



Appeal Decision

Site visit made on 9 October 2025

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2025

Appeal Ref: APP/X4725/W/25/3361518 147-149 Westgate, Wakefield WF2 9RY

- 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 Julius Oluokun against the decision of Wakefield Metropolitan District Council.
- The application Ref is 22/01300/FUL.
- The development proposed is change of use of hotel to HMO (retrospective).

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal relates to an application for planning permission for the change of use of a hotel to a House in Multiple Occupation (HMO) which is currently in operation, and I am therefore considering the appeal retrospectively. A separate listed building consent application was also submitted and refused for the change of use (22/01301/LBC). However, no appeal has been lodged in relation to this refused listed building consent application. Accordingly, my consideration in this appeal is purely in relation to the Council's refusal of the planning application.
3. The Council's reasons for refusal are focussed on crime and disorder and the accuracy of the drawings, and the main issues reflect this. However, as the site is in a conservation area and relates to a listed building, I have also had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. As part of the appeal, the appellant has provided updated plans, which show the internal floor layout. It shows an open plan lounge and kitchen on the first floor and shows an office on the ground floor. Thirteen bedrooms are shown. This specifically aims to address the Council's concerns in its second reason for refusal regarding the accuracy of the plans. The Council has had the opportunity to comment on these alterations as part of the appeal and as they are minor changes to the plans, I am satisfied that no party has been prejudiced by their submission at this stage.

Main Issues

5. The main issues are:
 - The effects of the development on crime and disorder; and
 - Whether the plans provide an accurate level of detail to assess the development.

Reasons

Crime and disorder

6. The appeal premises have been operating for several years, and the appellant advises that occupants are managed and supervised by an organisation that aims to rebuild the lives of vulnerable adults.
7. The Council indicate that the area has a high crime rate, and I have no evidence or reason to disagree with this. Even if there have been no incidents of crime attributable to residents of the appeal premises, the high crime rate in the area, and the not modest number of occupiers sought, leads me to conclude that there is an increased susceptibility and risk of crime and disorder associated with the premises as a HMO. This is heightened further by the vulnerability of occupiers under the current arrangements.
8. The entrance to the property is through a key code lock, the premises are monitored continuously by CCTV and there are staff on-site during weekdays. However, there is little information before me regarding the extent of the management, and the full extent of security measures. The Police Architectural Liaison Officer made several recommendations and requests for further information in relation to the CCTV, the entrance access, internal doors to bedrooms, mail security, lighting and on-site management. However, full details have not been provided in response and there is no substantive evidence that any of these recommendations would be adopted.
9. The Council indicate that the entrance code is widely shared, and incidents of forced entry have been reported when residents were locked out. The key-code entry system increases the risk and vulnerability of the premises to be subject to crime and disorder given the ease that the code can be shared, even if the code is changed regularly. Overall, and based on the evidence before me, I can not be satisfied that an appropriate level of security is in place.
10. It is put to me that the Council would rather see occupiers live rough and want occupiers to be monitored like criminals. However, there is no evidence of this. Moreover, my concerns are not the principle of the development but the security measures in place, which increases the risk that occupiers would be the victims of crime and disorder. The effects from even a small number of incidents would be substantial given the potential seriousness of the consequences of such incidents.
11. I therefore conclude on this main issue that the development has an unacceptable effect on crime and disorder. As such, I find conflict with the requirements of Policies SP23 and LP60 of the Council's Local Plan, and paragraphs 96 (b), 101 and 135 of the National Planning Policy Framework, when taken together and in so far as they relate to this main issue. These say, amongst other things, that the design of buildings and spaces will be improved and opportunities for crime reduced. The district's historic, built environment, landscape features and wildlife habitats will be protected and enhanced. They contribute to the local distinctiveness and character of the district. In all parts of the district, new development will create safe and secure environments that reduce the opportunities for crime in all parts of the district.

Plans

12. The Council's second reason for refusal stipulated that the floor plans did not show the office provision and that bedroom nine on the first floor plan was annotated as a kitchen but also included an ensuite. Moreover, it was put to me that the plans did not scale off correctly. The amended plans provided in the appeal resolve the errors in the annotation of the rooms and show the office on the ground floor and the lounge and kitchen on the first floor where bedroom nine and the ensuite was previously annotated. I have no reason to question the accuracy of these drawings. I therefore conclude on this main issue that the plans provide an accurate level of detail to assess the development.

Other Matters

13. Numbers 143-145 and 147-149 Westgate are grade II listed, and the appeal site also lies within the Lower Westgate Conservation Area (CA). The combination of the height of the main part of the appeal building, its materials, consistent fenestration pattern with brick arches and keystones above the windows and the detailed eaves cornice below the roof give the appeal premises a pleasing dignified appearance. These aspects contribute to its architectural and historical special interest and significance. The presence of the large commercial building to the rear detracts from its setting and the character and appearance of this part of the CA. Nonetheless the attractive front façade, despite more recent alterations, continues to make a positive impact on the character and appearance and thus the significance of the CA.
14. Internally the extent of alterations from its former use are such that it contributes little, if anything, to the significance of the designated heritage assets. As such, and with no external alterations proposed, I am satisfied that the development results in no harm to the special interest and significance of the respective designated heritage assets.
15. There are social and economic benefits from bringing the building back into an active use. However, my concerns are not the principle of the development and there is no evidence that an alternative scheme addressing the concerns in the first main issue would not also realise similar benefits. Accordingly, this or the absence of harm from any other matters do not outweigh my findings in the first main issue.

Conclusion

16. The development conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

Mr R Walker

INSPECTOR