



Appeal Decision

Site visit made on 3 October 2024

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th October 2024

Appeal Ref: APP/D4635/W/24/3344404

493 Stafford Road, Wolverhampton WV10 6RR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Manjit Dosanjh against the decision of City of Wolverhampton Council.
 - The application Ref is 24/00184/FUL.
 - The development proposed is change of use of 6 bed house of multiple occupation (C4) to 7 bed house of multiple occupation (Sui Generis).
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Decision

1. The appeal is allowed and planning permission is granted for change of use of 6 bed house of multiple occupation (C4) to 7 bed house of multiple occupation (Sui Generis) at 493 Stafford Road, Wolverhampton WV10 6RR in accordance with the terms of the application, Ref 24/00184/FUL, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are:
 - whether or not the accommodation would provide satisfactory living conditions for the occupiers of the property, with regard to the provision of internal living space; and
 - the effect of the proposed development on highway safety, with particular regard to parking.

Reasons

Living conditions

3. The appeal property is a large, two storey detached dwelling located on the corner of Stafford Road and McLean Road, within an urban residential area. The property is currently in use as a six-bedroom House in Multiple Occupation (HMO). The proposal would result in an additional bedroom and occupant residing at the property.
4. The existing bedrooms are split over the ground floor and first floor. The bedrooms each have an ensuite bathroom. There are two shared kitchens, one at ground floor and one at first floor, which have a modest size.
5. The existing bedrooms are spacious. Indeed, the evidence suggests that the bedrooms are significantly above the licensing standards. I also observed during my site visit that some of the rooms had armchairs and other seating. As such, the rooms offer some individual living space so that socialising could

take place within the rooms. This would also be the case for the proposed bedroom, which would also be of a generous size.

6. The additional bedroom would increase the number of occupants at the property, and whilst the property would lack some internal communal space, the property benefits from a large private rear garden. Therefore, even though the rear garden is only likely to be used during certain times of the year, it would provide alternative communal space, nonetheless.
7. Consequently, as a result of the existing and proposed bedroom sizes, as well as the kitchen spaces and external amenity space, the property with an additional bedroom would continue to provide sufficient communal / social space for the occupants of the HMO. In addition, whilst the amount of storage space would be reduced within the building, the large rear garden would also allow future and / or alternative storage provision if necessary.
8. For the above reasons, and on the evidence before me, I conclude that the accommodation would provide satisfactory living conditions for the occupiers of the property, with regard to the provision of internal living space. As such, the proposed development would not conflict with Policy H6 of the Wolverhampton Unitary Development Plan (UDP), Policy CSP4 of the Black Country Core Strategy (BCCS) and the National Planning Policy Framework (the Framework), which together and amongst other things, seek to create satisfactory and flexible living accommodation for all housing developments, with a high standard of amenity for existing and future users.

Highways safety

9. The appeal property benefits from a garage and a large frontage driveway with access onto Stafford Road. The garage is large enough to park a vehicle but instead it is currently used for storage. The driveway is tarmacked and large enough to comfortably accommodate three vehicles.
10. The Council's House in Multiple Occupation (HMO) Planning Guidance (the HMO guidance) acknowledges that HMOs tend to attract occupiers with lower-than-average levels of car ownership compared to the general population. As such, the HMO guidance advises that 0.5 parking spaces per bedroom provides a general guide for likely demand. In this case, the proposal would result in seven bedrooms which equates to 3.5 spaces.
11. The conversion of the garage to an additional bedroom would remove a potential parking space at the property but an additional parking space is proposed on the driveway. However, whilst the driveway is large, the provision of an additional vehicle space on the frontage would make it difficult for vehicles to manoeuvre within the site. As such, I am not persuaded, on the evidence before me that four vehicles would be able to conveniently park on the driveway.
12. Nevertheless, the three existing spaces on the driveway would be retained and available for use by the occupants of the HMO. The property is also located in an accessible urban area, with shops and other commercial premises on Stafford Road and on nearby streets. There are bus stops on the road also. As such, occupants of the HMO have a range of transport modes available to them and they would not necessarily have to rely on a car for day-to-day requirements. Provision for cycle storage within the site would further

encourage sustainable modes of travel, as supported by the HMO guidance. This could be secured by a suitably worded planning condition prior to the occupation of the additional bedroom.

13. Consequently, on the evidence before me, I am satisfied that the current off street parking arrangements are acceptable for the proposal. Therefore, a condition which secures an additional parking space, as shown on the proposed site plan, and suggested by the Council, is not necessary.
14. Furthermore, even if an additional single resident did generate additional parking demand in the locality, this would be marginal according to the HMO guidance. In addition, I observed during my site visit that many of the existing properties on Stafford Road and McLean Road had off street parking provision. While McLean Road is narrow, it is a quiet residential street, and there is an ability to park on the road without exacerbating an existing on-street parking problem or causing an obstruction to other vehicles, pedestrians, and cyclists. I am also satisfied that alternative parking arrangements elsewhere, whilst not being visible from the appeal property, would also meet the needs of the occupants of the HMO.
15. For the above reasons, I conclude on this main issue that the proposed development would not cause an unacceptable impact on highway safety, with particular regard to parking. As such, it would not conflict with Policies H6, AM12 and AM15 of the UDP and Policies CSP4 and ENV3 of the BCCS, as well as the Framework, which together, amongst other things, seek to ensure that the level of parking provision is appropriate to the proposal and its location, promoting sustainable transport modes.

Conditions

16. I have had regard to conditions suggested by the Council, as well as to the Framework and national Planning Practice Guidance. In addition to the conditions set out in the main issues, and the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. A condition which restricts the occupation of the building to no more than seven people is also reasonable and necessary to ensure that an appropriate standard of living conditions is maintained.
17. I have not imposed the condition suggested by the Council for the provision of refuse and recycling storage because the submitted plans demonstrate that the property has ample space for bins at the rear, which would also be sufficient to meet the likely demand from one additional resident. Therefore, I am satisfied that the suggested condition is not reasonable or necessary.

Conclusion

18. The proposed development would accord with the development plan, and there are no material considerations to lead me to determine the appeal other than in accordance with it. Therefore, for the reasons given above, I conclude that the appeal is allowed.

N Bromley

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: Sheet 1 of 7; Proposed Ground Floor: Sheet 4 of 7; and Proposed Front Elevation: Sheet 6 of 7.
- 3) Prior to the first occupation of the development hereby permitted, a covered bicycle storage / parking area shall be provided within the site, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved bicycle storage / parking area shall thereafter be retained for the lifetime of the development.
- 4) The development hereby permitted shall not be occupied by more than seven persons at any one time.

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