

**TOWN AND COUNTRY PLANNING
ACT 1990 (AS AMENDED)**

**STATEMENT OF
HAVANT BOROUGH COUNCIL**

39 Belmont Grove, Havant, PO9 3PT

**Local Planning Authority Reference:
APP/18/00098**

**Planning Inspectorate Reference:
APP/X1735/W/18/3200486**

HAVANT BOROUGH COUNCIL



TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPEAL BY MRS BECKS AGAINST THE DECISION OF HAVANT BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR Change of use from 6 bed House in Multiple Occupation (HMO) to 7 bed HMO.

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1.0 THE APPEAL SITE AND ITS SURROUNDINGS

- 1.1 39 Belmont Grove, comprises a semi-detached house located on the south side of Belmont Grove and to the west of the former Public House now converted to a restaurant. Further to the west is a small parade of shops. The area is of mixed character, although Belmont Road is primarily residential comprising family housing. The site is located within walking distance of both Bedhampton Station and Havant Station.
- 1.2 The dwelling which backs onto Bedhampton Road is currently occupied as a house in multiple occupation for 6 occupants. It has a good sized rear garden and a hardsurfaced frontage providing parking for 2 cars. The property has been extended at single storey to the side and there is no direct access to rear garden other than through the house. Boundaries are 1.8m close boarded fencing and shrubs.

2.0 PLANNING HISTORY

96/62027/000 - Single storey side extension, PERM,18/10/1996

3.0 THE APPLICATION

- 3.1 The application the subject of this appeal was validated on 7 February 2017 and sought permission for 'Change of use from 6 bed House in Multiple Occupation (HMO) to 7 bed HMO'.

The application was determined under powers delegated to the Head of Planning and was refused on 4 April 2018 for the following reason:

- 3.2 *Development of the site in the manner proposed with only 3 on-site parking spaces would place additional pressure, especially at peak times such as weekends and evening, for the limited on-road parking, resulting in possible congestion and an adverse impact on the amenities of existing residents. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.*

4.0 PLANNING POLICY

- 4.1 At the time of determination, the application was considered under the of the National Planning Policy Framework (NPPF) 2012. This has subsequently been superseded by the NPPF 2018, however, the presumption in favour of sustainable development is carried forward, as is the requirement for decisions to create

attractive, welcoming and distinctive places set out in para 127 d).

- 4.2 The Development Plan for Havant Comprises Havant Borough Local Plan (Core Strategy) 2011 and Havant Borough Local Plan (Allocations) 2014. The following policy is considered relevant to the consideration of this appeal: -

- 4.3 Policy CS16 is relevant and sets out the Councils requirements for High Quality Design. The policy states (amongst other matters):

Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

1. Responds to, draws inspiration from and respects local context and:

e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.

- 4.4 The Planning Inspectorate have previously been forwarded a copy of the relevant planning policy.

5.0 REPRESENTATIONS

- 5.1 During the consideration of the planning application the subject of this appeal 11 representations were received objecting to the application. These representations have been forwarded to the Planning Inspectorate and are summarised in the Officers Report also submitted to the Planning Inspectorate

6.0 PLANNING CONSIDERATIONS

- 6.1 The planning application was refused for the following reason: -

Development of the site in the manner proposed with only 3 on-site parking spaces would place additional pressure, especially at peak times such as weekends and evening, for the limited on-road parking, resulting in possible congestion and an adverse impact on the amenities of existing residents. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The property was originally build as a single-family dwelling and has been converted under Class L of Part 3 of the Town and Country Planning (General Permitted Development) Order into Class C4 Small HMOs which allows the occupation of this dwelling by up to 6 unrelated residents sharing basic amenities such as kitchen and bathroom. The appeal proposal is to increase the HMO to 7 residents.

- 6.3 The only external alteration relates to the frontage which will be hardsurfaced for parking. This area is partly hardsurfaced already and whilst the proposed works to accommodate 3 cars on the frontage will result in the loss of planting this is fairly limited. The property is already a house in multiple occupation, and the proposal whilst increasing the number of bedrooms would not significantly impact the character of the property.

- 6.4 In determining the application, therefore the main consideration was whether the additional one bedroom would result in significant extra material impact resulting in unacceptable detriment to residential amenity.
- 6.5 Planning permission is required for a change of use from a small HMO to a large HMO as the additional activity can have a material impact. In this case the main impact is considered to be the potential increase in the demand for parking to serve the additional resident and related visitors to what would amount to an individual occupant unrelated to the other occupants of the household. Whilst the increase in demand would be limited, as only one additional bedroom is proposed, parking at the property is limited to 3 spaces. The Council has adopted parking standards for new development. These do not have a standard for HMOs as the car ownership of such properties can vary considerably. However, it is relevant to note that a 7 bed HMO, occupied by 7 un-related individuals, is likely to generate a significantly higher number of trips than a 4+ bed dwelling as trips such as occupants travel to work/leisure etc would be independent, as would deliveries and visitors, and overall potentially amounting to a far greater trip generation than a 4+ bed family dwelling where the adopted parking standard is 3 spaces.
- 6.6 The application was publicised and as a result 11 objections were received, many of which referring to the impact of parked cars, and whilst during the working day on street parking does not appear to be an issue the photographs submitted showed that the road experiences a high demand for on road parking during peak hours. Therefore, whilst in some cases there may be capacity to accommodate additional parking demand without detriment, in this particular proposal this is not the case and in the absence of such capacity this would result in inconvenience to the existing residents, potentially blocking drives, restricting visitor parking, and making it difficult to enter and exit drives.
- 6.7 It is noted that the site is within walking distance of both the railway station and the town centre, and a local shop is situated nearby, however, given the current issues with parking and that the proposed development has the potential to result in increased pressure, it is considered there would be an added impact with a resulting loss of amenity to existing residents of the property and neighbouring properties, contrary to the NPPF (2018) and Policy CS16 of the adopted local plan.
- 6.8 Although the proposal would contribute to meeting a local housing need, on balance it is considered that the occupation of the dwelling by 7 unrelated residents sharing basic facilities, whilst only one resident greater than allowed under permitted development, is likely to result in pressure on on-street parking, which is currently in high demand at peak times and as such the proposal would result in congestion causing material harm to neighbouring residential amenity.

7.0 COMMENTS ON APPELLANTS STATEMENT OF CASE

- 7.1 The statement identifies that one additional parking space would be provided to serve the development. However, as the garage would be required to provide bin storage and cycle parking, the overall number of onsite parking spaces will not increase.
- 7.2 The statement also fails to recognise the current parking congestion, particularly in the evenings and at weekends, as identified by local residents. Outside of these times, it is acknowledged that on road parking is available, however, this is not the case at peak times, and for the reasons set out in the Council's statement the impact is competition for on road parking, and associated loss of amenity to residents of the

area.

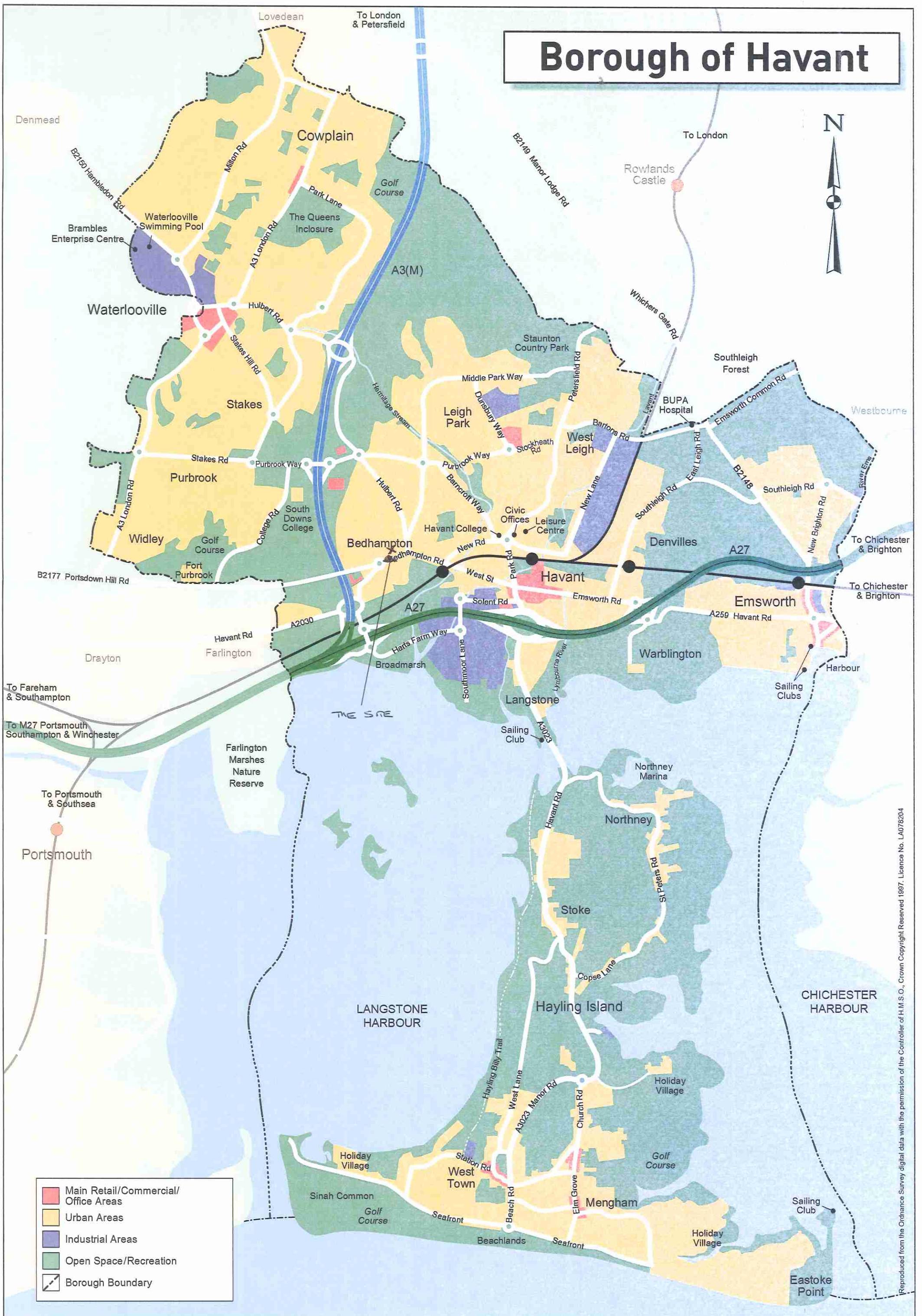
8.0 **CONCLUSION**

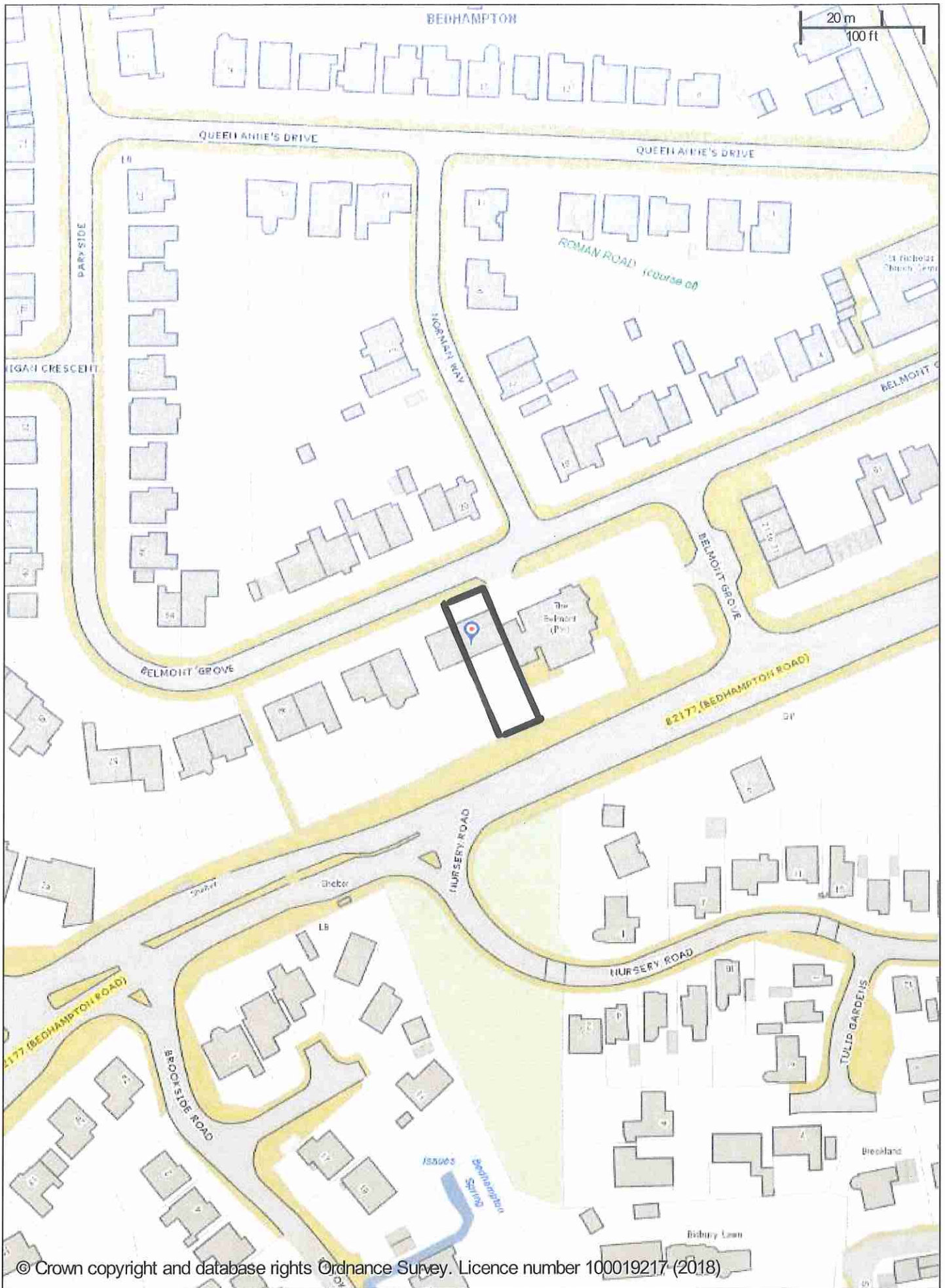
- 8.1 In conclusion the LPA consider that the proposal for Change of use from 6 bed House in Multiple Occupation (HMO) to 7 bed HMO whilst, involving only one additional bedroom to this existing HMO, would result in additional pressure, especially at peak times such as weekends and evening for the limited on-road parking, resulting in possible congestion and an adverse impact on the amenities of existing residents.
- 8.2 The proposal is therefore considered to be contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 8.3 The Inspector is therefore respectfully requested to dismiss this appeal.

APPENDICES

- (A) OS Location plan

Borough of Havant





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SUGGESTED CONDITIONS

1. The development shall be served by 3 car parking spaces and 6 cycle parking spaces, in accordance with the submitted details, and shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy CS16 3 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.