

Application Number	17/2211/FUL	Agenda Item	
Date Received	20th December 2017	Officer	Rob Brereton
Target Date	14th February 2018		
Ward	Coleridge		
Site	42 Birdwood Road Cambridge CB1 3SU		
Proposal	Single storey extension, alterations and change of use to 6-bed HMO (House in Multiple Occupation).		
Applicant	Mr & Mrs Katherine & Kelvin Wong & Sing 42 Birkwood Road Cambridge CB1 3SU		

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

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No. 42 Birdwood Road is a two storey dwellinghouse located on the corner of Birdwood Road and Gray road. The property has been extended and has a two storey side/rear extension and is finished in red brick and concrete roof tiles.
- 1.2 The surrounding area is characterised by semi-detached residential dwellings.
- 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 a single storey extension, alterations and change of use to 6-bed House in Multiple Occupation (HMO) sui generis.
- 2.2 The proposed change of use from a single dwellinghouse to a HMO catering for up to 6 persons is classed as a small scale HMO (Class C4) and can usually be undertaken using permitted development rights. As this application proposes to house up to 7 persons in the 6 bedrooms (one room being a double) it is classed as a large scale HMO (sui generis use) and requires full planning permission.
- 2.3 Planning permission is also required for the proposed single storey rear extension which would be 1.7 metres deep by 3 metres wide. It would infill an area between the existing rear extension and the boundary with No. 44 Birdwood Road. Proposed on the ground floor are a bedroom with its own lounge/kitchen, a communal kitchen and dining room and a further bedroom. On the first floor there are four bedrooms. All bedrooms are en-suite.
- 2.4 The proposed internal alterations do not require planning permission.
- 2.5 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Plans

3.0 SITE HISTORY

Reference	Description	Outcome
C/96/0979	Two storey side and rear extensions and single storey front extension to house (C3).	Approved
C/87/1003	Erection of detached double garage in rear garden of existing dwelling house.	Approved
C/87/0065	Outline application for the erection of a detached dwelling house.	Refused

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

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

5.2 Cambridge Local Plan 2006

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/4, 3/7, 3/11, 3/14, 4/13, 5/1, 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 (Appendix A) Supplementary
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Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
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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 parking layout has been provided to demonstrate that the vehicles can access the site independently using the existing vehicular access, therefore the Highway Authority object.

Environmental Health

- 6.2 No objection subject to standard conditions limiting construction hours and informatives explaining national HMO management regulations.

Drainage

6.3 No objection subject to sustainable surface water run-off condition.

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. 44 Birdwood Road
- No. 46 Birdwood Road
- No. 1 Gray Road

7.2 The representations can be summarised as follows:

- A HMO use is out of character with the family dwellings on the street.
- A six bedroom HMO use will cause additional disruption, in terms of noise and requirements for additional parking.
- There is an existing foul sewage drainage issue at 42, 44 and 46 Birdwood Road, with blockages occurring at this property regularly. This proposal would increase load on the system and cause significant inconvenience.
- Reduction in living space for future occupants.

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 includes a small lean-to single storey rear extension. This is a minor development that would not materially alter the character of the property. All other works proposed to the dwellinghouse would take place inside the property.
- 8.4 Birdwood Road and Gray Road are residential streets mainly comprising semi-detached family dwellings. The HMO would offer an alternative type of accommodation along the street. I do not see this form of housing to be harmful to the established character. I acknowledge that there would be an increase in the number of occupants compared to its previous use as a family dwelling. However, the proposal seeks to mainly utilise the existing structure and existing outbuildings in the rear garden, which can easily accommodate bin and cycle storage. I consider the proposed use can subsist without harm to the character of the area.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/14.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.6 The proposed single storey rear extension would adjoin the boundary with No. 44 Birdwood Road. This extension is minimal in scale at only 1.7 metres deep, 2.4 metres high to eaves and

3.5 metres high to ridge. As this extension would not surpass the rear elevation of No. 44's single storey rear extension no detrimental impacts are envisaged.

- 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 and I recommend an informative to the permission to remind the applicant of their responsibilities to the Management of Houses in Multiple Occupation (England) Regulations 2006 and the Housing Act 2004. The house will have up to 7 occupants.
- 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 large amenity space to the rear of the property is more than sufficient in size for up to 7 occupiers.
- 8.10 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

- 8.11 A sufficient amount of bin space in a secure store has been provided for the amount of bins required for the HMO. The bin store will not adjoin a neighbouring boundary but rather the boundary with Gray Road, where they will be pulled out.
- 8.12 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

- 8.13 Having been to site I can confirm there is adequate space for 2 off-street spaces in front of the property. This will not change as part of this proposal. This property also has the benefit of a double garage which is accessed off Gray road. This also will not change as part of this proposal. This is a sufficient amount of parking for the HMO.
- 8.14 The Highway Authority has raised concern regarding the potential for the application to increase on-street parking, although they state this is an amenity issue rather than a highway safety issue. A number of local residents have concerns that this proposal will have an adverse impact on the limited on street parking situation. 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 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 just off Perne 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 existing outbuilding in the rear garden which is of sufficient size to store 6 cycles. This meets the requirements of Appendix D of the Cambridge Local Plan and is acceptable. Further details are recommended to be sought via condition 4 to confirm this.
- 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.

Other Issues

- 8.17 The drainage officer has requested a sustainable drainage condition be appended to the permission. In my view, given the very small size of the extension, such a condition is unnecessary in order to grant planning permission.

8.18 Third Party Representations

Concern	Response
HMO is out of character	Paragraphs 8.3 – 8.5
Impact on street parking	Paragraphs 8.13 and 8.14
Impact of additional noise	Paragraph 8.7
Foul drainage infrastructure	Not a planning issue, this issue will be dealt with by Building Control.
Living space for future occupants	Paragraphs 8.9 and 8.10

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 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. The House of Multiple Occupation hereby permitted shall have a maximum of 7 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.

4. No occupation of the development shall commence until details of facilities for the secured/covered parking of at least 7 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)

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>.