



Appeal Decision

Site visit made on 2 December 2025

by K Mee BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal Ref: APP/W2465/W/25/3374435

5 Westcotes Drive, Leicester LE3 0QT

- 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 Lorraine Harris on behalf of Leicester Property Solutions Ltd against the decision of Leicester City Council.
 - The application Ref is 20250734.
 - The development proposed is described as the “conversion of 6 rooms HMO into 7 rooms 7 persons HMO”.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of 6 rooms HMO into 7 rooms 7 persons HMO at 5 Westcotes Drive, Leicester LE3 0QT in accordance with the terms of the application, Ref 20250734, subject to the following 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 drawing number BR04.
 - 3) The sui generis HMO hereby approved shall only be occupied by a maximum of seven (7) persons at any one time.

Preliminary Matters

2. The description of the proposal differs from the application form to the decision notice. The above description has been taken from the application form, which adequately describes the proposal.
3. The Council have referred to Policy CS03 of the Leicester City Local Development Framework Core Strategy (July 2014) (Core Strategy) within their reason for refusal. However, the policy document includes two different titles for this policy, being ‘Policy CS3’ and ‘CS Policy 3’. For clarity, I have referred to this policy as Policy CS3.

Main Issue

4. The main issue is the whether the proposed development would provide acceptable living conditions for future occupiers, with particular regard to the provision of communal space.

Reasons

5. The appeal property comprises a small HMO (Use Class C4) with 6 single occupancy bedrooms each with en-suite shower facilities, a storage room also with en-suite shower facilities and a communal kitchen/diner measuring approximately 24 square metres overall. A Certificate of Lawfulness has recently been granted for this existing use. The proposal includes for a modest increase in the number of occupants from 6 to 7, through the use of an existing storage room as an additional single occupancy bedroom.
6. The proposed plans indicate that within the kitchen there would be sufficient space for a 4-seater dining table and 2 bar stools along with a room to the rear capable of accommodating a two-seater sofa. However, photographs of this area have been provided which show the current layout within the existing HMO as accommodating a 7-seater dining table within the rear room area alongside the kitchen.
7. A licence for occupation by a maximum of 7 households/7 persons has been granted for the appeal property. The evidence confirms that the proposed 7 bedrooms and the combined kitchen/diner all exceed the minimum sizes set out within the Leicester City Council HMO Amenity and Space Guidance used for the consideration of licence applications. Whilst this Guidance does not form part of the development plan, such that an assessment of the planning merits of the proposals is still required, this does not mean that it is disregarded. It still assists in the assessment of the quality of the accommodation.
8. Despite the linear layout of the kitchen, I am satisfied that it provides sufficient space for future occupiers to cook and prepare meals, with adequate kitchen storage and facilities including two sinks and two hobs. The rear room area situated alongside the kitchen enables occupiers to eat without obstructing those using the kitchen or wishing to use the rear external access door. The evidence demonstrates that all 7 occupiers would be able to eat together, thus providing a shared social space. Although the loss of the storage room reduces facilities for occupiers, the bedrooms provide sufficient space for general storage and sleeping. Its removal would not therefore significantly harm living conditions.
9. Given the size and layout of the kitchen/dining space, and the satisfactory size of the bedrooms, I conclude that the proposal would provide acceptable living conditions for future occupiers having regard to the provision of communal space. Consequently, I find that the proposal would accord with Policy CS3 of the Core Strategy and paragraph 135 of the National Planning Policy Framework which, amongst other things, seek high-quality, well-designed development which promotes health and well-being with a high standard of amenity for existing and future users.

Conditions

10. In addition to the standard time limit condition, I have imposed a condition listing the approved plan, as this provides certainty. To protect the living conditions of future occupiers, a condition is necessary to restrict the number of occupants to 7.

Conclusion

11. For the reasons given above, I conclude that the proposal would accord with the development plan and the material considerations do not indicate that the appeal

should be decided other than in accordance with it. Consequently, the appeal should be allowed.

K Mee

INSPECTOR