



26/00641/FUL – 40 Barton Road, Cambridge

Application details

Report to: Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

Ward/parish: Newnham

Proposal: Change of use for an existing 6-bedroom house in multiple occupation (Use Class C4) into a 7 bed, 7 person large HMO (sui generis use)

Applicant: Wolfson College

Presenting officer: Mary Collins

Reason presented to committee: Called in by Cllr Hugh Clough.

Member site visit date: N/A

Key issues: 1. Principle of Development

2. Residential Amenity

3. Highway Matters

Recommendation: Approve subject to conditions

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1. Executive summary

- 1.1 The application seeks the change of use of an existing 6-bedroom house in multiple occupation under Class C4 use into a 7-bed large person House in Multiple Occupation (HMO) under sui generis use. Wolfson College has provided a detailed planning statement and accommodation needs statement outlining that the College is seeking an expansion of its student accommodation in proximity to the College. Prior efforts to convert College owned, residential properties into student accommodation have been either refused or withdrawn, as seen in planning reference 25/01172/FUL, which sought to convert the existing dwelling directly into student accommodation.
- 1.2 Multiple objections have been received, including from the South Newnham Neighbourhood Forum and the Barton Close Residents Association, with the over concentration of HMOs in the area and the resulting amenity impacts the main issues raised.

- 1.3 The proposal is not considered to result in any significant residential amenity harm or significant harm to the character and appearance of the West Cambridge Conservation Area.
- 1.4 The proposed large HMO would provide seven bedrooms all in excess of residential space standards, with adequate communal amenity space provided. No external changes are proposed and as a result no visual impacts upon the wider Conservation Area have been identified.
- 1.5 Officers recommend that the Planning Committee approve the application subject to conditions.

Table 2 Consultee summary

Consultee	Object / No objection / No comment
Conservation Officer	No objection
County Highways Development Management	No objection
Environmental Health	No objection
Drainage	No objection
Third Party Representations (5 unique objectors)	Objection
South Newnham Neighbourhood Forum	Objection

2. Site description and context

- 2.1 The property is 40 Barton Road, a two-storey residential dwelling currently used as a 6-person HMO located in the West Cambridge Conservation Area.
- 2.2 Residential dwellings and their associated gardens lie to the North, South and East of the site. The car park and educational facilities of Wolfson College lie to the West.

- 2.3 The site lies within the West Cambridge Conservation Area and falls within Flood Zone 1.

3. The proposal

- 3.1 Change of use for existing 6-bedroom house in multiple occupation (Use Class C4) into a 7 bed, 7 person large HMO (sui generis use).

4. Relevant site history

Reference	Description	Outcome
26/00797/FUL (1 Barton Close)	Change of use for existing 6-bedroom house in multiple occupation (Use Class C4) into a 8 bed, 8 person large HMO (sui generis use) and minor external amendments - part retrospective.	PERM
25/03936/FUL	Installation of No.22 Solar (PV) panels, removal of double-glazed doors and infilling with brickwork and installation of cast iron railings and gate - retrospective.	PERM
25/01172/FUL	Change of use from residential dwellings (Class C3) to student accommodating (sui generis).	REFU

Table 2 Relevant site history

- 4.1 An application was submitted last year under application reference 25/01172/FUL to change the use of the existing dwelling from residential Class C3 into dedicated student accommodation under sui generis use. The application was refused on grounds that inadequate justification for the loss of housing stock had been provided.
- 4.2 Application reference 26/00797/FUL at 1 Barton Close sought planning permission for a similar change of use to a large HMO and retrospective external changes. This application was approved at the May 2026 committee meeting by members.

5. Policy

5.1 National policy

National Planning Policy Framework (NPPF) 2026

- 5.2 The updated NPPF, which was published on 17 August 2026, is a material consideration which must be taken into account where it is relevant to a planning application. It replaces the December 2024 with immediate effect for making decisions on planning applications. The document is intended to create a clearer, more rules -based planning system, accelerate housing delivery, support economic growth, and make planning decisions more predictable.
- 5.3 For the purposes of decision making on planning applications, the adopted local plans of the Councils remain the statutory starting point when considering planning applications. However, the updated NPPF is clear in Annex A that an existing development plan policy (or part of a policy) which is materially inconsistent with a new national decision making policy should be given very limited weight.
- 5.4 A review of the adopted Local Plan policies has been undertaken in the context of the updated NPPF. This has found that the majority of policies in both adopted plans remain broadly consistent with national policy and can be given weight until replaced by policies in the Greater Cambridge Local Plan. A small number of policies, or parts of policies are materially inconsistent with national policy. Where appropriate, reference is made within the relevant sections of the assessment, to the appropriate policy weight which is attributed to local plan policies.
- 5.5 NPPF (2026) introduces a suite of national Development Management decision making policies – a set of procedural policies, and a number of thematic policies, structured around the respective document chapters, which must be taken into account where it is relevant to an application. This includes applying the presumption in favour of sustainable development found in Policies S3 and S4 of the NPPF, which requires approving development proposals that accord with an up-to-date development plan without delay, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

- 5.6 The NPPF lists the three dimensions to sustainable development: economic, social and environmental. These dimensions are interdependent and need to be pursued in mutually supportive ways to achieve sustainable development. These roles are considered in weighing up the benefits and dis-benefits of the development proposals, relative to all material considerations discussed in the report.
- 5.7 In following these requirements, the application proposals have been assessed against the NPPF (2026), and the relevant development plan policies.

National Planning Practice Guidance

National Design Guide 2021

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

5.2 Draft Greater Cambridge Local Plan 2024-2045 (Regulation 18 Stage Consultation - December 2025 to January 2026)

- 5.2.1 The Regulation 18 Draft Greater Cambridge Local Plan (the draft 'Joint Local Plan' (JLP)) represents the latest stage of preparing a new joint Local Plan for Greater Cambridge. Once it is adopted, it will become the statutory development plan for the Greater Cambridge area, replacing the current (adopted) Local Plans for Cambridge City and South Cambridgeshire District. The draft JLP was published for formal public consultation (under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012) between 1 December 2025 and 30 January 2026.
- 5.2.2 In line with paragraph 49 of the National Planning Policy Framework (NPPF), local planning authorities may give weight to relevant policies in emerging plans according to several factors. The draft JLP is consistent with policies in the current NPPF, but represents an earlier stage of the plan making process. Therefore, at this stage, the draft JLP and its policies can only be afforded limited weight as a material consideration in decision making
- 5.2.3 Consultation on a Regulation 19 draft plan is anticipated in Summer/Autumn 2026.

5.3 Cambridge Local Plan (2018)

Policy 1: The presumption in favour of sustainable development
Policy 3: Spatial strategy for the location of residential development
Policy 9: Review of the Local Plan
Policy 35: Protection of human health from noise and vibration
Policy 48: Housing in multiple occupation
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 58: Altering and extending existing buildings
Policy 61: Conservation and enhancement of Cambridge's historic environment
Policy 62: Local heritage assets
Policy 80: Supporting sustainable access to development
Policy 81: Transport Impact
Policy 82: Parking management

5.4 Neighbourhood plan

South Newnham Neighbourhood Plan (made 24 February 2025)

Policy SNNP8 – Conserving Additionally Identified Local Heritage Assets

Policy SNNP11 - Protecting and Enhancing Local Character Through Design-led Development

Policy SNNP12 - Protecting Residential Amenity in South Newnham

Policy SNNP13 - Converting Existing Houses into More than One Separate Housing Unit

5.5 Supplementary Planning Documents (SPD)

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

Development affecting Conservation Areas SPD – Adopted 2009

5.6 Other guidance

Conservation Area Appraisal West Cambridge

Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste

Cycle Parking Guide for New Residential Developments (2010)

Area Guidelines

West Cambridge Conservation Area Appraisal (2011)

6. Consultations

Publicity

Neighbour letters – Y

Site Notice – Y

Press Notice – Y – Site lies within the Conservation Area

Conservation Officer- No Objection

6.1 No objection received, no conditions recommended.

County Highways Development Management - No Objection

- 6.2 No objection received, parking informative recommended.

Environmental Health- No Objection

- 6.3 No objection received, Management of HMO and Licensing Conditions recommended.

Waste – No Objection

- 6.4 Additional bin storage requested, to be secured by condition.

7. Third party representations

- 7.1 9 representations have been received from adjacent neighbours, all in objection to the proposal.
- 7.2 Those in objection have raised the following issues:
- Principle of development
 - Overconcentration of HMOs
 - Loss of Housing Stock
 - Sandwiching of residential development
 - Harm to community cohesion
 - Setting undesirable precedent
 - Neighbour Amenity Impact
- 7.3 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

8. Local Groups / Petition

- The South Newnham Neighbourhood Forum has made a formal objection to the proposal stating that:

As Statutory Consultees, the South Newnham Neighbourhood Forum is objecting to the Wolfson College application for change of use for an existing 6-bedroom house in multiple occupation (Use Class C4) into a 7 bed, 7 person large HMO (sui generis use) as the application is incompatible with Policy 48 of the Cambridge Local Plan (2018), which states that a proposal to use a property as an HMO should not create "an over-concentration of such a use in the local area, or cause harm to residential amenity". There are six properties adjoining 40 Barton

Road, which were all originally family homes and are now used as small and large HMOs for students from Wolfson College, with only one remaining as a family home. These small HMOs are not included on the licencing register on the Council's website but they are being used as HMOs. Converting no. 40 into a large HMO is adding to the existing over-concentration in a residential area. The five HMOs being used by Wolfson College, namely 1, 2, 3 Barton Close; 40, 42 Barton Road) form a cluster as they are adjoining properties which abut each other either to the side or rear. Number 38 Barton Road is a family home which is sandwiched between two HMOs (1 Barton Close and 40 Barton Road).

- 8.1 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

9. Assessment

- 9.1 From the consultation responses and representations received and from an inspection of the site and the surroundings, the key issues are:

- Need and context
- Principle of development
- Housing provision
- HMO Concentration
- Neighbour Amenity Impacts

10. Need and Context of Application

- 10.1 The planning statement submitted on behalf of the College outlines the need and context of the application.
- 10.2 Wolfson College provides education for older undergraduates and post graduate students, with a student population in excess of one thousand. Despite this, the college has only four hundred and fifteen dedicated student housing units, supplemented by five residential family homes located along Barton Close: 1, 2 and 3, Barton Close, and 40 and 41 Barton Road. These properties are located in close proximity to the college.
- 10.3 As the above numbers suggest, the college has demonstrated a shortfall in student accommodation for at least the last four years, with 241 students without accommodation in the 2022/23 academic year, 231 in

23/34, and 179 in 24/25. At least 200 hundred full-time students will not be housed by the college in the 2025/26 academic year.

- 10.4 It is argued that these figures demonstrate a sustained shortage of student accommodation which should be addressed in order to meet ongoing student demand and reduce pressure on the private rental market.
- 10.5 As a result of the shortfall, the College has been forced to make reductions from previous eligibility criteria, where postgraduate students had access to housing for a greater portion of their study period. Under the current accommodation policy, postgraduate students now have fewer accommodation spaces guaranteed but often reside in Cambridge all year round. The shortage of accommodation therefore particularly affects postgraduate students, with around 25% unable to secure College housing.
- 10.6 Where students cannot be accommodated within the Wolfson College faculty, they are referred to the waiting list of other Colleges, though even this measure is a fallback position which does not guarantee a place within college owned housing, leaving private renting as a last resort for many students.
- 10.7 Wolfson College estimates that around 100-200 of its students annually use private rental properties as a necessity because they are unable to secure College owned accommodation. Whilst the city's rental market can currently meet this need, Wolfson College argues that suitable accommodation remains difficult to find for their students for a number of factors. Firstly, disabled students face significant barriers in securing accommodation that meets their individual requirements in the private sector, especially within close proximity to the college campus. Secondly, international students and those from lower income backgrounds are disproportionately susceptible to predatory rental practises, which the College's existing bursary scheme cannot wholly mitigate. Thirdly, the safety of students within private rented accommodation falls outside of the college's control and has become a repeated issue, leading to some students living in unsafe conditions and ultimately resulting in departures and financial loss. Finally, Wolfson college cites occasions where otherwise acceptable candidates have not pursued their education due to difficulties in finding suitable private rented accommodation.
- 10.8 As Wolfson College has an intake of significantly more international students than UK residents, such students are especially susceptible to the above factors, as well as predatory contracts, excessive rent

payments, social isolation, and loneliness, a significant cause of mental health issues in students living away from home. Wolfson College argues that these impacts serve as justification for an expansion of Wolfson College's student housing provisions, preferably in close proximity to the campus where health and safety issues can be addressed.

- 10.9 Wolfson College has developed a long-term master plan to address the accommodation shortfall with the provision of at least 70 new student rooms with the expansion of current buildings and addition of new ones within the existing campus footprint. However, funding for this scheme is ongoing, and when complete the works will require the benefit of planning permission prior to construction, representing a substantial investment in time before the student accommodation can be delivered.
- 10.10 In the medium-term the College has created a multifaceted plan to acquire accommodation for students in close proximity to the College. Efforts to purchase non-private properties to create student accommodation in close proximity to the College were unsuccessful; such buildings proved too expensive for the College to afford. Attempts to house Wolfson College Students in other faculties with accommodation surpluses were unsuccessful for the academic year 2025/2026. In addition, commercially owned shared student accommodation facilities were considered for Wolfson College Students, but this initiative was ultimately dropped due to distance and practicality. Wolfson College argues that the current plan of seeking to buy and convert residential homes into student accommodation, which this application forms a part of, is one of last resort for the College.
- 10.11 The College argues that the proposal site at 40 Barton Road is of suitable size and floorplan to serve as student accommodation. In addition, its close proximity to the College itself will provide safety and ease the integration of the property into the College's campus with consistent, high-quality management of the property through daily cleaning, waste removal, maintenance and pastoral care. It is also argued that students that live within the immediate setting of the campus have a better experience, quality of study and have a greater connection with the College. Those students that live further away in Cambridge have a diminished experience. The college-owned accommodation provides greater accommodation security and stability compared to the private rental market, where students may face eviction if a landlord decides to sell the property and often have no control for who else resides in a shared property. The students that are within College-owned accommodation have reduced stress and an increased sense of belonging, which contributes positively to the students' mental and

emotional well-being. This is especially so for the international students who account for 70% of the student intake.

The College also argues that the permitted development rights associated with 6 bed HMOs are already in use within the five identified properties in the area. This application would add just one additional space within the existing HMO use, and also institute a management plan secured by condition, presenting the college with greater control over the use and management of the property and demonstrating more effective use of the land.

11. Principle of Development

- 11.1 The application seeks permission for a change of use for an existing 6-bedroom house in multiple occupation (Use Class C4) into a 7 bed, 7 person large HMO (*sui generis* use).
- 11.2 Policy 48 of the Local Plan supports the development of HMOs 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.*
- 11.3 With regard to part (a) officers have reviewed the licensing record and planning history, and it appears that three properties in the nearby area are in current use as small HMOs of 6 beds or less. These are 2 Barton Close, and 40 and 42 Barton Road, which do not appear on the licensing register, and therefore are in HMO use under permitted development rights, outside of the LPA's controls. 1 Barton Close is now operating as an eight bed HMO, following the granting of planning permission for such a use in May. Wolfson College have confirmed that 3 Barton Close, otherwise known as Norton House, has been in use as a 10 bed Larger HMO since 1978.
- 11.4 The three existing smaller HMOs (including the application site) and the larger HMOs at number 1 Barton Close (8 Residents) and 3 Barton Close (10 Residents) in the area represent a maximum of thirty-six possible occupants, whilst the current application would add one more occupant, for a maximum possible total of thirty-seven occupants. It is considered by

officers that thirty-seven occupants would not create a significantly greater harm to neighbouring amenity than the thirty-six currently allowed under permitted development rights and extant permissions.

- 11.5 The existing property, which is the subject of this application, is already in HMO use. Its use as a larger HMO would not increase the no. of properties in HMO use in the immediate locality. It is therefore not reasonable to make a case that criteria a) of policy 48 is failed in terms of over concentration of HMO use on a property-by-property basis, as there would be no additional HMO's arising as a result of the proposal
- 11.6 In terms of intensity of use and no. of occupants, given that the proposal would only result in one additional person residing in it, and that it is detached and in relatively spacious surrounding, it also difficult to demonstrate any significant additional harm in terms of overconcentration from the uplift. On the same basis, and again in light of the spacious layout and detached nature of the property, additional harm to residential amenity arising from the increase in one occupant could not be reasonably defended as a refusal reason.
- 11.7 It is appreciated that representations raised in objection voice concerns about an intensification of the site, however the permitted development fall-back is a strong consideration, notwithstanding the clustering of HMO's already in the area.
- 11.8 Part (b) of Policy 48 requires consideration of the suitability of the building for the proposed use. The existing building is considered large enough to support eight occupants, as each room will have in excess of the 7.5 square metres of space required under residential space standards defined in Policy 50. In addition, the proposed HMO would have 33.45 square metres of communal residential amenity space, and 680 square metres of residential garden space, all in excess of space standards. Given these dimensions and the existing use of the building as a six person HMO, officers consider that the building is suitable for the proposed larger HMO use.
- 11.9 Part (c) of Policy 48 requires consideration of the sustainability of the site with access to modes of transport, shops, and other local services. Barton Road lies within a central location of Cambridge, with nearby access to ample shops, services, and bus routes. In addition, the main body of Wolfson College lies just 130 metres away. This proximity would provide safety for students occupying the property, a greater connection with the facility by proximity, and ease the management of the HMO for the

College. Given these factors, officers consider that the site location is sustainable.

- 11.10 The principle of the development is therefore acceptable and in accordance with policy 48 of the Local Plan.

12. Design, layout, scale and landscaping

- 12.1 No external changes to the existing property are proposed, with the additional room in multiple occupation created with internal alterations. Given this lack of external impacts to the property, no visual harm has been identified.
- 12.2 The proposal is therefore considered to be compliant with policies 55,56, and 58 of the Local Plan, NPPF, and Policy SNNP11 of the South Newnham Neighbourhood Plan.

13. Heritage assets

- 13.1 The application falls with the West Cambridge Conservation Area.
- 13.2 The Conservation officer has reviewed the proposal and not objected to the works. Given that the changes to the property would be internal rearrangements, no harm to the wider Conservation Area has been identified.
- 13.3 The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (Listed Building and Conservation Areas) Act 1990, the NPPF, policy 61 (62) of the Local Plan, and Policy SNNP8 of the South Newnham Neighbourhood Plan.

14. Highway safety and transport impacts

- 14.1 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team, who raise no objection to the proposal.
- 14.2 The proposal accords with the objectives of Policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

15. Car and cycle provision

Cycle parking

- 15.1 A cycle parking shelter is proposed to be sited to the rear of the property, and an unused garage will also be given over to cycle storage, with space for eight bikes at each location.
- 15.2 The proposed cycle parking is compliant with policy 81 of the Local Plan.

Car parking

- 15.3 The proposed car parking arrangement is compliant with policy 81 of the Local Plan.
- 15.4 Subject to conditions, the proposal is considered to accord with policies 36 and 81 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

16. Amenity

Neighbouring properties

- 16.1 No external changes to the property are proposed, with no increase to the mass or footprint of the dwelling, and no subsequent loss of light, massing, or overbearing impacts identified upon neighbouring properties.
- 16.2 Eight neighbour objections to the proposed change of use have been received in addition to objections from the representatives of the South Newnham Neighbourhood Forum. Principle concerns raised in objection are the impacts of HMO residents upon traditional residential occupiers, sandwiching, the damage to community cohesion, the setting of precedent harmful to neighbour amenity, and the loss of housing stock.
- 16.3 Officers acknowledge that the creation of student accommodation within a residential area can create amenity impacts for neighbours such as sandwiching of residents amongst student lodgers, and the resulting loss of community cohesion due to regular turnover of occupants in an HMO, contrary to the requirements of Policy SNNP12 of the South Newnham Neighbourhood Plan. However, the existing arrangement of four smaller HMO buildings along Barton Road and Barton Close lies outside of the LPA's jurisdiction, as these are implemented under permitted development rights. Given the existing fallback position, it is not

considered that the addition of one additional HMO resident would have a material impact upon nearby neighbours, either in terms of additional noise, loss of community cohesion, parking allocation, or anti-social behaviour, beyond what has already been established under permitted development and previous permissions. The existing building is large enough, and the site sustainable enough, to support the level of occupation proposed.

- 16.4 The loss of housing stock has also been raised as an issue from objecting 3rd parties. However, large HMOs are still part of the City of Cambridge's mixture of housing stock, and 40 Barton Road would remain a residential building. There is therefore no identified loss of housing stock.
- 16.5 Residents have also argued that the approval of an HMO in this location would set a dangerous precedent for other residential properties to be converted elsewhere, further harming the community cohesion of the area. However, as argued by Wolfson College, the creation of student accommodation at Barton Road is an exceptional circumstance due to identified student housing needs of the College and the proximity of the College itself. Wolfson College has considered and rejected other possible student housing solutions by virtue of distance from the College; in contrast the College lies only a hundred and thirty metres away from the proposal site, offering a way of creating safe student accommodation so close to the College itself. Officers argue that this proximity, in addition to the fallback position guaranteed by permitted development rights for at least six occupants at 40 Barton Road, addresses this concern regarding possible precedents being set.
- 16.6 One objecting neighbour also raised concerns that Wolfson College has advertised all five properties in the area as larger HMOs as part of their 2026/2027 accommodation guide, indicating an intention to use all the properties as larger HMOs. The College has assured officers that this discrepancy arose due to the passage of time between the submission of the original planning application in March 2025, which was subsequently withdrawn, and the submission of the current application in February 2026 following a pre-application process. The Accommodation Schedule had been drafted some time ago alongside the planning application preparation, but it had not picked up the current position. The College is updating the Accommodation Schedule to ensure it accurately reflects the actual accommodation provision and current occupation.

- 16.7 The proposal is compliant with policy 58 of the Local Plan of the Local Plan and Policy SNNP12 of the South Newnham Neighbourhood Plan.

Future occupants

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

Unit	Number of bed spaces (persons)	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	1	7.5	14	+6.5
2	1	7.5	14	+6.5
3	1	7.5	7.7	+0.2
4	1	7.5	11.5	+4
5	1	7.5	14	+6.5
6	1	7.5	13.5	+6
7	1	7.5	9	+1.5

Table 3 Table showing size of residential units in comparison with the policy requirement

Garden size and Internal Residential Space

- 16.9 The internal residential amenity space provided with 40 Barton Road would be 33.45 square metres split between the kitchen and existing central space, which is considered sufficient for seven people.
- 16.10 The external residential garden space would be in excess of 680 square metres, which is considered to be well in excess of policy standards.
- 16.11 It is therefore considered that the property would benefit from a private garden area and communal amenity space which would meet or exceed the recommendations of the Council's District Design Guide.

Construction and environmental health impacts

- 16.12 The Environmental Health Officer has been consulted on the proposal and does not raise any objections.
- 16.13 The proposed use of the garden by up to seven persons is not considered likely to give rise to an unacceptable level of noise and disturbance. The property is located within a residential area, where the use of private gardens for domestic leisure and social activities is common. The level of

activity associated with large HMO of this size would be comparable to that of a family dwelling. Therefore, Officers consider that the use of the garden by up to seven persons would not introduce a degree of noise or intensity of use that would be out of character with the surrounding residential area or cause undue harm to the residential amenity of neighbouring occupiers.

- 16.14 The level of occupation is not considered to be excessive for this building or location, and as such, the proposal is not considered to lead to substantial harm to surrounding occupiers.

17. Planning balance

- 17.1 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 17.2 The application must be assessed having regard to the presumption in favour of sustainable development set out within Policies S3 and S4 of the National Planning Policy Framework (2026). Policy S3 requires decision makers to apply a presumption in favour of sustainable development. Policy S4 states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects when assessed against the national decision-making policies of the Framework.
- 17.3 The applicants have set out a needs case for purchasing the accommodation and applying for permission for a larger HMO to operate from it, housing their students in a location that is near to the College and can easily fall within their management and which would result in students living in the property feeling part of a collegiate environment. Whilst members of the local community and the SNN Forum have raised concerns, the proposal benefits from a strong fall-back position and adopted policy for the protection of over concentration of HMO uses in the context of the application has no 'teeth' given the permitted development fall-back and existing use.
- 17.4 Each proposed bedroom is in excess of residential space standards. Adequate internal communal amenity space has been provided. Garden amenity space is generous. There is no reason to suggest the property would not be well-managed by the College but a management plan condition is recommended to be imposed to help control the management of the property in the interests of residential amenity. The marginal

increase in the number of occupants residing in the property would not give rise to any significant amenity impact over and above the existing situation.

- 17.5 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 38 and section 72(1) of the Regulations, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

18. Recommendation

- 18.1 **Approve** subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

19. Planning 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 development, hereby permitted, shall not be occupied, or the use commenced, until a management plan has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include provisions relating to:

- a) management of the property and how any management issues will be addressed
- b) external display of contact information for on-site management issues and emergencies for members of the public
- c) provision for refuse, cycle and car parking and drying areas etc.

d) details of guidance for tenants re acceptable standards of behaviour/use of the premises.

The development shall thereafter be managed in accordance with the approved plan.

Reason: In order to ensure the occupation of the site is well managed and does not give rise to significant amenity issues for nearby residents (Cambridge Local Plan 2018 policies 35 and 48).

4. The bin and bike stores associated with the proposed development, including any planting associated with a green roof, shall be provided prior to first occupation in accordance with the approved plans and shall be retained thereafter. The parking space retained to the front of the property shall be used only by residents with mobility or accessibility needs.

Reason: To ensure that the need for refuse, recycling, and car parking is successfully integrated into the development. (Cambridge Local Plan 2018 policy 57).

5. The large HMO situated at 40 Barton Road hereby approved shall have no more than 7 occupants residing at any one time.

Reason: A more intensive use would need to be reassessed in the interest of residential amenity of the occupiers. (Cambridge Local Plan 2018 policies 56 and 48).

6. The internal communal areas as shown on the approved drawings shall be provided prior to occupation of the building for the proposed use and retained for communal uses and used for no other purpose.

Reason: To ensure adequate internal communal space is provided for future occupants (Cambridge Local Plan 2018 policies 48 and 50).

Informatives:

1. The Local Highways Authority wish to notify the applicant that the new development will not qualify for residents parking permission.
2. 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>

3. 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/guide-for-landlords>
4. The Housing Act 2004 introduced Mandatory Licensing for Houses in Multiple Occupation (HMOs) across all of England. This applies to all HMOs with 5 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>

