



Appeal Decision

Site visit made on 21 October 2025

by D M Love BA(Hons) PGCert MRTPI PISEP

an Inspector appointed by the Secretary of State

Decision date: 6th November 2025

Appeal Ref: APP/V2004/W/25/3369728

28 Dover Street, Kingston Upon Hull HU3 1PS

- 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. Girdham of Myton Gate Property Group against the decision of Hull City Council.
 - The application Ref is 24/01105/FULL.
 - The development proposed is change of use from three flats to a seven bed house in multiple occupancy.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from three flats to a 7 bed house in multiple occupancy (HMO) at 28 Dover Street, Kingston Upon Hull HU3 1PS in accordance with the terms of the application, Ref 24/01105/FULL, and the plans submitted with it, subject to the following conditions:
 - 1) The development must be carried out in complete accordance with the following approved plans
 - 18 64 24108; and
 - 18 64 002
 - 2) The development hereby permitted shall be begun within three years of the date of this permission.
 - 3) The use approved shall not commence until improved secure cycle parking facilities have been provided to accommodate 7 cycles all undercover in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall subsequently be retained in its entirety for such use.
 - 4) Prior to the use approved commencing passive flood protection measures to prevent flood water from entering the building shall be installed and thereafter retained to provide protection up to 600mm above ground level. Flood resilience measures shall be included to a height of 900mm above finished floor level and all electrical installations shall be set no lower than 900mm above finished floor levels.
 - 5) A place of safety of sufficient size to accommodate all occupants of the property shall be provided and available for all residents at not less than 4.0m AOD and shall thereafter be retained and available for that purpose.

- 6) Prior to the commencement of the use, provision shall be made for the secure storage of refuse, in accordance with the approved plans. The provision shall be therefore retained in accordance with the approved plans.

Applications for costs

2. An application for costs was made by the appellant against the Council. The application is the subject of a separate Decision.

Main Issue

3. The main issue in the determination of this appeal is the effect of the proposed parking arrangements on highway safety and the free flow of traffic in the area.

Reasons

4. The proposal is an existing two-storey terraced building with accommodation in the roof space formed into three one-bedroom flats. It is within walking distance of several bus stops and a dedicated walking/ cycling route. Dover Street already has a high number of properties that operate in a shared manner, i.e. flats and HMOs. Most properties offer no off-street parking.
5. Policy 32 and Appendix C of the 2017 adopted Hull Local Plan 2016 - 2032 (HLP) set the required parking standards for HMOs. This policy states that standards will be applied flexibly, taking into consideration, amongst other things, the accessibility of the development and availability of public transport.
6. Policy H7 of the HLP relates specifically to HMOs with criterion 2(c) stating that HMOs will not be permitted where unacceptable parking problems would harm local amenity.
7. The requirements set out by Policy 32 and Appendix C would normally require specific off-street parking. However, these standards are to be applied flexibly allowing a consideration of the specific circumstances of each case. The proposal would require six car parking spaces based on the standards in Appendix C, which is above the three spaces required for the current use.
8. The highway authority raised no objection to the planning application and were content with the appellant's car parking surveys that showed sufficient on-street parking is available to accommodate up to six cars that could be associated with the HMO based on the Council's parking standards.
9. The Council has not provided any evidence to refute the appellant's parking surveys. The highway authority has not objected and there is little evidence before me to suggest that the surveys are incorrect. I have taken account of the evidence from interested parties. I was able to see from my site visit that there were several available spaces along both sides of the street. Whilst I appreciate my observations were only a snapshot during a weekday mid-morning, I have little evidence to suggest they were not representative of typical parking conditions. Moreover, given the available capacity identified in the appellant's parking survey there is no substantive evidence to suggest that indiscriminate parking would arise from the development to the detriment of highway safety, the character of the area or the living conditions of local residents.

10. The site is in a sustainable location with alternatives to private car use available nearby. The appellant has also agreed to provide seven bicycle parking spaces within the site. These would need to be secure and undercover. Future occupiers would not therefore necessarily have to rely on a private care for day-to-day requirements.
11. I conclude that the proposed development would not harm highway safety or the free flow of traffic in the area by virtue of additional pressure on on-street parking arrangements and given the flexible application of parking standards the proposal would be consistent with Policy 7 and 32 and Appendix C of the HLP.

Other Matters

12. Concerns have been raised with respect to the prevalent number of properties in shared use in this residential area and how the proposal would 'sandwich' a property between shared use properties. The Council identifies that HMOs and flats along Dover Street represents 75.5% of properties. Although this is in excess of the 50% threshold set out in Policy 7 (4) this part of the policy does not make a distinction between flats and HMOs, viewing both as a shared use of a property. Therefore, the shared use of the building has already been established. The proposal would be another form of shared use. As the proposal is changing from one form of shared use unit to another the proposal would be no meaningful change to the housing mix or character of the area, nor would there be a significantly greater noise and disturbance than that already experienced with the current use. The proposal would also meet the internal space standards in table 5.5 of the HLP and adequate provision for refuse storage could be secured by conditions. Therefore, I consider the proposal to be consistent with Policy 7 and the SPD of the HLP.

Conditions

13. In addition to the standard implementation condition relating to the time limit and a condition with regard to the compliance with the approved plans to provide certainty, I have imposed conditions relating to cycle parking facilities and storage for refuse. These conditions are necessary in the interests of character and appearance, living conditions and highway safety. In addition, condition relating to the development being in accordance with the approved Flood Risk Assessment is reasonable and necessary to minimise the impact of the proposal with regard to flood risk. A condition to ensure appropriate refuse storage is applied.

Conclusion

14. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

D M Love

INSPECTOR