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## Appeal Decision

Site visit made on 02 September 2025

**by N Robinson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 18 September 2025**

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**Appeal Ref: APP/D4635/W/25/3363202**

**65 Compton Road, Wolverhampton WV3 9QZ**

- 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 Omar Woodburn against the decision of Wolverhampton City Council.
  - The application Ref is 24/01174/FUL
  - The development proposed is change of use from single dwelling class c3 to a category A HMO conversion class c4/sui generis.
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### Decision

- 1.) The appeal is allowed and planning permission is granted for change of use from single dwelling class c3 to a category A HMO conversion class c4/sui generis at 65 Compton Road, Wolverhampton WV3 9QZ in accordance with the terms of the application, Ref 24/01174/FUL, subject to the conditions in the attached schedule.

### Main Issues

- 2.) The main issues are the effect of the proposal on:
  - the character and appearance of the area
  - highway safety, with particular regard to parking; and
  - crime and disorder.

### Reasons

#### *Character and appearance*

- 3.) The appeal property is a 4 bedroom 3-storey terraced property with a garden to the rear. The site is located on Crompton Road between buildings which have been subdivided into flats. I observed on my site visit that there was a steady flow of traffic and pedestrians along Crompton Road, which is on a bus route, and ambient traffic noise was appreciable from the site. The site is set back from the road behind a small front garden. Consistent with the neighbouring buildings and other properties in the area, waste and recycling bins are stored in the front garden.
- 4.) The proposal seeks to change the use of the building to a House in Multiple Occupation (HMO). The proposal seeks to provide 6 bedrooms, 2 on each floor, each with an en-suite shower room. A communal kitchen and dining room would be provided to the ground floor. Cycle storage is proposed in the rear garden.
- 5.) Future occupiers would be provided with bedrooms of adequate size, satisfactory communal living and storage facilities and access to a garden. Given the scale of the building there is no evidence before me that the use of the property by 6

persons would result in the overdevelopment of the property. There appears to be adequate space for any additional bins to be stored within the front garden in a manner consistent with refuse storage in the surrounding area.

- 6.) As a large property a reasonable degree of daily activity can be expected from the existing property. Whilst the day-to-day activities of 6 unrelated individuals would be different to those of a family household, I am not persuaded on the evidence before me that the degree of activities associated with the occupiers, including their visitors and deliveries, would be significantly different. Furthermore, given the site's location on a busy road, comings and goings would not be easily discernible in this context.
- 7.) I conclude that the proposal would not have an unacceptable impact on the character and appearance of the area. I therefore find no conflict with policies D6, D10, H6 and EP5 of the Wolverhampton Unitary Development Plan (2006) (UDP) or policies ENV3 and CSP4 of the Black Country Core Strategy (2011), which seek to protect the character of an area.

### *Highway safety*

- 8.) The appeal property does not have any off-road car parking. There are parking restrictions on Compton Road. At my weekday morning site visit I observed that there was on-street parking capacity on nearby streets, and that this parking did not appear to obstruct the free flow of traffic. Whilst this is a snapshot in time, I have no evidence to suggest this is not representative of parking demand in the area.
- 9.) Whilst the proposal would see a change of use of the property, the number of occupants would not be significantly greater than that which could reside at the existing dwelling which could house a family including young adults who may have their own vehicles. The Council's House in Multiple Occupation Planning Guidance (2019) sets out a requirement for HMOs of 0.5 parking spaces per bedroom, acknowledging that they tend to attract occupiers with lower-than-average levels of car ownership compared to the general population. The Council's Highways and Transportation Technical Guidance Note (2016) sets out a requirement for the provision of 3 parking spaces for 4-bedroom dwellings outside of 'highly accessible' locations such as the appeal site. Given this, the existing and proposed uses both generate the requirement of 3 car parking spaces. Thus, the proposal does not result in the requirement for additional car parking. In any case I am satisfied that, even if there was additional demand for on-street parking generated by the proposal, this could satisfactorily be accommodated on nearby streets without harm to the free flow of traffic or highway safety.
- 10.) Furthermore, the site is in an accessible location in relation to shops and other facilities and is on a bus route within walking distance of the nearest bus stop. Provision for cycle storage would further encourage sustainable modes of travel. Given this, occupants of the HMO have a range of transport modes available to them, and they would not necessarily have to rely on a car for day-to-day requirements. This would likely lessen reliance on the private car and so therefore car parking.
- 11.) I conclude that the proposal would not have an adverse effect on highway safety. I therefore find no conflict with UDP policies D5, AM12 and AM15 which seek to ensure that proposals contribute towards improving road safety, that frontages are not dominated by parking or servicing areas, and that proposals make adequate provision for car and cycle parking.

### *Crime and disorder*

- 12.) There is no evidence before me that occurrences of anti-social behaviour and crime, which are ultimately a matter for the relevant authorities in specific instances, would be attributed to occupants of the HMO or why the future occupiers would be a contributory factor to fear of crime.
- 13.) In light of the above, there is no evidence before me that the use, in the manner proposed, would result in an increase in anti-social behaviour or criminal activity, or increase opportunities for crime and fear of crime. Therefore, I find no conflict with UDP policy D10 which requires proposals take account of the need to prevent crime, reduce the fear of crime and promote community safety.

### **Conditions**

- 14.) In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans. I have imposed conditions that secure the cycle and bin storage. This is to ensure that provision is made to encourage the use of sustainable modes of travel and to ensure that suitable refuse and recycling arrangements are available to future residents. A condition relating to the maximum occupancy of the property is necessary in the interests of amenity and living conditions.

### **Conclusion**

- 15.) For the reasons given above the appeal should be allowed.

*N Robinson*

INSPECTOR

### SCHEDULE OF CONDITIONS

- 1.) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2.) The development hereby permitted shall be carried out in accordance with the following approved plans: P04a, P05a, P07.
- 3.) The development hereby permitted shall not be first occupied until the cycle storage facilities indicated on plan P07 have been provided on the site. Thereafter the approved cycle storage facilities shall be permanently retained.
- 4.) Prior to the first occupation of the development hereby approved, provision for refuse and recycling storage shall be made in accordance with details to be first submitted to and approved in writing by the local planning authority. The refuse storage facilities shall thereafter be retained for the lifetime of the development.
- 5.) The development hereby permitted shall be occupied by a maximum of 6 persons at any one time.

END OF SCHEDULE OF CONDITIONS