proposed bin store would result in any significant harm arising (noise/disturbance); it is entirely appropriate in terms of drag distance and is away from the pavement edge. A neighbour has voiced concern that the bins could block the shared passage; this would be a management issue and members of the Planning Committee will note that I have recommended a HMO management condition (7) to help deal with issues such as this if they arise. As the passage is 1 metre wide at its narrowest point and the door to the bin store opens inwards, the access is suitable.
- 8.18 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

- 8.19 The Highway Authority has not raised concern regarding the potential for the application to increase on-street parking or create a highway safety issue. Local residents have concerns that this proposal would have no car parking spaces and therefore would have an adverse impact on on-street parking, especially when coupled with future occupiers requiring more

parking than guests using the hotel. 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 public transport accessibility exists. Part C of policy 5/7 states 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 on Cherry Hinton Road which has excellent transport links to the city centre and contains many shops/services.

8.20 A communal cycle store is proposed in the existing outbuilding in the rear garden as well as two cycle stands to the front, which I anticipate would be used by visitors. I recommend a condition is added to ensure the requisite no. of cycle parking spaces would be provided. This would meet the requirements of Appendix D of the Cambridge Local Plan and I consider it an acceptable approach.

8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6, 8/10 and Part (C) of policy 5/7.

8.22 **Third Party Representations**

I have dealt with the majority of the third party representations within the main body of the report. Those issues that are outstanding, I deal with below:

Concern	Response
No manager present on site	This is not a requirement of a HMO
Disputed right-of-way down passage way	This is not a planning matter, but a civil matter.
Management company not contactable if there are future issues	Environmental Health have a 24 hour noise complaint phone number which is 0300 303 8389. Recommended management condition 7.

9.0 **CONCLUSION**

9.1 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. There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

5. The House of Multiple Occupation hereby permitted shall have a maximum of 12 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.

6. No occupation of the development shall commence until details of facilities for the secured/covered parking of at least 12 bicycles for use in connection with the development hereby permitted has been submitted to and approved in writing by the local planning authority. The 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)

7. Prior to the occupation of the building, a management plan for the property shall be submitted to and approved in writing by the Local Planning Authority. It shall include details of: who will be managing the property; external display of contact information for on-site management issues and emergencies for members of the public; how issues will be addressed; how external spaces/functional provisions will be managed (lawns, bins, bikes etc.); and what new tenant guidance will be issued re: acceptable standards of behaviour/use of the premises including bin storage etc. The management of the property shall be carried out in accordance with the approved details.

Reason: In order to ensure the use of the property does not adversely impact the amenity of adjacent residents (Cambridge Local Plan policies 5/7 and 4/13).

8. The existing lean-to side extension close to the ground floor bedroom adjoining the dining room and hallway shall be removed prior to the occupation of the scheme.

Reason: To ensure an acceptable outlook (Cambridge Local Plan policy 5/7).

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>

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: The Housing Act 2004 introduced Mandatory Licensing for Houses in Multiple Occupation (HMOs) across all of England. This applies to all HMOs of three or more storeys and occupied by five or more persons forming more than one household and a person managing or controlling an HMO that should be licensed commits an offence if, without reasonable excuse, he fails to apply for a licence. It is, therefore, in your interest to apply for a licence promptly if the building requires one. Further information and how to apply for a Licence may be found here: <https://www.cambridge.gov.uk/licensing-of-houses-in-multiple-occupation>.