



Appeal Decision

Site visit made on 18 June 2025

by **J Hobbs MRTPI MCD BSc (hons)**

an Inspector appointed by the Secretary of State

Decision date: 09 July 2025

Appeal Ref: APP/M0655/W/25/3360902

105 Bewsey Road, Bewsey and Whitecross, Warrington WA5 0JT

- 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 Dean Parata of Parata Property Ltd against the decision of Warrington Borough Council.
 - The application Ref is 2024/01524/FUL.
 - The development proposed is change of use from residential C3 to residential house of multi-occupation HMO (C4).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on highway safety; and
 - whether the proposal would provide acceptable living conditions for future occupiers of proposed Bedroom 7, with particular regard to outlook and the provision of internal space.

Reasons

Highway safety

3. The proposal comprises of the change of use of the appeal property from a three-bedroom dwellinghouse to an eight-bedroom house in multiple occupation (HMO). The property has a small front garden area, which based on the evidence has been used informally for off-street parking. Nonetheless, there is no dropped kerb, and it is not of a sufficient size to be considered as a formal parking space. There is an access road to the rear of the property which adjoins the rear garden. However, it is not clear who owns this road and whether the appellant has the right to drive vehicles along it. Therefore, the basis of my assessment is that the appeal property does not have off-street parking.
4. The appeal property is located on Bewsey Road but is close to the junction with Pitt Street. There are double yellow lines on either side of the road along this section of Bewsey Road, but parking is unrestricted along most of Pitt Street. Anecdotal evidence indicates that there is parking stress in the area. The evidence indicates this is caused by the use of the convenience shop at the junction of Pitt Street and Bewsey Road, as well as the use of the school on the other side of Bewsey Road. There is no evidence to dispute this.

5. The appeal property is in proximity to the town centre, the hospital, and several major employers. There is also a bus service which runs close to the property that provides services to the train station. As such, future occupiers would not be wholly reliant on the use of private motor vehicles. Notwithstanding this, the proposal would lead to an intensification of use of the appeal property. In turn, this would lead to increased vehicular movements and increased demand for parking. The increase in vehicular movements and demand for parking would be somewhat reduced as the property is in an accessible location. Nonetheless, given the large increase in the number of bedrooms and the change of use of the property, both vehicular movements and parking demand would be significantly increased.
6. There is no substantive evidence to indicate that an increased demand for parking could be accommodated on local roads. Without sufficient capacity for on-street parking, there is a likelihood of anti-social parking, including parking vehicles closer to junctions, reducing visibility for drivers of manoeuvring vehicles. In combination with increased vehicular movements around the appeal property, this would increase the chance of conflict with other road users.
7. The appellant has attempted to engage with the hospital with the aim of providing accommodation for staff arriving for training or seconded from other hospitals. Although these workers may work locally, they may require a private motor vehicle for other activities. In addition, there is no mechanism before me which would restrict future occupiers of the HMO parking their vehicle in proximity to the appeal property.
8. The Council has granted permission¹ for other HMOs in the area which did not include off-street parking. The most pertinent details of those applications are not before me and the Council has indicated that parking for HMOs is considered on a case-by-case basis. Therefore, I cannot conclude that any of the examples provided are similar and set a precedent for the proposal.
9. I conclude that the proposal would have an unacceptable effect on highway safety. The proposal would be contrary to policies DEV2, INF1 and ENV8 of the Warrington Local Plan 2021/22-2038/39 (LP). These policies indicate that proposals to form HMOs will be granted permission where they provide off-street parking provision that is reflective of the needs of the HMO, and the Council expect that development will mitigate its impact on Warrington's transport network, amongst other matters.

Living conditions

10. The proposed conversion of the appeal property to a HMO includes the creation of two bedrooms within the loft, Bedroom 7, and Bedroom 8. The only works proposed to the loft would be the insertion of rooflights. The size of all of the proposed bedrooms appear to conform with the Council's Landlord Guidance². Nonetheless, proposed Bedroom 7 would have a limited ceiling height in parts of the room, due to the pitch of the roof. Consequently, it has not been demonstrated that there would be an acceptable amount of usable floorspace within this bedroom. In addition, the only outlook for occupiers of that room would be from two roof lights. The lowest sections of these windows would be approximately

¹ Planning permission Refs. 2024/01285; 2022/41175; 2020/36481; 18/1313/FP; 2004/02816; A01/43390

² Warrington Borough Council, Families & Wellbeing Directorate, Private Sector Housing, Landlord Guidance for Houses in Multiple Occupation (HMOs)

1.9m above the floor level. Accordingly, the rooflights would offer very little forward outlook.

11. Due to the proposed change of use, the only private space available to the occupiers of proposed Bedroom 7 would be within this room. Consequently, it would be used more than a bedroom within a dwellinghouse. As such, this would amplify the harm caused by an unacceptable amount of usable floorspace and by a poor outlook.
12. There would be an acceptable amount of communal space on the ground floor and the appeal property benefits from a garden. Nonetheless, these spaces are shared and therefore, they are different in nature to a private bedroom. Also, they would not be of such a size to fully mitigate the harm caused by proposed Bedroom 7.
13. I conclude that the proposal would not provide acceptable living conditions for future occupiers of proposed Bedroom 7, with particular regard to outlook and the provision of internal space. The proposal would be contrary to LP policies DEV2, DC6 and ENV8 which indicate proposals should have regard to not resulting in unacceptable conditions for future users and proposals to form HMOs will be granted permission where they provide satisfactory levels of amenity for future occupiers, amongst other matters.

Other Matters

14. The appeal site is in proximity to the Grade II listed St Albans Youth Centre. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, I must have special regard to the desirability of preserving the listed building and its setting. The significance of St Albans Youth Centre relates to its architectural merit and the preservation of historical features. The proposal does not include any works to the listed building and comprises the change of use of the appeal property from one residential use to another. The only external works to the appeal property would be the insertion of rooflights. Accordingly, the proposal would conserve the setting of the Grade II listed St Albans Youth Centre.
15. The appeal property being in an accessible location is a benefit but given the scale of the proposed development I only ascribe modest weight to this. The proposal not harming the living conditions of neighbouring occupiers and conserving the character and appearance of the area are neutral factors. As such, the material considerations in favour of the proposal do not outweigh the identified harm.

Conclusion

16. The proposal conflicts with the development plan, when considered as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

J Hobbs

INSPECTOR