



Appeal Decision

Site visit made on 21 January 2026

by Andreea Spataru BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 February 2026

Appeal Ref: APP/X4725/W/25/3376010

58 Graziers House Offices, Market Street, Wakefield WF1 1DH

- 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 Carrie-Ann Hope (Bridge it Housing Ltd) against the decision of Wakefield Council.
 - The application Ref is 25/01217/FUL.
 - The development proposed is described as 'change of use of ground floor offices to 5 bedroom HMO'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has submitted an amended floor plan at the appeal stage. I am mindful that the appeal process should not be used to evolve a scheme in an attempt to address the Council's reasons for refusal, and that amendments may only be accepted in limited circumstances in accordance with the Wheatcroft principles. Given the nature and extent of the changes proposed, I consider that, in the interests of fairness and procedural transparency, the appeal must be determined on the basis of the plans originally submitted to the Council, upon which its decision was made and which were subject to public consultation. Accordingly, I have considered the appeal scheme based on the original plans.

Main Issue

3. The Council's decision notice outlines two reasons for refusal. The first reason relates specifically to Policy LP4 of the Wakefield District Local Plan 2036 adopted 2024 (LP). The Council's concerns relate specifically to point a. of this policy, particularly the amenity of future occupants. As this is linked to the second reason for refusal, in the interests of conciseness, I have considered the main issue as:
 - Whether the proposal would provide acceptable living conditions for the future occupants, with particular regard to the provision of the communal space and facilities.

Reasons

4. The appeal relates to the ground floor of a semi-detached corner building within the town centre. The proposal seeks to change the use of the existing offices to a 5-bedroom House in Multiple Occupation (HMO).

5. LP Policy LP4 supports the conversion of existing buildings to shared accommodation, including HMOs, where the building can be adapted without harming the amenities of future occupants. LP Policy LP56 also seeks to safeguard the amenity of existing and prospective users.
6. The proposed floor plan indicates that the only communal space would be the kitchen. The appellant has referred to the Council's Adopted Standards of Houses in Multiple Occupation 2018 (the HMO standards). While this document is guidance rather than policy, it provides a useful benchmark for assessing the suitability of communal spaces and facilities within shared accommodation.
7. Table 3.2 of the HMO standards confirms that the proposed kitchen would exceed the minimum floor area. However, the appellant's position that no additional communal space is required is not supported by the standards. Section 2.2 of the HMO standards defines a "shared house" as accommodation where tenants rent individual bedrooms but share the kitchen, bathroom and living room, indicating that a communal living area forms an integral part of such accommodation.
8. The proposed plans show bedrooms of various sizes and layouts, and they all exceed the Nationally Described Space Standard (NDSS) minimum area requirements. I have also had regard to table 3.1 of the HMO standards, which outlines the minimum bedroom sizes for shared houses and state that where no additional communal living space is provided the minimum floor area, for 1 person, is 10 square metres. Although each bedroom would exceed this threshold, this does not remove the need for a dedicated living/dining area, as even when generously sized, bedrooms are not designed to absorb the social, recreational, and dining functions expected in a shared house. No substantive evidence has been provided to demonstrate that lounges provided within HMOs are not used or preferred by occupants. Accordingly, as the proposal would not provide an adequate communal living room, future occupants would be confined to their bedrooms and forced into isolated or unsuitable patterns of living, to the detriment of their living conditions.
9. The appellant indicates that the HMO would accommodate five occupants. For this number, the HMO standards require one bathroom and one separate toilet with a wash hand basin. The proposed layout includes a shower room with WC and wash hand basin, and a separate WC with wash hand basin. The proposal therefore provides adequate sanitary facilities, and the living conditions of occupants would be acceptable in this respect.
10. In conclusion, the proposal would not provide acceptable living conditions for the future occupiers due to the lack of adequate communal living space. The proposal would, therefore, be contrary to the aims of LP Policies LP4 and LP56, as set out above. It would also conflict with the aims of the National Planning Policy Framework (the Framework), which, at paragraph 135, states that developments should achieve a high standard of amenity for existing and future users.
11. The Council's reason for refusal also refers to LP Policy LP3, which sets out minimum space standards for homes. While this policy expects HMO proposals to reflect NDSS requirements with appropriate adjustments, it does not specifically address the issues assessed above. I therefore find no direct conflict with Policy LP3 in this regard.

Other Matters

12. The appellant has referred to the other criteria of LP Policy LP4, one of which seeks to avoid overconcentration of HMOs in the area. The Council found the proposal acceptable in all the other regards, apart from the issues assessed above. Given the evidence before me, I have no reason to disagree. However, these are neutral matters rather than ones that carry positive weight for the development.
13. I acknowledge that the upper floors have been converted into an HMO under a separate permission, and that no external alterations are proposed as part of this development. However, these matters do not address or justify the harm identified above.
14. The absence of comments/objections from the Environmental Health department or the Council's Housing Services at the application stage, and the lack of third-party representations at the appeal stage, do not alter my findings above.
15. The proposal would provide an HMO in a sustainable location, which would contribute to the local economy, and I have no reason to doubt the landlord's experience and good standards for successfully managing such properties. I also note the third-party support comments, which find the proposal particularly beneficial for the community. My attention has been drawn to several other Council policies, to the housing needs for central Wakefield, as outlined within the Strategic Housing Market Assessment update 2019, as well as to the aims and objectives of the Framework, to which I have had regard. Nevertheless, given the modest scale of the proposal, the benefits of the proposal would be limited and insufficient to outweigh the significant harm to the living conditions of future occupants.
16. The appeal site lies close to listed buildings, a conservation area, and non-designated heritage assets. The Council raised no concerns in this regard. Based on the nature of the proposal and the evidence before me, I have no reason to reach a different conclusion.
17. I have been referred to an appeal decision¹ which relates to the conversion of a dwelling into an HMO. I do not find the appeal scheme directly comparable with that development, particularly due to the difference in the provision of communal space, as in that case the Inspector found the kitchen/living area to have a reasonable size and layout. Accordingly, I have considered the proposal based on its own merits and site-specific circumstances.

Conclusion

18. For the reasons set out above, the appeal should be dismissed.

Andreea Spataru

INSPECTOR

¹ Appeal ref: APP/X4725/W/21/3287633