

REPORT TO: PLANNING COMMITTEE
Date of Meeting: 31st July 2023
Report of: City Development Strategic Lead
Title: Appeals Report

Is this a Key Decision? No

Is this an Executive or Council Function? No

1. What is the report about?

- 1.1 The report provides Members with information on latest decisions received and new appeals since the last report.

2. Recommendation:

- 2.1 Members are asked to note the report.

3. Appeal Decisions

- 3.1 [22/1400/LED](#) **6 Gladstone Road** – *Existing use of upper floor flat as small HMO (Use Class C4), limited to three occupants*

The application site is a flat, on the first and second floors of 6 Gladstone Road, and is within the article four area. Prior to internal alterations the flat was occupied by two people. The focus of the application was on whether the addition of one occupant, to a maximum of three occupants, is a material change of use.

The Inspector gave great weight to the representation of a neighbour who witnessed the character of the property before and after the changes were made. “The representation states that there was no spare room previously, but that the bedroom to serve the additional occupant was formed through the sub-division of the communal room. This was not countered by the Appellant. They say there has been an increase in noise and disturbance from the property, and that this has been exacerbated by the decrease in size of the communal space. In addition, they have experienced problems with rubbish and increased pressure for parking spaces since the change of use”.

The Inspector found that following the undertaking of the internal works, its use by three people as a small HMO, has resulted in a material change of use. Given the terms of the article four direction, there is no permitted development right for this material change of use, therefore, the change is not lawful.

Consequently, the appeal has been dismissed.

4. New Appeals

- 4.1 [21/1014/FUL](#) **68-72 Howell Road** – *Demolition of garage workshop (Maximum Motors) and construction of four 3-storey (plus basement) purpose-built student accommodation units, numbering 26 bedrooms in total.*
- 4.2 [22/0401/FUL](#) **Kinnerton Court, Kinnerton Way** – *Change of use of void area in existing residential apartment block to create one residential flat.*
- 4.3 [22/1388/FUL](#) **Pavement Outside 99 South Street** – *Installation of a multifunction Hub unit, 2.6m in height, with integral advertisement display and defibrillator.*