



Appeal Decision

Site visit made on 20 February 2025

by **P Eggleton BSc(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 March 2025

Appeal Ref: APP/Y2003/W/24/3356007

37 Jackson Road, Scunthorpe, North Lincolnshire DN15 8ET

- 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 Ifran Hussain against the decision of North Lincolnshire Council.
 - The application reference is PA/2024/581.
 - The development proposed is the change of use of grocery store and flat to form an eight-bedroom house in multiple occupation; two storey side extension; larch lap fence to west elevation; and extension to dropped kerb to pavement.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect on the character and appearance of the area; the effect on the living conditions of future residents; and the effect on highway safety with particular regard to parking.

Reasons

3. The proposal is for an eight-bedroom house in multiple occupation (HMO). The floor plans submitted and the front elevation do not reflect the detail of the east elevation with regard to the existing and proposed front bay windows. I have considered the proposal on the basis that it is the east elevation that is incorrect.
4. The plans show eight bedrooms, six of these are of a floor area that the council's HMO Amenity Standards Guide 2019 (Guide), considers to be suitable for two-person occupation. Whilst it is apparent that a number of comments have been made on the basis of the property being able to accommodate up to 14 persons, the appellant has confirmed that it is the intention that all rooms be for single occupancy and suggests that this could be controlled by condition. As this appears to have been the basis on which the council's initial report was based, I have considered the proposal on this basis.

Character and appearance

5. Although the minutes of the committee meeting and the reason for refusal appear to relate to concerns that it is the principle of a large HMO that was considered to be detrimental to the existing character of the area and to local residents, the council have also suggested that the form of the proposed extension would also be unacceptable.

6. With regard to the use itself, this is a residential area and this would represent a residential use. Although correspondence has been received from local residents that reside in HMO's in the vicinity, the council advise that there are only a few in the wider area. It is not clear that there is an over-proliferation of such uses. I do not consider that the use of the property as proposed would result in unacceptable harm to the character of the area; or result in harm to the living conditions of local residents or the operation of the adjacent school.
7. The physical works would offer some benefits with regard to the introduction of the ground floor window. The increased parking area would not be a positive feature but the frontage is already surfaced. The side extension would be only very marginally set back from the frontage and whilst this would bring some differentiation, a greater set back would be preferable in design terms. The main concern is that the proposal would include a two storey flat roof element towards the rear. This would represent poor design in this context. Whilst it would not be prominent in views, it would nevertheless be visible from Jackson Road.
8. The proposal would therefore conflict with the design aspirations of policy CS5 of the Core Strategy 2011 which advises that design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area, will not be acceptable. As the extension would not be sympathetic in terms of design and roofing materials, it would also conflict with policy DS5 of the North Lincolnshire Local Plan 2003.
9. The above policies are consistent with the design objectives of the National Planning Policy Framework 2024 which is clear that development that is not well designed should be refused. Two storey flat roof extensions are not supported by the council's SPG1 Design Guidance for House Extensions but as I am unaware of this documents status, it does not add to the policy concerns in this regard.

Living conditions

10. There are a number of shortcomings with regard to the proposed layout. Bedroom 2 is of particular concern. Although of an acceptable size, its window would be extremely small and it is proposed that the two large bins would be situated directly outside it. Given the space available within the site, this represents particularly poor design. The bin positions would also have an adverse impact on the residents of bedrooms 3 and 1.
11. Bedroom 3 would have an extremely constrained outlook if the existing garage is to be re-modelled as proposed. Furthermore, all access to the rear would pass between this bedroom window and the garage, including access to the bins, bike store and garden. This similarly represents poor design given the opportunities available to relocate the bins, the bike store and to direct movements further to the rear, away from this window. The combined kitchen/dining room also appears to be relatively small for the number of rooms and would be poorly related to the space within the second communal room.
12. Overall, the layout does not appear to have been well thought out with regard to the internal layout, the external layout or rear access arrangements. It would result in unacceptably poor living conditions for some residents and this would be at odds with the Framework which seeks a high standard of amenity for future users. Some of the elements above appear to conflict with the council's Guide but as I am

unaware of its status with regard to planning policy, I have not afforded it significant weight.

Parking

13. The proposal would result in the provision of four parking spaces. This is an accessible urban location with good access to a full range of services by means other than private cars. Given the nature of this location, the type of accommodation offered and the character of the local area, I have no reason to disagree with the council's Highway officer who considered the proposal to be acceptable in this regard. Appropriate provision for cycling would be essential and although the provision currently made is not satisfactory in all respects, it could be improved by alternative provision and a better thought-out external layout.

Other matters and conclusions

14. I have had regard to the submissions by third parties but do not share the concerns raised about the potential future residents; or parking concerns. An eight-bedroom HMO would not be likely to result in unacceptable harm although I do share some of the concerns about the layout and size of elements of the accommodation proposed. However, the efficient re-use of this property, which is in particular need of investment, would result in considerable benefits with regard to economic and social objectives, particularly the provision of new residential accommodation in such an accessible location. I afford the investment and provision of new housing in this location, considerable weight.
15. I have found that the flat roof of the rear element of the extension would result in poor design. I have also found a number of concerns with regard to the internal and external arrangements that would result in poor living conditions for future residents. Whilst some of these matters could be addressed by conditions seeking alternative arrangements with regard to bin storage, cycle storage, access arrangements and the size of the bedroom 2 window, this would not overcome all of my concerns. Furthermore, these shortcomings appear to result from the proposal being poorly thought out. As all the matters of concern could be addressed by improvements to the proposed design and layout, some of which are outside the scope of amendments that could be made to this proposal by condition, I am not persuaded that the matters in favour of the proposal can be considered to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR