

Appeal Decision

Site visit made on 30 November 2016

by Beverley Doward BSc BTP MRTPI

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

Decision date: 22 December 2016

Appeal Ref: APP/W4325/W/16/3153464

42 Withens Lane, Liscard, CH45 7NN

- 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 Rebecca Smith (Rebecca Smith Property Services Ltd) against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/16/00618, dated 29 April 2016, was refused by notice dated 20 June 2016.
 - The development proposed is conversion of domestic dwelling house to 7Bed HMO.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application form indicates that the development has not yet commenced. I saw from my site visit that there were separate door bells on the property and that a 'To Let' board had been erected outside. However, these factors do not necessarily indicate that the property is being used as a House in Multiple Occupation (HMO). Accordingly, I have considered the appeal on the basis that the development is proposed rather than that it has already commenced.

Main Issues

3. The main issues in this case are the effect of the proposal on the character of the area and the living conditions of the occupiers of neighbouring dwellings.

Reasons

4. The appeal site is a large semi detached dwelling in a predominantly residential area which comprises a mix of various styles and types of residential properties. The appeal proposal would result in the change of use of the appeal property from a single dwelling to a 7 bedroom HMO.
 5. Policy HS14 of the Wirral Unitary Development Plan adopted February 2000 (UDP) requires proposals to convert existing buildings to multi-occupancy to meet 16 specified criteria in order to ensure that the proposal would not have an adverse effect on the character and appearance of the surrounding area or the living conditions of neighbours and to ensure that satisfactory living conditions are provided for future residents. This is consistent with the core planning principles of the National Planning Policy Framework (the Framework) that planning should take account of the different roles and character of
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different areas and secure a good standard of amenity for all existing and future occupants of land and buildings.

6. There would be no significant external alterations to the property as a result of the appeal proposal. Whilst I note that the neighbouring property, at No 40, is also a HMO from what I saw on my site visit I am satisfied that the appeal proposal would not result in an over concentration of such uses in the immediate locality such as to adversely affect the character of the area.
7. As a single dwelling the appeal property could accommodate a large family, the plans accompanying the planning application indicating that it has 6 bedrooms set over three floors. The appellant indicates that it is intended that the rooms in the HMO be let on a single occupancy basis. Accordingly, there may not be an increase in the numbers of residents at the property or in the amount of associated domestic paraphernalia. Nevertheless, it seems to me that the level of activity resulting from the comings and goings of 7 unconnected people in a HMO would result in some degree of intensification in the use of the property. Whilst I am not persuaded that this would be to such an extent as to cause harm to the character of the area it would, as a consequence of the increased coming and goings associated with the proposed use compared to that of a single dwelling, be likely to result in levels of noise and disturbance which would be detrimental to the living conditions of the residents of the attached dwelling at No 44.
8. In seeking to ensure that proposals to convert existing buildings to multi-occupancy do not have an adverse effect on the living conditions of neighbours, criterion (ii) of policy HS14 of the UDP indicates that if the property to be converted is not detached then the adjoining property should not be in single family accommodation. In this case the appeal property is not detached. Furthermore, the evidence indicates that the attached property, at No 44, is in use as a single dwelling. Therefore, the proposal would fail to comply with this criterion of the policy.
9. Having regard to all of the above therefore, whilst the appeal proposal would not cause harm to the character of the area it would be detrimental to the living conditions of the occupiers of the neighbouring dwelling. Accordingly, overall it would not comply with policy HS14 of the UDP.

Other matters

10. I note that the appellant intends that the proposed conversion would be of a high quality, the rooms would be let to professional people and that off street parking would be provided. However, these factors do not serve to outweigh the harm that I have found above.

Conclusion

11. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Beverley Doward

INSPECTOR