



# Appeal Decision

Site visit made on 20 February 2024

**by K Williams MTCP (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 26 March 2024**

---

**Appeal Ref: APP/F4410/W/23/3331237**

**37 Christ Church Road, Doncaster DN1 2QD**

- 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 L Lori Dimos Property Ltd against the decision of Doncaster Metropolitan Borough Council.
  - The application Ref 23/00680/COU, dated 5 April 2023, was refused by notice dated 28 July 2023.
  - The development proposed is change of use from dwelling to a 6 Bedroom (8 person) House in Multiple Occupation.
- 

## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. During the appeal, a new version of the National Planning Policy Framework (the Framework) came into effect. However, as the Framework's policy content insofar as it relates to the main issues has not been significantly changed there is no requirement for me to seek further submissions on this latest version. I am satisfied no party would be prejudiced by determining the appeal accordingly.

## Main Issue

3. The main issue is the effect of the proposal on the concentration of Houses in Multiple Occupation (HMOs) in the area.

## Reasons

4. Christ Church Road is a long residential street comprising over 20 properties on both sides of the road, which are predominantly terraced. The appeal site comprises a six bed mid-terraced dwelling and its grounds. There are commercial businesses along Nether Hall Road, which the property is situated a short walking distance from. The area has a mixed and vibrant character and residential properties comprise dwellinghouses and flats as well as HMOs.
5. Policy 9 of the Doncaster Local Plan 2015-2035 (the Local Plan) states that proposals for HMOs will only be supported under very strict circumstances where the proposal would not result in an over-concentration of HMOs within a community, locality, street or row. Policy 9 of the Local Plan is expressed with the aims of ensuring the significant impacts on existing communities experienced in the Borough linked to the over concentration of people and pressures on local infrastructure are managed.

6. The policy then lists four scenarios which a proposal must not create: 1) more than two HMOs side by side; 2) the sandwiching of a single self-contained house or flat between two HMOs; 3) more than two HMOs within a run of twenty properties on one side of the road; and 4) more than one HMO in a road of fewer than twenty properties on one side of the road.
7. It was not possible, from my site visit, to note how many dwellings were HMOs as this could be done with minimal external changes, which would not indicate multiple occupancy as opposed to flats. However, the Council has referred me to a map of its register of licensed HMO premises. The extract of the map indicates there is a number of HMOs in the area and on Christ Church Road.
8. The map provided shows six HMOs on the same side of the road as the appeal site and there are two additional HMOs present on corner properties which at the junction with Glyn Avenue. On the opposite side there are a further six HMOs, three of which are almost opposite the appeal site. Whilst the appellant disputes 31 Christ Church Road is operating as an HMO, I have nothing before me to indicate the remaining number or occurrences of HMOs are inaccurate. As such on the basis of the evidence before me there are numerous HMOs located in the immediate vicinity of the appeal site and the surrounding streets.
9. Vaughan Avenue and Glyn Avenue break up the continuous row of terraces on the appeal site side of Christ Church Road. The appeal property is therefore located in a row of ten. However, the justification to the policy advises that consideration of multiple streets and rows of properties including corner premises could be considered. This approach would be appropriate in this instance, given the narrowness of the road widths and consistent built up character of the street. This creates a relatively intimate and high density arrangement of built development where people live in close proximity.
10. The proposal would not create more than two HMOs side by side, nor would it result in a 'sandwiching' effect of non HMO accommodation. Given the length of Christchurch Road, the fourth criterion would not apply. There would be more than two HMOs within a run of twenty properties on one side Christ Church Road, which conflicts with Criterion E) 3, to which I attach significant weight.
11. It is acknowledged that the Council has not disputed that Christ Church Road has experienced any particular problems relating to social cohesion. Nor have any issues been identified that can be attributed to the existing HMOs on this street. I also accept that it does not follow that occupants would be transient in nature, behave anti-socially or exclude themselves from the local community. I also acknowledge that no objection to the proposal was received from the Council's environmental health, public health, waste services or the police.
12. However, the concentration of HMOs within Christ Church Road already far exceeds that which the Council would consider acceptable. Consequently, whilst one additional HMO would be a relatively modest increase numerically, it would perpetuate the circumstances in Christ Church Road and the locality which already has numerous HMOs. An additional property occupied as an HMO within the street would incrementally tip the balance further towards HMO concentration.
13. Although specific harm has not been identified by the Council to the immediate area, there is no evidence to the contrary that the significant impacts on existing communities identified within Policy 9 of the Local Plan is overall not a

significant issue for the Council. Nor that a concentration could undermine and run contrary to the aims of seeking to create mixed and balanced communities and community cohesion.

14. The cumulative effects from even small proposals, would if often repeated undermine the Council's overall policy on HMOs. This is a matter which already requires careful management and has been identified by the Council as requiring a direction under article 4 of the Town and Country Planning (General Permitted Development) Order removing permitted development rights for the change of use of dwellinghouses to HMOs.
15. To conclude, the proposal would have a harmful effect on the concentration of Houses in Multiple Occupation in the area. The proposal would therefore be contrary to Policy 9 of the Local Plan, the provisions of which, I have referred to above.

### **Other Matters**

16. The proposal to convert the property would not harm the host building or character and appearance of the area given the limited alterations which are proposed. The Council has not raised any concerns regarding the quality of living accommodation for occupants. It is also noted that no objections were received. However these are neutral matters which weigh neither for nor against the proposal.
17. HMOs can play an important role in meeting the housing need of a range of groups, benefits include providing more affordable accommodation. The provision of HMOs can therefore offer social benefits. However, these benefits carry very limited weight given the scale of the development. Although the Council has not identified specific harms to Christ Church Road, there is also no evidence this form of accommodation is in short supply or that there is a particular need which could override the clear conflict with the development plan.
18. I sympathise with the difficulties in letting the appeal property. However, there is no substantive evidence before me regarding the attempts to let the property or that this is due to its size or its location.

### **Conclusion**

19. There are no material considerations in this case which suggest a decision should be made other than in accordance with the development plan. Therefore, the appeal is dismissed.

*K Williams*

INSPECTOR