

Application Number	19/1647/FUL	Agenda Item	
Date Received	2nd December 2019	Officer	Alice Young
Target Date	27th January 2020		
Ward	Queen Ediths		
Site	140 Queen Ediths Way		
Proposal	Change of use from a dwellinghouse (Use Class C3) to a large scale 8x bedroom house of multiple occupation (Sui Generis)		
Applicant	HUI WANG The Tram Shed East Road		

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 140 Queen Ediths Way is a two-storey detached dwelling on the south-western side of Queen Ediths Way, south-east of the city centre. Queen Ediths Way is a predominantly residential area characterised by large grass verges and semi-detached and detached dwellings set back from the highway with large front gardens. 140 Queen Ediths Way benefits from a wide plot creating a relatively large rear garden. To the south, the application site borders the designated Cambridge Green Belt, a protected open space. The application site falls outside the conservation area and controlled parking zone and the site does not contain any TPOs.

2.0 THE PROPOSAL

2.1 The proposal seeks planning permission to change the use of the existing dwellinghouse, use class C3, to a large scale 8 bedroom, 15 person house of multiple occupation falling under sui generis use class. The proposal would utilise the existing footprint and would not include any further extensions. Within this footprint, there would be one single and seven double bedrooms with four of those having associated en-suite shower rooms and the remaining having access to one shower room and two bathrooms. Bedroom 1 and 2 would share the ground floor shower room and bedroom 5 and 6 the first-floor bathrooms. Two further toilets are located on the ground floor off common living areas. The internal arrangement is configured

to yield two kitchen living areas at ground floor, one sited in the north-western corner and the other adjacent to bedroom 1 and 2, as well as two sitting rooms, one at ground floor sited centrally and one at first floor in the north-western corner. Two cycle stores are provided to the rear of the site, providing a total of 16 cycle parking spaces. Access to the site is unchanged.

2.2 The application is accompanied by the following supporting information:

1. Design and access statement
2. Drawings

3.0 SITE HISTORY

Reference	Description	Outcome
19/1101/FUL	Change of use from a dwellinghouse (Use Class C3) to a large scale 11x bedroom House of Multiple Occupation (Sui Generis)	Refused
14/1800/FUL	Part single storey part two storey side and rear extension to house.	Permitted

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 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1, 3 28, 35 48, 50, 55, 56, 57, 59 81, 82

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

Central Government Guidance	National Planning Policy Framework 2019 Planning Practice Guidance 2014 Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)
Supplementary Planning Guidance	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Cambridgeshire Design Guide For Streets and Public Realm (2007) Cycle Parking Guide for New Residential Developments (2010)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

- 6.1 The streets in the vicinity provide uncontrolled parking, and so, as there is no effective means to prevent residents from owning a car and seeking to keep it on the local streets this demand is likely to appear on-street in competition with existing residential uses.
- 6.2 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 team

- 6.3 The proposed development is acceptable subject to the implementation of the recommendations relating to meeting HMO legislative requirements.
- 6.4 Careful consideration of the proposed increased number of individuals residing at the site within an 8-bedroom HMO of a maximum occupancy of 15 people compared to the existing dwelling and how the increased number will affect the locality in terms of noise and disturbance will be needed.
- 6.5 It is interesting to note that a recent planning appeal was made by an applicant against the decision of CCC to refuse planning for a change of use of an existing dwelling to a HMO. The appeal was dismissed by the planning inspector who agreed that the effect of the proposed development would adversely affect the living conditions of the occupiers of adjoining dwellings with regards to noise and disturbance. The reasons given by the inspector included the fact that given the likely demands on the kitchen to meet the food preparation and consumption requirements of occupiers, residents would generally be otherwise likely to occupy bedrooms or use the external rear garden space. The relatively high number of occupiers would likely result in reasonably frequent use of the kitchen. This would displace people who may otherwise use the seating there, into the garden, regardless of the available space in personal bedrooms. The proposal would consequently be likely to generate additional use of the garden to that which would reasonably be expected. The inspector advised that several gardens and dwellings were located in close proximity to the garden of the proposed HMO and their occupiers would be adversely affected by additional noise and disturbance. This would occur due to the insufficient level of internal amenity space at the HMO and the number of proposed occupiers. Whilst the application site is proposed to include separate living, sitting and kitchen/living rooms, an occupancy of 15 people will require more frequent use of external spaces with the potential to adversely impact upon the local amenity and quality of life of nearby receptors.
- 6.6 The following works below are needed in order to comply with legislative requirements relating to HMOs:

- Ensure each double bedroom has a minimum of 10.2m² floor space and that these rooms (bedrooms 2 - 7) are only occupied by a maximum of 2 persons
- Ensure that bedroom 1 will only be occupied by one person and that the property has no more than 15 people in total.
- A light duty fire blanket of dimensions no less than 1m by 1m and manufactured to BS6575 or equivalent to be fitted to each kitchen in a quick-release carrier/container that is wall-mounted with the pull-tab approximately 1.5m above the floor level and with no obstructions below. The carrier/container is to be sited between the entrance door to the kitchen and the cooking appliances.
- 30 minute fire resisting doors should be fitted to:
 - Each bedroom
 - The passageway between the ground floor front right kitchen and the front entrance hall
 - The passageway between the ground floor front right kitchen and the rear entrance hall leading to the rear right bedrooms
 - The passageway between any lounge and entrance hall
 - The passageway between the ground floor rear left kitchen and the corridor leading to the front and rear left bedrooms
 - The passageway between ground floor rear left kitchen and entrance hall
- Install the fire doors and maintain them in accordance with BS8214: 2008.
- Install a Grade D, LD2 fire alarm and detection system comprising mains powered and interlinked detectors each with battery backup.
- Kitchen provision for 15 tenants you would need either option 1 or option 2:
 - complete sets of kitchen facilities and a minimum of 2000 mm of worktop for each kitchen (see page 17 of the attached housing standard).
 - Provide 2 complete sets of kitchens facilities with each kitchen having a combination microwave with grill function (which is acceptable as a second cooker) and a dishwasher which is acceptable as a second sink.

Each kitchen should have a minimum of 3000mm of worktop space.

- All front and rear means of escape doors needs thumb turn locks to enable keyless exit in the event of a fire.
- Any locks on bedroom doors should also enable keyless exit from the room.

6.7 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:

- 138 Queen Ediths Way (objection)
- 142 Queen Ediths Way (objection)
- 24 Kinnaird Way (objection)

7.2 The representations can be summarised as follows:

- The area is a family residential area, the proposal would be contrary to this character
- Overcrowding
- Increase in traffic, noise, bins and parking problems
- Will there be any restrictions on people smoking in the garden?
- Potential for further rooms to be let out
- Increase likelihood of blockages

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

Principle of development

8.1 Policy 48 states that proposals for large houses in multiple occupation (sui generis) will be supported, where the proposal:

- a) does not create an over-concentration of such a use in the local area, or cause harm to residential amenity or the surrounding area;

b) 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

c) will be accessible to sustainable modes of transport, shops and other local services.

8.2 The proposal adheres to the above criteria and this will be discussed in the proceeding paragraphs of the report.

Context of site, design and external spaces

8.3 A previous application (19/1101/FUL) at this address was refused for a change of use to an 11-bedroom, 21 person HMO. This was refused on three grounds: the consequent noise and disturbance impact resulting from the number of proposed occupants; the poor standard of internal living accommodation provided for the future residents of the HMO; and lastly, the cycle shelter's impact on the street scene and character of the area. It will be demonstrated throughout this report that these reasons for refusal have now been addressed.

8.4 140 Queen Ediths Way benefits from being located in a sustainable location, within walking distance to local amenities and a bus stop providing access to the city centre, railway station and various other services within the bounds of the city. The road network surrounding the site and connecting the site to the city centre are also cyclist friendly creating a choice of transport modes to access a wide range of amenities.

8.5 According to the Council's records, there is only one large HMO within the surrounding area, 265 Queen Ediths Way. As such, it is considered that the addition of another large HMO would not lead to an over-concentration of this use within this locality.

8.6 The proposed refuse store would be sited in the front garden. Whilst bin stores are not a common feature in the front gardens of Queen Ediths Way properties, given the two large trees partially screening the bin store from the road, it is considered that the proposed bin store would not have an adverse impact the street scene or prevailing character of the area.

- 8.7 The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 59.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 The previous application on this site was refused partly due to the limited internal provision of communal space resulting in occupiers using external amenity space for socialising, thereby creating excessive noise and disturbance to neighbouring occupiers. However, officers take the view that the proposal overcomes this reason for refusal by virtue of an accumulation of factors.
- 8.9 The application site is a large detached property with a good sized garden to the rear and its neighbours' share these characteristics. By virtue of the extensive provision of internal communal space and the generous sized bedrooms for the future occupiers, it is considered that occupiers would not need to 'spill out' to the external space to socialise. Furthermore, the quality of these internal spaces is high, with rooms experiencing a good outlook and amount of daylight, further reinforcing the likelihood socializing would be retained within the built footprint. Moreover, it is considered that, due to the size of the surrounding plots and the prevailing density of development being suburban in character, the application site does not have a close relationship with its neighbours. The proposal retains the front entrance in the centre of the site with exits to the rear garden focused centrally and just south-west of centre towards the neighbour set away from the existing mature shared boundary. Activity would therefore be focused to the centre of the site, away from neighbours. Along the north-eastern site boundary, adjacent to no. 142, there is an existing patio but the layout of no.142's internal and external space (garage adjacent to the boundary with the application site and double doors leading to a patio centrally) suggests no. 142's external activity is contained centrally within the plot. Whilst comings and goings are likely to increase by virtue of the change of use, it is considered that due to the site characteristics as outlined above, the proposal would not create excessive noise and disturbance to surrounding residents.

8.10 As the proposal does not include any expansion in built form, the proposal would not result in an overbearing, overshadowing or overlooking impact to neighbouring occupiers.

8.11 The proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is compliant with Cambridge Local Plan (2018) policies 35, 48 and 56.

Amenity of future occupiers

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

Bedroom	Number of bed spaces (persons)	Policy Size requirement (m²)	Proposed size of bedroom	Difference in size
1	1	7.5	9.7	+2.2
2	2	11.5	11.95	+0.45
3	2	11.5	12.25	+0.75
4	2	11.5	12.25	+0.75
5	2	11.5	16.45	+4.95
6	2	11.5	17.75	+6.25
7	2	11.5	12.25	+0.75
8	2	11.5	12.25	+0.75

8.12 All of the proposed bedrooms are of a size which exceeds the National Internal Space Standards and these bedrooms would be served by large windows with an attractive outlook. The proposal would provide two kitchen/living rooms and two sitting rooms across both floors, all of a good size. The internal communal living space would total 100.7m². The external space is expansive with several patios for sitting and socialising and a grassed lawn for outdoor activities. By virtue of this provision and the quality of the internal space in terms of outlook and light, the proposal would provide a good quality living environment for future occupiers.

8.13 The proposal provides an adequate level of residential amenity for future occupiers and is compliant with Cambridge Local Plan (2018) policies 50 and 56.

Car and Cycle Parking

- 8.14 The Highway Authority have raised concerns regarding the number of occupants and its consequent impact on parking pressure in the surrounding uncontrolled residential streets. Car parking standards for a residential property outside of the controlled parking zone of more than 3 bedrooms is a maximum of 2 car parking spaces. The site plan shows sufficient space to meet this maximum. It is important to note that Queen Ediths Way, according to the Cambridge On-Street Residential Parking Study, experiences very low overnight parking pressure. Furthermore, Spalding Way and Beaumont Road, two roads within close proximity to the site, also do not experience a high parking pressure, below 45% and 20% respectively. Moreover, the site is in a sustainable location where occupants (most often young professionals) are likely to be less reliant on vehicular transport. Taking this into account, it is considered that the proposal would not result in a significant increase in traffic or create additional parking pressure in the surrounding area.
- 8.15 The proposed cycle storage would provide 16 cycle parking spaces, one for each person and one for visitors. The proposed shelters would be of a size and configuration sufficient to house the proposed amount of cycles and the two stores would be located either side of the house in the rear garden of the dwelling. Access to the two stores would be via the side passages which are of adequate width to provide access for a person and a cycle.
- 8.16 The proposal is compliant with Cambridge Local Plan (2018) policy 82.

Third Party Representations

- 8.17 Third party comments are addressed in the table below:

The area is a family residential area, the proposal would be contrary to this character	It is considered that the proposed large HMO use is compatible with the character of the surrounding area.
Overcrowding	The proposal would provide a good quality living environment for future occupiers due to the size and quality of the internal

	and external space. Whilst it is acknowledged that 15 persons would occupy the site, it is considered that the site can accommodate this number of people given its size. Therefore, the proposal would not give rise to overcrowding.
Increase in traffic, noise, bins and parking problems	<ol style="list-style-type: none"> 1. Noise impacts has been addressed in the residential amenity section of this report. 2. Refuse has been discussed in paragraph 8.6. 3. The traffic and parking impacts have been addressed in paragraph 8.14.
Will there be any restrictions on people smoking in the garden?	This falls outside the remit of planning.
Potential for further rooms to be let out	A condition to restrict the number of occupants to 15, as proposed, would be attached the approval.
Increase likelihood of blockages	Bathrooms can be added to a property without planning permission and as such this is not considered to be a material planning consideration.

9.0 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 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.

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 property shown as 140 Queen Ediths Way shall be occupied by no more than 15 no. people 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).

4. The bin and bike stores associated with the proposed development shall be provided prior to first occupation and in accordance with 19/1397/L01E 19/1397/14 revC, and shall be retained in accordance with these details thereafter.

Reason: To ensure provision of facilities for future occupiers (Cambridge Local Plan, 2018 policy 48, 82).