



Appeal Decision

Site visit made on 25 April 2022

by B Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 May 2022

Appeal Ref: APP/K2420/W/21/3287157

102 Druid Street, Hinckley LE10 1QQ

- 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 K&Z Properties against the decision of Hinckley and Bosworth Borough Council.
 - The application Ref 21/00775/FUL, dated 10 June 2021, was refused by notice dated 27 September 2021.
 - The development proposed is the proposed change of use from 6 person House in Multiple Occupation (Class C4) to 8 person House in Multiple Occupation (Sui Generis), roof light.
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Decision

1. The appeal is allowed, and planning permission is granted for the proposed change of use from 6 person House in Multiple Occupation (Class C4) to 8 person House in Multiple Occupation (Sui Generis) and roof light at 102 Druid Street, Hinckley LE10 1QQ in accordance with the terms of the application, Ref 21/00775/FUL, dated 10 June 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan Drawing Ref 21016-100-PL1, Block Plan Drawing Ref 21016-104-PL1, Proposed Floor Plans Drawing Ref 21016-201-PL1, Proposed Elevations Drawing Ref 21016-202-PL1, and Proposed Site Plan and Parking Plan Drawing Ref 21016-204-PL1.

Applications for costs

2. An application for costs has been made by K&Z Properties against Hinckley and Bosworth Borough Council. This matter is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of future occupiers, with particular respect to the size of the bedrooms and the provision of communal space.

Reasons

4. The building is a corner plot in use as a six person House in Multiple Occupation (HMO). It consists of six bedrooms, with a kitchen and living room and various shared bathrooms and a WC. There is a courtyard to the rear with a pedestrian access linking to the public footpath. The proposed development would create eight en'suite bedrooms, remove the existing kitchen and create a communal kitchen in the former living room. The site is in an urban setting, within walking distance of Hinckley Town Centre, providing future occupiers with good access to goods and services.
5. The Council has not drawn my attention to any specific policies that relate to its requirements with respect to either bedroom sizes or size/provision of communal space for HMO's. Nevertheless, Policy 1 of the Council's Core Strategy supports the diversification of the town's housing stock to cater for a range of house types and sizes. This is also supported by the National Planning Policy Framework (The Framework). This seeks development that would make efficient use of land and provide for different types of housing based on the availability and capacity of infrastructure and services.
6. The appellant identifies that the proposed bedrooms would be a minimum of nine square metres. This is undisputed by the Council. The bedrooms would be served by either a window or rooflight affording good access to natural daylight. The rooms would have space to accommodate a bed, wardrobe and chest of drawers. The bedrooms would therefore be a generous size and enabling these to function well. Furthermore, although not adopted by the Council, the rooms would satisfy the Government's Nationally Described Space Standards. Accordingly, the rooms would be adequate to meet the needs of future occupiers.
7. The communal kitchen would accommodate two countertop hobs, two sinks and a countertop with stool seating. Consequently, it would be of sufficient size to provide seating and communal space to accommodate occupiers of eight bedrooms. The block plan demonstrates that the associated external area would provide space for refuse bins and secure cycle storage. It would also retain a central area that could accommodate a washing line and/or provide space for occupiers to enjoy in good weather. I am also cognizant that an HMO License, subject to the 2004 Housing Act, demonstrates that the building has been licensed to accommodate ten people. This provides further support in favour of the suitability of the building accommodate include eight bedrooms.
8. As such, both the proposed bedrooms, and associated communal space, would be of sufficient size to enable the proposed use to function well. Consequently, the proposal would accord with paragraph 130 (f) which requires places that area safe, inclusive and accessible and include a high standard of amenity for future occupiers.
9. Policy DM10 of the Site Allocations and Development Management Policies DPD, is referenced within the Council's reason for refusal. This policy supports development where the amenity of future occupiers would not be adversely affected by activities in the vicinity of the site. As the Council's concerns relate to matters that are not addressed by this, the policy weighs neither for nor against the merits of the proposal.

Other Matters

10. The proposal would create two further bedrooms within a plot that is absent dedicated parking. However, an absence of parking is consistent with the local parking provision which is predominantly on-street. The proposal would result in a limited increase in occupancy of the building and would be within close proximity of the town centre. As such, the absence of parking provision would not result in a significant increase in local parking stress, a point also supported by the Highway Authority.

Conditions

11. I have considered the use of conditions in line with the guidance set out in the Government's Planning Practice Guidance (PPG). I have imposed the standard conditions with respect to timeframe and approved plans as advised by the PPG for clarity and certainty.

Conclusion

12. For the above reasons, the appeal is allowed.

B Plenty

INSPECTOR