



Appeal Decision

Site visit made on 18 November 2025

by **B Plenty BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 November 2025

Appeal Ref: APP/Z1775/W/25/3368815

39 Norfolk Street, Southsea, Portsmouth, Hampshire PO5 4DR

- 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 Peter Dunne against the decision of Portsmouth City Council.
 - The application Ref is 25/00222/FUL.
 - The development proposed is for a change of use from Dwelling house (C3 use) to House in Multiple Paying Accommodation (C4 use).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the application form included reference to matters that are not development. As such, I have used the description found on the Council's decision notice that provides a more concise description of the development.

Main Issues

3. The main issues are:
 - Whether the proposal would contribute to the maintenance of a balanced community, and
 - Whether the proposal would create acceptable living conditions for future occupiers with particular regard to the provision of internal space.

Reasons

Balanced communities

4. The development plan for the district includes the Portsmouth Local Plan [2012] (LP). Policy PCS20, of the LP, states that in order to support mixed and balanced communities, applications for a House in Multiple Paying Occupation (HMO) will only be permitted in areas that do not have an over-concentration of such uses. In accordance with the Council's HMO Supplementary Planning Document [2019], a community is deemed to be imbalanced when the proportion of residential properties in HMO use exceeds 10% within a 50m radius of the application site.
5. The Council's dataset explains that 8 of 54 properties would be in HMO use within the search area, as demonstrated on its HMO density map, resulting in a provision of 14.8%. The appellant has queried whether three of the identified existing HMOs,

to the southeast of the site within Green Road and Elm Grove, are within the Council's 50m radius. However, the appellant appears to be measuring to the footprint of the building rather than its plot edge as used by the Council, creating a different dataset that is not used by the Council.

6. To achieve a consistent approach to decision making, it would be inappropriate to use a different dataset and different geographic parameters, than that used by the Council. In any event, even if I were to agree with the appellant that the two HMOs at 13 Green Road were beyond the 50m area, the plot and building of 13 Elm Grove is clearly within the site's catchment area. Therefore, six HMOs within a catchment of 52 address points would result in an 11.5% provision, also causing an exceedance of the 10% maximum threshold.
7. Accordingly, the proposal would not support the balanced communities sought by the Council's policy and would therefore demonstrably harm the character of the area. Consequently, the proposal would conflict with LP Policy PCS20 and the Council's adopted HMO guidance, undermining the policy requirements of maintaining balanced and sustainable communities. By increasing the concentration of HMOs beyond the threshold set out in guidance, the development would risk harm to residential amenity and the character of the area.

Living conditions

8. The second floor flat consists of three bedrooms, a bathroom, kitchen and living room. The Council's HMO guidance explains that to secure a good standard of living accommodation it will ensure applications for HMOs protect the amenity, and provide for a good standard of living environment, for future occupiers. The guidance requires that rooms comply with the minimum size standards specified in paragraphs 2.7 and 2.8, which set out the prescribed dimensions to ensure adequate living conditions.
9. In comparison to the Council's requirements the WC and bathroom, provided as separate rooms are below the requirement, albeit marginally. Nonetheless, bedroom sizes and the kitchen readily comply with the requirements, some which are exceeded by a substantial amount. It explains that a combined living space, typically containing a kitchen, dining and living space, would be suitable if 24m².
10. The living room and separate kitchen exceed the size requirements of the SPD when combined, at nearly 27m². During my visit I noted that the living room was occupied by several sofas and a dining table, all of which could accommodate the needs of three occupiers without creating a cramped configuration.
11. Consequently, the unit would be of sufficient size to provide for the needs of three people and create high quality accommodation. Accordingly, the proposal would comply with LP policy PCS23 and the HMO guidance which require, among other matters, for a scheme to provide a good standard of living accommodation.

Other matters

12. The appeal site is within King Street Conservation Area, which is a residential area in an urban setting. The area includes traditional terraced villas and more contemporary infill blocks of flatted development, arranged around a regimented road system. The significance of the conservation area is derived from the presence of traditional residential dwellings, whose established form and

composition convey notable architectural merit and historic value within the locality. The proposed use would have a negligible effect on the significance of the conservation area, preserving its character and appearance.

13. Although the appellant suggests that the facility is much needed, this assertion is not supported with compelling evidence to enable it to weigh strongly in favour of the proposal.

Conclusion

14. For the reasons given above the appeal should be dismissed.

B Plenty

INSPECTOR