

Appeal Decision

Site Visit made on 20 April 2021

by Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 May 2021

Appeal Ref: APP/H1705/W/20/3260739

379 Abbey Road, Popley, Basingstoke, RG24 9EL

- 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 Angel Property Maintenance against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 20/00987/RET, dated 16 April 2020, was refused by notice dated 14 September 2020.
 - The development proposed is the conversion of house to House of Multiple Occupation for 5 persons max.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) the effect of the proposal on the character and appearance of the area,
 - (ii) the effect of the proposed parking arrangements on highway safety, and
 - (iii) whether the proposal would provide adequate living conditions for occupiers, with particular regard to the provision of garden space.

Reasons

Character and appearance

3. The appeal site comprises a terraced property and gardens, within a residential street. The surrounding area is strongly characterised by the arrangement of properties and the relationship of the front and backs of dwellings, where there are clearly defined parking and garden areas. The rears of properties are well-defined and generally enclosed by timber fencing between pairs of garages. Parking is provided in front of these garages, as well as to the fronts of some properties. The spatial arrangement of parking close to the estate roads and the markedly delineated rear gardens creates an attractiveness and uniformity to the built form.
4. The appeal scheme proposes the provision of parking within the rear garden space of the property. This necessitates the formation of an accessway by removing part of the rear boundary. This appears at odds with the otherwise unbroken rear boundaries that are present in the surrounding area. Furthermore, the presence of vehicles within the rear garden space was not an occurrence that I observed within the vicinity. As such, this too would be an

alien and overly conspicuous element of the scheme, that is not reflective of the pattern of development within the surrounding area.

5. Thus, the appeal scheme would have a harmful effect on the character and appearance of the area, in conflict with policy EM10 of the Basingstoke and Deane Local Plan (the Local Plan), insofar as it seeks to ensure development positively contributes to the appearance of streets.

Highway safety

6. The Council's adopted Parking Supplementary Planning Document (the SPD) sets out that where a proposal is for the conversion of a dwelling to a House in Multiple Occupation (HMO), one parking space will be required per bedroom. In this case, this results in a requirement for five spaces. While I acknowledge that the appellant comments that not all of the current occupants own a car, this can not be ensured for all who may reside at the property. Given that an HMO can be occupied by five individual occupants, I consider that the parking requirement as set out in the SPD to be reasonable.
7. The appeal scheme shows the provision of five parking spaces, arranged predominantly in a tandem layout. While this may be acceptable in some instances, given the property would be occupied by five individuals, the use of a tandem parking arrangement would result in vehicles being blocked in by others. In my view, this is likely to result in some conflict in the movement of vehicles and would result in some occupiers seeking to park elsewhere, likely within the immediate vicinity and close to junctions. This would have significant potential to block visibility of vehicles approaching these junctions, resulting in a risk to highway safety. I am conscious of local concerns in respect of parking within the area and there is no substantive evidence before me, such as a parking survey, to show that there is capacity for on-street parking to accommodate this overspill, without the adverse effect on safety that I identify.
8. Accordingly, the scheme conflicts with policy CN9 of the Local Plan, insofar as it seeks to ensure development does not compromise highway safety. That consent has been given for a dropped kerb at the property does not dissuade me from my findings above.

Living conditions

9. There is currently a spacious rear garden to the property, within which it is proposed that the parking of vehicles would take place, thereby reducing the useable garden space. However, more than half of the existing garden would remain and be useable for sitting out, hanging washing, and other day-to-day activities. I have not been provided with any standard by the Council in regard to the size requirement for the garden of an HMO. As such, in my view, the retained garden area would adequately provide for the occupants and ensure that they experienced satisfactory living conditions. Given the level of mutual overlooking between properties, the removal of part of the rear boundary would not result in the retained garden being unacceptably overlooked. Therefore, in this respect the proposal accords with policy EM10 of the Local Plan, insofar as it seeks to ensure development provides sufficient amenity space.

Other Matters

10. I acknowledge that HMO's can meet a demand in addressing housing need. However, I find that the contribution the scheme would make towards meeting this need is not sufficient to outweigh the harm that I have identified.

Conclusion

11. While I have found that the proposal would result in acceptable living conditions for occupiers, there would be harm to the character and appearance of the area, as well as to highway safety. These matters are determinative.
12. For the reasons given above I conclude that the appeal should be dismissed.

Martin Allen

INSPECTOR