



Appeal Decision

Site visit made on 3 September 2019

by D. Szymanski, BSc (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th September 2019

Appeal Ref: APP/G2625/W/19/3223033

2 Edgeworth Road, Norwich, NR5 8JD

- 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 Charles Grace Property against the decision of Norwich City Council.
 - The application Ref: 18/01721/F dated 16 November 2018, was refused by notice dated 14 January 2019.
 - The development proposed is erection of a single storey rear extension and change of use from dwelling/house (Class C3) to 7-bedroom HMO (sui generis).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. It was initially intended that the site visit for this appeal took place on 25 June 2019, however, the appellant was unable to attend. Therefore, a subsequent visit took place as set out in the banner heading above.
3. At my visit some of the internal and external alterations set out in the plans accompanying the application had taken place, for example, changes to the front garage doors and conversion of this area into living accommodation, and installation of some of the new bathroom facilities. However, the rear extension had not commenced, and it appeared that not all the bedrooms were inhabited. I am treating the development as I have seen it on the site.

Main Issues

4. The main issues are the effects of the proposed development upon:
 - the living conditions of occupiers of neighbouring properties, with particular reference to noise and general disturbance; and,
 - highway interests with regard to traffic generation and parking.

Reasons

Living conditions

5. The appeal property is a semi-detached dwellinghouse on a corner plot close to the junction of Edgeworth Road. To the rear of the dwelling is the rear of the former garage, a conservatory and a modest wedge-shaped garden bound by

low level fences. No. 4 Edgeworth Road adjoins to the south east being the attached dwelling, with Nos. 1 and 3 Rockingham Road almost perpendicular to the west, with similarly modestly sized rear gardens. The size of the rear gardens, the proximity, and the position/orientation of neighbouring properties results in a sense of close proximity between the properties.

6. The proposed development would result in up to seven unrelated occupants at the appeal property, markedly intensifying the levels of activity compared to a dwelling/house. The comings and goings would also be considerable which could include visits by private car and taxi, the delivery of meals and other purchases, and people visiting for social events and other reasons. The concentrated area for activity of seven unrelated occupants at the appeal site, in close proximity to the neighbouring dwellings, is likely to result in significant harm to the living conditions of the occupants of neighbouring dwellings, in respect of noise and general disturbance.
7. For the reasons set out above, the proposed development would be contrary to Policies DM2 and DM13 of the Norwich Development Management Policies Local Plan (2014) (the DMPLP). These policies require that development should have an acceptable impact upon neighbouring occupants in respect of living conditions and noise. The development would also be contrary to paragraph 127 of the National Planning Policy Framework (2019) (the Framework), which expects development should create places that promote health and well-being, with a high standard of amenity for existing and future users, and seeks to avoid development which would give rise to significant adverse impacts on health and quality of life.

Highway safety

8. Policy DM13 of the DMPLP requires that proposals for larger Houses of Multiple Occupation (HMOs) demonstrate a satisfactory standard of parking. Neither the Council or the appellant have put forward what they consider a reasonable number of spaces for this development. The Council notes that two spaces are lost through the conversion of the garage, and whilst two cars could park on the driveway side by side, there is only room for one standard size space because the front driveway is only around 4.5m in depth. I am not aware that the appellant has offered to secure any additional parking or presented any alternative parking solutions.
9. The appeal site lies close to a junction and to the south of a local centre which includes a parade of shops, services and takeaways, a library, church, a medical centre, dentists, pharmacy, and two schools. Whilst most of these have their own or shared parking, the area was reasonably busy at my visit, and parking was in demand. Parking is strictly controlled on Edgeworth Road and nearby through time restrictions, double yellow lines and Controlled Parking Zones (CPZs). The CPZ places restrictions on Edgeworth Road between 10:00hrs – 16:00 Monday – Fridays. On and around Edgeworth Road it appeared that most dwellings did have off-road parking, but a significant proportion did not.
10. There is likely to be times in the afternoons and evenings after the CPZ time ends and at weekends where there is significant pressure on parking outside the appeal site and surrounding roads, (e.g. when people return from work and/or have visitors, combined with customers and users of the facilities in the nearby local centre).

11. Seven unrelated occupants at the appeal site are likely to result in a relatively high level of car ownership, particularly compared to the previous three-bedroom family dwelling. In addition, there may well be times when visitors to the property also travel by car. The development would be likely to result in more car movements, and more cars required to be parked than can be accommodated on the appeal site. This would be likely to lead to significant increases in pressure upon parking on Edgeworth Road and surrounding streets and be likely to result in conditions significantly harmful to highway interests in terms of parking demand.
12. For the reasons set out above the proposed development, would be contrary to Policies DM13 and DM31 of the DMPLP. These amongst other things, require that development demonstrates a satisfactory standard of servicing and parking for all residents can be achieved within any limitations imposed by the size and configuration of the site in accordance with the Council's standards.

Other Matters

13. The Council has provided a copy of appeal Ref: APP/G2625/C/17/3174414, relating to a large HMO at No. 55 Cunningham Road around 200m to the south of the appeal site, decided over a year ago. The Council considers that decision to be a 'material consideration' in the determination of the current development. It also refers to two other appeals that have been made to the Inspectorate for what are understood to be similar proposals. I have not been supplied with and am not aware of the full details and circumstances surrounding the Cunningham Road development, and so cannot be sure that it represents a direct parallel to the appeal proposal. In any case, I have considered this appeal proposal upon its own merits.
14. The appellant has referenced two other planning applications that were approved by the Council (Ref: 17/01535/F and 17/01762/F). The Council has made a summary reference to the reasons for those decisions, but I have not been supplied with and am not aware of the full circumstances surrounding the decisions. However, from the information provided, the development at 25 Pitchford Road has a different context and relationship to nearby properties than that at the appeal site currently under consideration. The proposal at St. Mildreds Road was for a purpose built 34 bedroom development, on a former public house site. Therefore, the decisions referenced by the appellant are not directly comparable to the appeal scheme before me.

Conclusions

15. For the reasons set out above, the proposed development would be contrary to the development plan and the Framework and there are no other considerations, which outweigh this finding. Accordingly, for the reasons given, the appeal should not succeed.

Dan Szymanski

INSPECTOR