



Appeal Decision

Site visit made on 28 January 2026

by E Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 March 2026

Appeal Ref: APP/Z1775/W/25/3373780

1 Munster Road, Portsmouth PO2 9BS

- 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 A Reynolds on behalf of VBR Property Limited against the decision of Portsmouth City Council.
 - The application Ref is 25/00680/FUL.
 - The development proposed is the change of use from dwellinghouse (Class C3) to a 7-bed/7-person House in Multiple Occupation (Sui Generis).
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Decision

1. The appeal is allowed and planning permission is granted for the change of use from dwellinghouse (Class C3) to a 7-bed/7-person House in Multiple Occupation (Sui Generis) at 1 Munster Road, Portsmouth PO2 9BS in accordance with the terms of the application, Ref 25/00680/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Application for costs

2. An application for costs was made by Mr A Reynolds on behalf of VBR Property Limited against Portsmouth City Council. This application is the subject of a separate Decision.

Preliminary Matters

3. I have used the Council's description of development as set out on the Decision Notice in the banner heading above. This is more accurate than that used on the planning application form and is not disputed by the appellant. Moreover, I note that the revised description has been used on the appeal form.
4. The Council's submissions indicate that a reason for refusal concerning harm to the European sites was omitted in error. In accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) (the Regulations) it is incumbent upon me as the competent authority to carry out an assessment with regards to the effects of the development upon the protected features of a European site.

Main Issues

5. In light of the above, the main issues are the effect of the proposed development on parking stress and highway safety, with particular regard to on-street parking provision, and European sites.

Reasons

Car parking

6. The appeal property is a 3 bedroom terraced dwelling. It is located in an area comprising a mix of commercial and residential uses. The proposal would see the conversion of the existing dwelling to a 7 bedroom House in Multiple Occupation (HMO). The existing property does not currently benefit from any off-road parking provision, nor would the HMO.
7. Figure 5 of the Council's Parking Standards and Transport Assessments Supplementary Parking Document, adopted July 2014 (SPD) sets out the residential parking standards for the area. The car parking standard for the existing 3 bedroom dwelling (C3- General residential) is 1.5 parking spaces, and the proposed sui generis HMO use with 4+ bedrooms would be expected to provide 2 parking spaces. In the absence of any off road parking spaces, the proposal would therefore give rise to an additional shortfall of 0.5 parking spaces, compared to the existing situation, when assessed against the Council's parking standards.
8. I note concern expressed by interested parties regarding existing parking pressure experienced by local residents in Munster Road and the surrounding area. Nonetheless, I have not been provided with a kerbside parking survey or any other substantiated evidence of parking congestion in the area which may be made worse by the proposal. Moreover, at the time of my mid-morning weekday site visit, while I acknowledge it was just a snapshot in time, despite a considerable degree of on-street parking, there were nonetheless several on-street parking spaces available along Munster Road and the adjoining streets. In addition, the officer's report highlights that future occupiers of the HMO would benefit from good accessibility to various amenities and services by cycle and on foot, which would be likely to encourage travel by means other than the private car.
9. Consequently, in light of the above and given the very modest increase in the required number of parking spaces to serve the HMO, having regard to the parking standards in the SPD, there is no compelling evidence that the proposed HMO would lead to a material increase in demand for on-street parking. As such, it has not been demonstrated that the proposed change of use would give rise to parking stress, or have an adverse impact upon highway safety, by virtue of the time spent by residents driving around looking for a parking space or associated additional vehicular movements.
10. Even if permission has been granted for HMOs elsewhere in Portsmouth, with a similar shortfall in parking provision, there is no compelling evidence that there is a localised problem in the vicinity of the appeal site in this case.
11. For the foregoing reasons I conclude that the proposed development would not harm the living conditions of the occupiers of local residents by virtue of parking stress or have an adverse effect on highway safety, with particular regard to on-street parking provision. Accordingly, it would not conflict with Policy PCS23 of the Portsmouth Plan, adopted January 2012 (PP), in so far as it requires new development to be well designed, including car parking which is, among other things, convenient to users. The first refusal reason also cites Policy PCS 17 of the PP, which focuses on delivery of a strategy that will reduce the need to travel and provide a sustainable and integrated transport network. However, it has not been demonstrated as to how conflict would arise in that regard.

European sites

12. The site is within 5.6km of the Portsmouth Harbour Special Protection Area (SPA)/Ramsar site, Chichester and Langstone Harbours SPA/ Ramsar Site, Solent and Isle of Wight Lagoons Special Area of Conservation (SAC), Solent Maritime SAC, Solent and Southampton Water SPA and the Solent and Dorset Coast SPA (the European sites). The National and Internationally protected sites are designated under the Regulations which impose a duty on the competent authority to consider, within the framework of an appropriate assessment, whether the development, either alone or in combination with other development, would have a significant effect on the conservation objectives of the sites.
13. The European sites are of international importance due to their bird population, including over-wintering waders and wildfowl such as dark-bellied brent geese. There are also plants, habitats and other animals of national and international importance. The conservation status of the European sites is at risk from increased recreational bird disturbance and eutrophication caused by increased levels of nitrogen and phosphorus in the water environment, which the development, through the provision of additional residential accommodation without appropriate mitigation, would exacerbate.
14. The Council's submissions indicate that, subject to financial contributions towards mitigation measures set out in the Bird Aware Solent (Solent Recreation Mitigation Strategy) August 2024 (SRMS) and a nutrient neutrality contribution, in accordance with the Council's Updated Interim Nutrient Neutral Mitigation Strategy for New Dwellings, June 2022, the integrity of the European sites will be maintained. In addition, the Council has confirmed that appropriate contributions have been paid, as set out in the undertaking pursuant to S111 of the Local Government Act 1972.
15. Having sought the views of Natural England, and following appropriate assessment under the Regulations, I am, therefore, satisfied that adverse effects on the integrity of the European sites will be avoided. Accordingly, the proposal would not conflict with the aims of Policy PCS13 of the PP, which sets out that development which would have an adverse effect on a European site will be refused.

Other Matters

16. The Council indicate that the proposal would result in 5.94% of residential properties within a 50m radius of the site, including existing properties in Munster Road, in occupation as HMOs. This would fall below the 10% threshold set out in the Council's Houses in Multiple Occupation (HMOs) Supplementary Planning Document, adopted October 2019 (HMOSPD). Therefore, based on the evidence before me, the proposal would not lead to a harmful concentration of HMOs in the area, which would unbalance the community or erode social cohesion because of the concentration of HMOs or likely transient nature of their residency. Nor would the proposal have a significant effect on the mix of housing tenures, which also includes flats nearby, to the detriment of the overall mix in the area, including the provision of family sized accommodation.
17. Concern has been expressed by interested parties regarding the accuracy of the data pertaining to the number of HMOs put forward by the Council, given the difficulties in recording. Nonetheless, while I am mindful of concern regarding the

number of HMOs in Portsmouth and the density of the area generally, I have not been presented with any particular evidence to demonstrate that the area in which the appeal site is located is suffering from a significant concentration of HMOs. Furthermore, while I appreciate frustration expressed regarding the 10% threshold set out in the guidance, which it is suggested should be reduced, it is not for this appeal to re-examine the merits of the HMOSPD.

18. I recognise that patterns of comings and goings associated with the proposed HMO use could differ from the occupation of the property by a single family. However, the proposed HMO, for occupation by 7 individuals, would not significantly increase the level of occupation of the property, over and above that of a family house, as enlarged, which could include several adult dependents. Furthermore, there is no substantive evidence before me to suggest that the proposed HMO, and activity associated with the residential use of the property as such, would be likely to result in any significant increase in noise and disturbance. Moreover, there is no compelling evidence that any increase in occurrences of anti-social behaviour, including crime, litter and fly tipping, would be attributed to future occupants of the HMO.
19. The existing property is currently a dwelling, consequently, the Council indicate that the proposed alterations would be permitted development and would therefore not require express planning permission. Therefore, any effects of the proposed extensions in terms of the character and appearance of the area or living conditions of the occupiers of neighbouring properties are beyond the scope of the appeal. The Council is satisfied that the internal layout and configuration of the HMO would accord with the relevant guidance, based on the evidence before me, I have no reason to reach a different conclusion.
20. Furthermore, there is no compelling evidence that the use as an HMO would give rise to adverse effects on the architectural integrity or general maintenance of the building or lead to unacceptable pressure on the existing utility infrastructure, including water, sewage, waste collection, schools or health services. In addition, it is a long-established principle that the planning system does not exist to protect private interests such as the value of property.

Conditions

21. The conditions set out in the accompanying schedule are based on those suggested by the Council in their appeal statement should the appeal be allowed. Where I agree the conditions are necessary, I have amended the wording, in the interests of precision and clarity, and to comply with advice in the Planning Practice Guidance. In addition to the standard condition controlling the timescale within which the development must commence, a condition is required to specify the relevant plans, in the interests of certainty.
22. Conditions to agree details of cycle and refuse storage facilities, are necessary to promote sustainable methods of travel and in the interests of the character and appearance of the area. To ensure the development does not exceed the scope of the Nitrate Mitigation Credits purchased, a condition is necessary to restrict future water usage so as to protect the European sites.
23. It is not necessary to impose a condition to require the works shown on the approved plans to be carried out before the first use of the building as an HMO, as

in order to implement the change of use, the property would have had to have been extended.

Conclusion

24. For the reasons set out above, having regard to the development plan as a whole, and all other relevant material considerations, the appeal is allowed, subject to conditions.

E Worley

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: Location Plan - Reference Number TQRQM25168104657307, Proposed Block Plan – Reference Number TQRQM25168104809648 and Proposed Floor Plans and Elevations dwg. no. PG.1068-25-4.
- 3) Prior to the first occupation of the property as a House in Multiple Occupation secure and weatherproof bicycle storage facilities for four bicycles shall be provided in accordance with details that have first been submitted to, and approved in writing by, the local planning authority. The approved waste storage facilities shall thereafter be retained for the continued use by the occupants.
- 4) Prior to the first occupation of the property as a House in Multiple Occupation refuse and recyclable waste storage facilities shall be provided in accordance with details that have first been submitted to, and approved in writing by, the local planning authority. The approved waste storage facilities shall thereafter be retained for the continued use by the occupants.
- 5) Prior to the first occupation of the property as a House in Multiple Occupation, written documentary evidence, in the form of a post construction water efficiency calculator, shall be submitted to and approved in writing by the local planning authority to demonstrate that the development has achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2)b of the Building Regulations (2010) (as amended).

*******end of conditions*******