The Planning Inspectorate

Appeal Decision

Site visit made on 8 October 2018

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 7 November 2018

Appeal Ref: APP/X1735/W/18/3200486
39 Belmont Grove, Havant PO9 3PT.

- 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 Mrs Emma Beck against the decision of Havant Borough Council.
- The application Ref APP/18/00098, dated 24 January 2018, was refused by notice dated 4 April 2018.
- The development proposed is change of use from 6 bed house in multiple occupation (HMO) to 7 bed HMO.

Decision

1. The appeal is allowed and planning permission is granted for change of use from 6 bed house in multiple occupation (HMO) to 7 bed HMO at 39 Belmont Grove, Havant PO9 3PT in accordance with the terms of the application, Ref APP/18/00098, dated 24 January 2018, subject to the conditions set out in the schedule at the end of this decision.

Procedural Matters

2. The description of development given above has been taken from the appeal form as it is a more precise description than that given on the application form.

3. The revised National Planning Policy Framework came into force during the course of the appeal. The parties have been given the opportunity to comment on the implications of the guidance on the appeal, and I have also taken it into account in reaching my decision.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area with specific regard to parking.

Reasons

5. 39 Belmont Grove is located within a residential street largely containing detached dwellings. Parking space is provided within front gardens and on-street. Both off-road and on-street parking is therefore an established feature of the streetscene, and characteristic within the area at large.

6. The appeal scheme would entail the addition of a single occupant to the existing 6-bed HMO at No 39. This would have the potential to generate additional demand for parking space directly associated with the additional resident, and also with any visitors, including deliveries.

7. No 39 currently has 2 parking spaces within the front garden and a small in-built garage. A similar arrangement exists at other dwellings within the street. The proposed development would see expansion of the existing parking area to provide a third parking space. Whilst this would result in loss of some hedging, subject to sensitive layout and finish, the appearance of the street scene would be unharmed. This can be secured by an appropriately worded condition.

8. The Council's officer report indicates that the existing garage is 'not included for car parking', and identifies only the 2 existing parking spaces on the frontage within its assessment. In this regard the report notes that the proposed development would provide of 3 spaces at the frontage; an increase of one. A different view is expressed within the Council's appeal statement, which counts the garage as a parking space. As such it concludes that use of the garage for cycle parking and bin storage would effectively leave the level of parking provision at No 39 unchanged at 3 spaces, potentially resulting in the need for an additional resident to park on-street. No reason for this differing assessment is given.

9. Parts 4.09 and 4.10 of the Havant Borough Council Parking Supplementary Planning Document July 2016 (the SPD), indicate that for a single garage to count as a parking space it should meet an internal dimension standard of 3 metres by 6 metres. Based on the age of the property, my observations and the submitted details, it appears unlikely that the existing garage meets this requirement. As such I see no reason to question the Council's original assessment of parking provision. The appeal scheme would therefore result in one additional parking space.

10. Notwithstanding the level of any current demand for on-street parking space generated by existing residents at No 39, any additional effect that a single vehicle owned by a single additional resident might have, would be neutralised by the provision of one additional parking space.

11. With regard to potential additional demand for visitor parking, unrestricted opportunities for on-street parking are available along Belmont Grove and other streets close to the appeal site, including along Norman Way roughly opposite. The submissions indicate good availability of space on-street during work hours, and this corresponds with what I saw during my visit.

12. Third parties nonetheless indicate that high demand for on-street parking space occurs along Belmont Grove at weekends and 'peak times', and illustrate this with photographs showing parked vehicles either side of the road on each side of the appeal site. It is however unclear when the photos were taken, to what extent they reflect the day-to-day situation, to whom the vehicles belong or their likely permanence. Furthermore the photographs do not show the level of parking space available in adjacent streets. The usefulness of the photographs is therefore limited.

13. No additional survey evidence has been provided to illustrate the on-going availability of on-street parking space in the vicinity of the appeal site. As such it has not been demonstrated that on-street parking in the area is currently at full capacity, or that the modest additional demand for on-street visitor parking space generated by the development would result in congestion of the street scene, the blocking of driveways, or other detrimental effects on the character and appearance of the area.

14. The fact that the appeal site is well located with regard to access to services and public transport, and that the proposed provision of dedicated cycle parking would also service an alternative form of transport, are each noted. Whilst not preventing vehicular ownership, each would provide the potential for the additional occupant, or indeed other residents, to live car-free. This could reduce the perceived effects of the proposed development on the character of the area further.

15. Whilst the Council draws attention to the fact that the 3 parking spaces provided would match the requirement set out in the SPD for a new 4-bed dwelling, this is not directly relevant to the appeal scheme. The SPD itself sets no parking standard for HMOs.

16. For the reasons outlined above I conclude that the proposed development would not have an adverse effect on the character or appearance of the area, and would not therefore be in conflict with Policy CS16 of the Havant Borough Local Plan (Allocations) Adopted Version July 2014, which seeks to secure development that is designed to a high standard, and which respects the local context.

Other Matters

17. It is apparent that on-street parking can cause moderate obstruction of the carriageway within the vicinity of the appeal site due to the width of the road. However this is not unusual within residential areas. Notwithstanding some local reports of parked cars being damaged, on-street parking appears generally unlikely to prevent the free passage of vehicles. I see no reason to consider that this would change as a result of the proposed development.

18. Third parties claim that increased on-street parking would worsen visibility from driveways and junctions, and visibility for pedestrians and children crossing the road. In my opinion however, and with particular regard to unrestricted nature of on-street parking in the area, any modest additional demand for visitor parking generated by the proposed development would have little additional effect.

19. A range of issues related to the use of No 39 as an HMO are raised by third parties. These include potential adverse effects arising from noise and disturbance, privacy, waste storage, and the nature of potential occupants. These concerns are not shared by the Council. I see no reason to disagree. The Council notes scope to store bins displaced by the new parking layout within the garage, details of which can be secured by condition.

Conditions

20. I have imposed conditions setting the time limit for commencement of the development and identifying the approved plans for sake of certainty.

21. As I have considered the effects of the proposed development to be acceptable on the basis of 7 occupants, imposition of a condition restricting occupation of the HMO to a maximum of 7 occupants would be both necessary and reasonable.

22. Whilst the Council has recommended a condition requiring provision of the proposed parking spaces and cycle rack in accordance with the submitted details, I note that the plans and particulars provide very limited information.

Therefore it would be difficult to enforce such a condition. Indeed the proposed location of the cycle rack is not shown on the plans, and the parking layout and access arrangements are not clearly detailed. I have therefore imposed a condition requiring the agreement of further details, and the provision of the parking spaces and cycle rack prior to occupation of the additional bedroom. This will ensure the necessary provision of parking facilities, and their availability for use.

23. To ensure the provision of a dedicated bin store in conjunction with provision of a larger parking area a condition requiring provision of such a store and fixing its location would also be reasonable. This would help to reduce the potential for adverse effects related to bins being stored in public view.

Conclusion

24. For the reasons set out above, and with regard to all other matters raised, I conclude that the appeal should be allowed.

Benjamin Webb

INSPECTOR

Schedule of 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: Location Plan of PO9 3PT, 002, Parking Plan, Bike Rack Detail.

3) The occupation of the house in multiple occupation hereby permitted shall be limited to a maximum of 7 persons.

4) Details of the provision and location of a bin store shall be submitted to, and approved in writing by the Council. The bin store will then be installed in accordance with the approved details prior to the first occupation of the additional bedroom hereby permitted, and will thereafter be retained and kept available for the storage of bins.

5) Details of the location within which the cycle rack will be installed, and the layout, levels, access and finish of the car parking spaces shall be submitted to and agreed in writing by the Council. The cycle rack and parking spaces and will then be provided in accordance with the submitted details, and made fully available for parking prior to the first occupation of the additional bedroom hereby permitted. The cycle rack and parking spaces shall thereafter be retained and kept available for parking.