



Appeal Decision

Site visit made on 2 December 2019 by Mariam Noorgat BSc (Hons)

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 January 2020

Appeal Ref: APP/Z5060/W/19/3234983

41 Victoria Road, Barking IG11 8PY

- The appeal is made under section 78 of the Town Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Shaad Auhamud against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 19/00340/FUL, dated 25 February 2019, was refused by notice dated 13 June 2019.
 - The proposal is described as the change of use house C3 to house in multiple occupation (HMO) with 6 room.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. Based on the Council's Officer report and the appellant's application form, all parties accept the property is already in use as a House in Multiple Occupation (HMO), I have therefore considered the appeal on a retrospective basis.

Main Issues

4. The main issues are:
 - The effect on the Borough's stock of family housing;
 - The effect of the development on the character of the area;
 - The effect of the development on highway safety, with particular regard to parking.

Reasons

The Stock of Family Housing

5. The appeal site is a two-storey mid terrace property set within a well-established residential area. Policy BC4 of the Barking and Dagenham Borough Wide Development Policies Development Plan Document (2011), (the 'Development Plan'), sets out the Council's policy in relation to residential

conversions and HMOs. The policy seeks to preserve the stock of family housing in the Borough by resisting proposals which involve the loss of housing with three or more bedrooms.

6. The appellant states the appeal property originally consisted of two bedrooms and was subsequently extended. However, according to the appellant's submitted drawing, ref: A01, the appeal property comprised of five bedrooms prior to the HMO conversion. Policy BC4 does not refer to the original number of bedrooms within a property and, though not explicit, must relate to the bedrooms present prior to conversion. As such, the change of use contributes to the loss of a five bedroom family house. The development therefore conflicts with Policy BC4 of the Development Plan.

Character of Area

7. According to the Officer report, the predominant form of dwellings surrounding the appeal site are family houses and the appellant has not disputed this. The occupiers of six unrelated households in the HMO, compared to a family dwelling, may be in a variety of different occupations with different shift patterns or academic schedules. It is also reasonable to consider unrelated individuals could well each have their own guests and visitors when compared with a family home. This generates a greater number of comings and goings which could give rise to high levels of traffic, generation of refuse, noise and general disturbance. As such, I consider the intensification of activity differs to the general character of a predominantly family residential setting.
8. For these reasons, I conclude that the development harms the character of the area. I therefore find conflict with Policies BC4 and BP8 of the Development Plan which generally seek to ensure that there is no significant loss of local character.

Highway Safety

9. The appeal site sits within a controlled parking zone which is limited to residents. My site visit established that even with this parking restriction in place, there were not many parking spaces available.
10. The appellant's submitted plans do not demonstrate any provision of off-street parking. The number of unrelated persons residing at the appeal site, compared to a family, has the potential to generate greater parking pressures in an area with an existing high demand, which could result in parking that would be detrimental to highway safety. This is also confirmed by the Council's Transport Development Management Officer. It is therefore contrary to Policy BR9 of the development plan which seeks to manage the impact of street parking.
11. The Council refer to Policy BR10 of the Development Plan which relates to sustainable transport. Given the location of the appeal site being close to good transport links, and with a PTAL of 5, I do not find conflict with this policy.

Conclusion

12. For the reasons set out above, I conclude that the appeal should be dismissed.

Mariam Noorgat

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR