



Appeal Decision

Site visit made on 7 November 2017

by R J Marshall LLB DipTP MRTPI

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

Decision date: 12 January 2018

Appeal Ref: APP/Q3630/W/17/3179490
8, Manorcrofts Road, Egham TW20 9LU

- 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 Worrall against the decision of Runnymede Borough Council.
 - The application Ref RU.17/0478, dated 6 March 2017, was refused by notice dated 22 May 2017.
 - The development proposed is Change of use application, C3 class to sui generis Class – comprised of change of use from single dwelling house into an 11 person House of Multiple Occupation, with conversion of an existing garage into a habitable room. No external alterations are required.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue in this appeal is the effect of the proposed development on the living conditions of neighbours with special reference to noise and disturbance.

Reasons

Neighbour's living conditions

3. The appeal property is a large semi-detached Victorian style house. It has 3 floors with the top floor being in the roof space. It has a large garden to the rear. The application plans show the existing property as a large 4 bedroom house. To the north of the appeal property is the adjoining semi and to the south 2 bungalows. The site is in a predominantly residential area and surrounded by housing on all but one side.
4. The proposal is to alter the property internally to create a total of 11 bedrooms. Five bedrooms would be on the ground floor, 4 bedrooms on the first floor and 2 bedrooms in the roof space. Four car parking spaces are proposed at the front of the property utilising existing gravel or brick paved areas.
5. The proposal would, with the occupation of 11 unrelated people, result in a substantial intensification of use of the property. The number of coming goings from the property, and general activity around it would greatly increase. At the frontage of the property this would be especially harmful in relation to the living conditions of those in the neighbouring bungalow who would be in close proximity to the car parking area and thus subject to the noise of the comings

and goings of cars and closing of doors etc. I appreciate that 4 cars may potentially park in this area at present. However, I consider it far more likely to occur with the additional occupation proposed and also that the number of movements would be likely to be greater. In addition the number of delivery services to and from the property would be likely to increase, adding further to noise and disturbance.

6. The appeal property has a notably large rear garden upon which dining room doors open. In summer evenings in particular the extent of the proposed occupation of the property, together with the easy access to the garden from a communal area from within the property, could well give rise to quite large congregations of residents outside in the garden adding to noise and disturbance to nearby properties.
7. The harm identified in relation to a single occupation of each of the bedrooms would be sufficient in itself to be harmful. However, some of the bedrooms are notably large, and at least 5 could readily accommodate 2 people. A condition restricting the level of occupancy would be difficult to enforce, and thus even though this may not be the current appellant's intention more than 11 people could potentially occupy the property, if not regularly then on occasions, to the further detriment of living conditions through noise and disturbance.
8. I appreciate that it is the appellant's intention to ensure that the property is well managed so as to prevent harm to neighbours. However, in my view the sheer number of people at the property, however well managed, would be harmful in the ways identified above. Furthermore, planning permission runs with the land and there would be no guarantee that future owners would apply the same management regime. I accept that it may not be known how future occupants of the premises would behave or who they would be. However, I do not see this greatly aiding the appellant's case for some could behave well and some badly, and in any event my concern is principally based on the sheer scale of occupation by 11 unrelated people.
9. It is concluded that the proposed development would harm the living conditions of neighbours with special reference to noise and disturbance. There would be conflict with Policy HO9 of the Runnymede Borough Local Plan Second Alteration (2001) in so far that it requires new housing development, including conversions not to damage the amenity of established residential areas, which I take it would cover preventing harm to the living conditions of those locally. Preventing such harm is also sound planning practice.

Other matters

10. Local residents raise concerns that go beyond those of the Council. Turning to these, in the absence of any external changes to the house there would be no unacceptable harm to the character and appearance of the area. Given the site's proximity to services and public transport I consider that the parking spaces proposed are adequate. There is no professional/technical evidence to the contrary, nor to support claims that undue stress would be placed on the local road network. No substantial evidence supports views that the proposed development could not adequately be served by the existing sewerage system or that a need for family homes in the area should stand against the proposal. The proposed change of use alone, with no external changes to the property, would not give rise to unacceptable loss of privacy to neighbours.

11. I share concerns on the adequacy of the bin storage proposed raised by both local residents and the Council's Services Manager. From my experience it is too small for a development of this scale. However, this does not comprise one of the reasons on which the Council refused permission and without more substantial evidence from the Council it has not been demonstrated that acceptable bin storage provision could not be made without detriment to the character and appearance of the area.
12. I note the appellant's reference to those parts of the development plan and the National Planning Policy Framework (the Framework) which do not apply to the proposed development. However, local and national policies are wide-ranging and most developments will engage only some of them. The proposal would assist those requiring accommodation of the type proposed and facilitate a degree of social interaction, albeit the benefits would be small given the modest scale of the proposal.

Overall balance and conclusion

13. Not all the concerns raised by those locally are justified, and the appellant has identified some benefits in the proposal. However, I have found substantial harm in relation to the main issue and it is this that I find decisive. The proposal would not be sustainable development in terms of the Framework and would be contrary to the development plan.
14. For the reasons given above it is concluded that the appeal should be dismissed.

R J Marshall

INSPECTOR