



Appeal Decision

Site visit made on 4 March 2026

by R Kent BA (Hons) MTP DipM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 March 2026

Appeal Ref: APP/Z1775/W/25/3375024

10 Wilson Grove, Southsea, Portsmouth PO5 1PD

- 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 Martin May-Clingo against the decision of Portsmouth City Council.
 - The application Ref is 25/00112/FUL.
 - The development proposed is described as “change of use to C4 to allow building to revert to an HMO accommodating a maximum of six persons.”
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Decision

1. The appeal is allowed and planning permission is granted for change of use to C4 to allow building to revert to a house in multiple occupation accommodating a maximum of six persons at 10 Wilson Grove, Southsea, Portsmouth PO5 1PD in accordance with the terms of the application, Ref 25/00112/FUL 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 the following plans and particulars: D02 Proposed Floor Plans; D05 Proposed Elevations; D06 Proposed Elevations; D07 Proposed Floorplans - Additional Information; D01 Block Plan; and Location Plan dated 03-Feb-2025.
 - 3) Prior to first occupation of the property as a house in multiple occupation plans and details of secure and weatherproof bicycle storage facilities for four bicycles shall be submitted to and approved by the Local Planning Authority. The approved bicycle storage facilities shall be provided at the site prior to the first occupation of the house in multiple occupation and shall thereafter be retained for the parking of bicycles at all times.
 - 4) Prior to the first occupation of the property as a house in multiple occupation plans and details of refuse and recyclable materials storage facilities shall be submitted to and approved by the Local Planning Authority. The approved facilities shall be provided at the site prior to the first occupation of the house in multiple occupation and shall thereafter be retained for the continued use by the occupants.
 - 5) No bedroom in the house in multiple occupation hereby permitted shall be occupied by more than one person.

Preliminary Matters

2. The appellant submitted information with the appeal stating that all rooms would be for single occupancy and that the kitchen area in each room would include a 2 ring hob and oven and an undercounter fridge freezer. I have determined the appeal on that basis.
3. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. It has therefore not been necessary to consult the parties on the proposed changes, and in reaching my decision, I have had regard to the Framework published in December 2024.

Main Issues

4. The main issues are
 - whether the proposal would provide acceptable living conditions for future occupiers with regard to internal living space; and
 - the effect of the development on the Solent and Southampton Water and the Portsmouth Harbour Special Protection Areas.

Reasons

Living conditions

5. The property consists of 6 rooms on 3 floors served by a central, communal staircase. The proposal is to convert each of the rooms into single occupancy bedsits each with its own kitchen facilities. The Council's officer assessment states that the floor area of each of the bedsits would range in size from 19.29 sqm to 21.39 sqm. There would be separate shared lavatory, bathroom and shower room facilities accessed from the communal staircase. No other communal rooms are proposed.
6. Although not part of the development plan, the Council's Houses in multiple occupation (HMO) supplementary planning document (SPD)¹ 2019 sets out how policy PCS23 of the Portsmouth Plan 2012 will be implemented. The HMO SPD refers to the detailed guidance to landlords contained in its 'Houses in Multiple Occupation Guidance' September 2018 (the 2018 guidance). Whilst the HMO SPD and 2018 guidance provide guidance on living conditions and the quality of the environment, the Council's officer assessment indicates that there is no standard for room sizes for bedsits and instead relies on subjective judgement.
7. Although the 'Technical housing standards – nationally described space standard'² 2015 (NDSS) set out the national standards for internal space within new dwellings, I have been directed to more recent detailed local guidance on the minimum standards to be applied to HMOs. These are set out in the Council's 'Private Sector Housing Space Standards and Amenity Standards Houses in Multiple Occupation' 2022 ('the 2022 standards').

¹ 'Houses in multiple occupation (HMOs) -Ensuring mixed and balanced communities' Supplementary Planning Document 2019

² Technical housing standards – nationally described space standard' DCLG March 2015

8. Whilst not referred to in policy PCS23 or the HMO SPD, the 2022 standards postdate the SPD and NDSS and set out the Council's space standards for new HMOs where an application for planning permission is to be made. These include space standards for bedsit HMOs. As a Council publication setting out specific guidance relevant to the appeal proposal published more recently than the HMO SPD and intended to provide guidance to applicants for planning permission, in my planning judgement the 2022 standards are a material consideration which carry substantial weight in this appeal.
9. For bedsit HMOs, where no communal living rooms or lounges are available, the 2022 standards state that the minimum standard for a single occupancy bedsit located within an HMO is 17sqm. The proposed bedsits all exceed this floor area and, from what I saw on my site visit, their broadly rectangular shape meant they would be a convenient and useable shape for single person occupancy.
10. The proposed location of the cooking facilities in the corner of each room would also allow a degree of separation between sleeping space and living space and, together with the size and proportions of the rooms, would prevent the accommodation being unacceptably cramped. Although the proposal does not include any communal rooms, the 2022 standards indicate that this is reflected in the standards for bedsit room sizes. I also note that the Private Sector Housing Officer had no adverse comments to make on the layout and room sizes proposed.
11. Therefore, I conclude from the evidence before me that the proposed accommodation would provide acceptable living conditions for future occupants of the HMO and that it complies with policy PCS23 regarding the standard of the living environment for future residents.

Internationally protected sites

12. The evidence indicates that the site is located within the Zone of Influence of the Solent and Southampton Water Special Protection Area (SPA) and close to the Portsmouth Harbour SPA. I have screened the proposal to determine whether it would have a likely significant effect on them which would undermine their conservation interest. The 'Bird Aware (Solent Recreation Mitigation Strategy)' 2024 identifies that the pathways of impact on the Solent SPAs is through the additional recreational impacts associated with new homes. There is also a requirement that new development should be nutrient neutral.
13. As there is no upper limit on the number of occupants who could live in the existing large dwelling, I am satisfied that its proposed use as an HMO to accommodate a maximum of 6 occupants would not generate additional recreational pressure on the protected sites when compared to the existing use as a dwelling. For the same reason, it would accord with the Council's 'Updated Interim Nutrient Neutral Mitigation Strategy for New Dwellings for the 2021- 2023/24 period' and would not lead to an increase in nutrients entering the Solent.
14. As a result, I conclude that the proposal would not have a significant likely effect either alone or in combination on the internationally protected sites. The Council did not identify any likely significant effects of the proposal on the internationally protected sites and I have found no reason to disagree.

Other Matters

15. The Council's pre-submission draft Portsmouth Local Plan has reached regulation 19 stage and therefore also carries some weight. However, whilst draft Strategic Policy PLP20 requires proposals to accord with the HMO SPD, the Council has accepted that the SPD does not include space standards specific to the type of HMO being proposed. For the reasons given above, the proposal would have sufficient internal space and therefore would not conflict with policy PLP1 of the draft plan regarding design.
16. The site lies within the Campbell Road Conservation Area (CA). Whilst the nature of the occupancy of the building would change, no external changes are proposed to the building. Therefore I am satisfied that the proposal would preserve the character and appearance of the CA.
17. The Council's officer assessment indicates that the proposal would bring the percentage of HMOs within a 50m radius of the appeal site to 3.89%. This would be lower than the 10% threshold in the HMO SPD. As a result, the Council concluded that the proposal would not create an imbalanced community applying the criteria set out in the HMO SPD. I have found no sound reason to reach a different conclusion.
18. The identity of the future occupants of the proposed HMO is not before me and I have seen no clear evidence that the proposed use would lead to anti-social behaviour. Nor have I seen compelling evidence that local health facilities or other services, including water supply, recycling and refuse collection, do not have the capacity to meet the needs of future occupants if the appeal is allowed. The Council's officer assessment states that fire safety is a matter for other legislative regimes. I have no reason to conclude differently.
19. The site is located in a built up area within reasonable walking and cycling distance of services and facilities. I have not been provided with any clear evidence that the proposal would result in a greater car parking requirement than the existing use as a single family dwelling.
20. Whilst reference has been made to other appeal decisions in Portsmouth³ and Manchester⁴, I am not aware of the full details of those sites or their planning context. I have determined the appeal on its individual merits.
21. Reference has been made to the manner in which the planning application was handled by the Council. This can be addressed through separate procedures and has not had a bearing on my decision.

Conditions

22. Conditions setting out the period for commencing the development and requiring that it be carried out in accordance with the approved plans and details are necessary to provide certainty. The provision of bicycle storage is necessary to promote cycling in accordance with policy PCS17 of the Portsmouth Plan. Details of this and the proposed refuse and recycling facilities should be submitted to the Local Planning Authority for approval prior to the occupation of the HMO. Taking into account the terms of the application, the size of the bedrooms and the

³ APP/Z1775/W/22/3302601; 3303724; and 3303194

⁴ APP/U4230/W/21/3282593

guidance in the 2022 standards it is also necessary and reasonable to impose a condition restricting the occupancy of each bedroom to a single person.

Conclusion

23. The proposal complies with the development plan and for the reasons given above the appeal should be allowed.

R Kent

INSPECTOR