



Appeal Decision

Site visit made on 21 July 2025

by **P Eggleton BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 August 2025

Appeal Ref: APP/N4720/W/25/3365406

179 Cardigan Road, Headingley, Leeds LS6 1QL

- 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 Ikram & Jehangir Hamid against the decision of Leeds City Council.
 - The application reference is 24/05821/FU.
 - The development proposed is a change of use of dwelling to a five-bedroom House in Multiple Occupation (Use Class C4).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on housing mix within the wider area and the effect of such changes on the amenities of local residents.

Reasons

3. The proposal is to convert the existing dwelling to a five-bedroom House in Multiple Occupation by the provision of a downstairs bedroom to replace the existing front living room and to add a further first floor bathroom within an existing storeroom. This would result in a property with five bedrooms, a living room, kitchen and three bathrooms compared to the existing dwelling which has four bedrooms, two living rooms, a kitchen and two bathrooms. This area of Leeds is covered by an Article 4 Direction which provides for there to be controls over the change of use proposed.
4. Policy H6A of the Leeds Core Strategy 2014 (CS) relates to Houses in Multiple Occupation (HMOs) within areas covered by the Article 4 Direction. The council is concerned that the proposal is at odds with part (iii) which seeks to avoid detrimental impacts from high concentrations of HMOs which would undermine the balance and health of the community; and part (v) which seeks to avoid the loss of existing houses that are suitable for family occupation in areas of existing high concentrations of HMOs.
5. The appellants suggest that from their survey of the immediate area, only 13% of properties in the vicinity are HMOs, with 83% being single family dwellings and 4% mixed use. It is not made clear how this survey information was obtained. The council advise that the most recent data shows that the severe housing and population imbalance in this area has not significantly improved in recent years. The council has provided address details of HMOs which rather than showing the five properties in this specific area identified by the appellants, shows 15 licenced

addresses. Further information is provided by the council with regard to council tax records. The appellants have not responded to this information and given the information submitted, the council's evidence is more compelling. It indicates that there is a high concentration of HMOs in the immediate vicinity; and in the wider area.

6. Policy H6 includes other requirements such as to retain a sufficient supply of HMOs; ensure that they are distributed in areas well connected to relevant employment and education provision; and ensure that new HMOs address amenity and parking considerations. The first element is not relevant as a HMO is not been lost. This is an accessible area well served by access to relevant facilities. The proposal does not make provision for parking, but the on-street parking situation would not be materially altered. These matters are neutral with regard to the benefits and harms that may result from the proposal.
7. Overall, increasing the clear housing mix imbalance would be detrimental to the housing mix contrary to policy H6A(iii). The loss of a family dwelling would conflict with policy H6A(v). The proposal would also conflict with the social objectives of the National Planning Policy Framework which seek to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided.

Other considerations

8. The appellants suggest that the property is not viable as a family dwelling. Although the appellants appear to have outgrown the property, physically, it appears well suited to family occupation given its accessible location, internal layout, four bedrooms and ground floor living accommodation.
9. The marketing information submitted is very limited with no details other than the initial and then reduced asking prices, with the letters from the estate agents being from April 2024. No comparative prices are provided for the sale of similar family dwellings. No updated information has been provided with the appellants' statement written in May 2025. Whilst noting the views of the estate agents as to the reasons for a lack of interest, it is not possible to assess from this information that the property has been marketed at the right price for a family dwelling rather than a HMO.
10. The appellants advise that the Leeds Core Strategy Inspector's Report acknowledges that policy H6 could penalise property owners in streets where the battle has already been lost and where there was little point in blocking the conversion of the last 'family' house in a street. The appellant suggests that this area is not one where 'the battle has been lost' although the council's evidence does suggest a much greater concentration of HMOs which may add to the difficulty with regard to a sale. However, I am not persuaded by the evidence that the concentration of HMOs is so great that family occupation would no longer be viable. The sales evidence does however offer some weight in favour of the proposal.
11. The current family circumstances of the occupiers of the property are noted as is the potential for the numbers of people within the house to be significantly reduced. I am also aware that permission has been granted for conversion to two flats, which whilst not conflicting with the HMO requirements, may result in the loss of a family

sized house. The property would also be regulated and managed so offering benefits over other properties in the area. It is also suggested that occupation could be limited to young professionals rather than students. I note also the lack of objections from local residents. These are matters that provide weight in favour of the proposal.

12. Whilst I have had regard to the personal circumstances of the appellants and the other matters that weigh in favour of the proposal, planning law requires that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise. I conclude that the material considerations in this case are not sufficient to outweigh the concerns raised and the policy conflict that would result. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR