
Appeal Decision

Site visit made on 11 July 2017

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 17 July 2017

Appeal Ref: APP/Z4310/W/17/3173447

58 Sheil Road, Liverpool, L6 3AE

- 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 Ms Kate Leung against the decision of Liverpool City Council.
 - The application Ref 17F/0311, dated 13 January 2017, was refused by notice dated 4 April 2017.
 - The development proposed is a change of use from a 6 bedroom HMO with living room (Use Class C4) to a 7 bedroom HMO (sui generis use).
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Decision

1. The appeal is allowed and planning permission is granted for a change of use from a 6 bedroom HMO with living room (Use Class C4) to a 7 bedroom HMO (sui generis use) at 58 Sheil Road, Liverpool, L6 3AE in accordance with the terms of the application, Ref 17F/0311, dated 13 January 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 11/203/PO1 Rev P1; Land Registry title plan.
 - 3) The property to which this permission relates shall not be occupied by more than 7 people at any time.

Application for costs

2. An application for costs was made by Ms Kate Leung against Liverpool City Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is whether the proposed development would provide adequate living conditions for its future occupiers in respect of washroom facilities.

Reasons

4. The dwelling would have seven bedrooms and two shower rooms which would each contain a sink and toilet. The appellant has drawn my attention to Liverpool City Council's *Guidance on Standards and Management of Houses in Multiple Occupation* which indicates that accommodation for between 6 and 10 people should provide two bath or shower rooms, two toilets and two wash hand basins. From the evidence before me, this does not appear to be a

planning policy document but the Council has not disputed it as being a relevant Council document. Therefore, I have afforded it some weight.

5. The Council's Supplementary Planning Guidance Note 7, *Conversion of Buildings into Flats and Bedsits*, (SPG) does not specify an occupant to washroom ratio. In my experience, a ratio of 3.5 people to one bathroom/shower room, is not unusual and I have nothing before me to substantiate that this level of provision is inadequate.
6. I therefore conclude that the proposed development would provide adequate living conditions for its future occupiers in respect of washroom facilities. Consequently, I find no conflict with Policy H7 of the Liverpool Unitary Development Plan, which indicates that regard should be had to the design of internal spaces. Neither do I find conflict with the Council's SPG which seeks to ensure a satisfactory level of residential amenity for occupants of houses in multiple occupation.

Other Matters

7. I have taken into account representations from interested parties. I do not consider that one additional bedroom in the property would have a material impact upon anti-social behaviour or crime in the area. I note the comments in respect of additional parking pressure on side roads but I have no specific evidence to persuade me that there is an existing parking capacity problem in surrounding streets. I also note concerns in respect of rubbish and vermin but there is space within the site to store bins and I do not consider that the addition of one bedroom would have a material impact upon litter or vermin levels in the area. I have had regard to all other matters raised but none outweigh the conclusions I have reached.

Conditions

8. I have considered the Council's suggested conditions in accordance with the Planning Practice Guidance. In addition to the standard implementation condition it is necessary, in the interest of precision, to define the plans with which the scheme should accord. It is necessary to limit the number of occupants to seven in the interest of living conditions. I have not imposed a condition requiring bins to be only left out on collection day as there would be problems with enforceability of such a condition and there is other legislation with which to deal with obstructions on a highway.

Conclusion

9. I allow the appeal subject to the conditions.

Siobhan Watson

INSPECTOR