
Appeal Decision

Site visit made on 5 September 2017

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 October 2017

Appeal Ref: APP/A2525/W/17/3176760

15 Alexandra Road, Spalding PE11 2QA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr K Mazur against the decision of South Holland District Council.
 - The application Ref H16-1042-16, dated 12 October 2016, was refused by notice dated 7 December 2016.
 - The development proposed is described as changing use into a House in Multiple Occupation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character of the surrounding area.
 - The effect of the proposal on the living conditions of the occupants of nearby dwellings with particular regard to noise and disturbance.

Reasons

Character and appearance

3. The appeal property comprises a semi-detached dwelling on a relatively long street of similar designed properties. Although some properties have provided off-road car parking facilities, dwellings predominantly make use of on-street parking. The appeal property, and the adjacent dwellings, do not have off-road car parking facilities and the appeal proposal does not include any changes to the current on-street car parking arrangements.
4. The proposal would provide for the change of use of the dwelling into a House in Multiple Occupation (HMO) having five bedrooms. Although a number of properties on the street have been converted to flats, the Council indicates that the street comprises of predominantly family dwellings. I have no other evidence to suggest that the current character of the street is still balanced in favour of family dwellings.
5. Saved Policy HS18 (3) of the South Holland Local Plan (2006) (Local Plan), amongst other things, indicates that proposals for the conversion of properties

to HMO's will only be permitted where there would be no significant adverse impact upon the character or appearance of the area. The proposal would result in the intensification of the use of the property as a consequence of its occupation by up to seven persons with different individual patterns of daily routine and behaviour. Consequently, the nature of the occupation of the property would be very different from that of a modest family dwelling.

6. The cumulative effect of the proposal together with the existing flat conversions in the vicinity would cause an unacceptable erosion of the family dwelling character of the area. Consequently, the proposal would be contrary to Saved Policy HS18 (3) of the Local Plan.

Living conditions

7. By nature of their independence there is a likelihood that the occupants of the HMO would own more vehicles than those that would normally be associated with the use of the property as a dwelling house. The appeal proposal is therefore likely to considerably increase the demand for car parking on the street where available spaces are already limited.
8. The increased activity at the property as a consequence of the comings and goings of the occupants, the likely noise and disturbance associated with the car parking, manoeuvring and doors closing together with a potential increase in late night pedestrian activity would lead to an intensification of noise and disturbance that would have a detrimental effect on the living conditions of the occupants of nearby properties. Such noise and disturbance associated with the occupation of the property by up to seven individual persons would exceed that which could reasonably be expected to occur as a consequence of the occupation of the property as a single family dwelling house.
9. Although the appeal proposal is for the conversion of only one dwelling, I accept the Council's view that it would have the potential to exacerbate the amenity concerns of noise and disturbance which would have a detrimental effect on the living conditions of local residents. All these factors add weight to my view that the proposal would not accord with the amenity protection aims of Saved Policies SG1, SG17 and HS18 of the Local Plan.
10. These policies, amongst other things, indicate that proposals should ensure that the quality of life for local residents is unimpaired and that there is no harm to residential amenity through potential noise nuisance and general disturbance, including that associated with vehicular activity. In addition, proposals for the conversion of properties to HMO's will only be permitted where there would be no material increase in demand for on-street car parking that would exacerbate existing car parking problems.

Conclusion

11. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be dismissed.

Stephen Normington

INSPECTOR