



Appeal Decision

Site visit made on 5 September 2017

by Thomas Hatfield BA (Hons) MA MRTPI

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

Decision date: 7th September 2017

Appeal Ref: APP/Z4310/W/17/3176574
53 Kremlin Drive, Liverpool, L13 7BX

- 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 Sean Marshall against the decision of Liverpool City Council.
 - The application Ref 17F/0465, dated 14 February 2017, was refused by notice dated 27 April 2017.
 - The development proposed is a change of use from a six bedroom house in multiple occupation to a ten bedroom house in multiple occupation.
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Decision

1. The appeal is allowed and planning permission is granted for a change of use from a six bedroom house in multiple occupation to a ten bedroom house in multiple occupation at 53 Kremlin Drive, Liverpool, L13 7BX in accordance with the terms of the application, Ref 17F/0465, dated 14 February 2017, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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 plans: DWG 1 (Rev A); DWG 2; DWG 3; DWG 4; DWG 5 (Rev A); DWG 6; DWG 7; Location Plan.

Main Issue

2. The main issue is the effect of the development on the living conditions of neighbouring occupiers with regard to noise and disturbance.

Reasons

3. The appeal property comprises a large traditional end terrace that is 2.5 stories in height. It is positioned on the northern side of Kremlin Road, which contains a number of similar period terraces.
4. The appeal property is currently used as a 6 bedroom house in multiple occupation (HMO). The development would increase the number of bedrooms to 10, which would lead to additional comings and goings to the property. However, the additional activity this would generate would not be significant, and would be unlikely to result in unacceptable increases in noise and disturbance. No evidence has been submitted that the existing HMO is causing a problem in this regard, and 4 additional bedrooms would represent only a modest intensification of the use.

5. I further note that the Council's 'Conversion of Buildings into Flats and Bedsits' Supplementary Planning Guidance states that "*older, larger houses which because of their size and location may be difficult to sustain as single dwellings*" are normally considered suitable for conversion. This would clearly apply to the appeal property, which contains 8 bedrooms on the first and second floors.
6. There is no specific evidence before me that there is an existing over-concentration of HMOs or that the proposal would undermine the balance of accommodation in the area. In this regard, I note that the Council state that the majority of the dwellings in the vicinity have been converted into self-contained flats. I therefore attach no weight to this matter.
7. For the above reasons, I conclude that the development would not significantly harm the living conditions of neighbouring occupiers with regard to noise and disturbance. It would therefore accord with saved Policy H7 of the Liverpool Unitary Development Plan (2002). This policy seeks to ensure, amongst other things, that the conversion of buildings into flats and bedsits does not have an unacceptable effect on amenity. It would also accord with the National Planning Policy Framework, which seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings.

Other Matters

8. Given that the property is already in use as a HMO, and the proposed physical alterations would be minor, I do not consider that the development would harm the character of the area.
9. The development would be adequately served by bathrooms and kitchens in my view. In this regard, I note that 5 of the bedrooms would have en suite facilities, and the remaining 5 would contain washbasins.

Conditions

10. The Council suggested a number of conditions, some of which I have edited for clarity and enforceability. In addition to the standard time limit condition, I have imposed a condition that requires the development to accord with the approved plans. This is necessary for clarity and to ensure a satisfactory development.
11. The Council proposed a further condition that would have restricted the number of occupants at the property to 10. However, given that only 4 additional bedrooms are proposed I do not consider this to be necessary.

Conclusion

12. For the reasons given above I conclude that the appeal should be allowed.

Thomas Hatfield

INSPECTOR