
Appeal Decision

Site visit made on 10 March 2025

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4th April 2025

Appeal Ref: APP/Z3635/W/24/3354984

22 Sidney Road, Staines-Upon-Thames TW18 4LX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Harvinder Chahal against the decision of Spelthorne Borough Council.
 - The application Ref 24/01019/FUL, dated 23 August 2024, was refused by notice dated 17 October 2024.
 - The development proposed is the change of use from a single family dwelling to an 8 person HMO (house in multiple occupation).
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Decision

1. The appeal is allowed and planning permission is granted for the change of use from a single family dwelling to an 8 person HMO (house in multiple occupation) at 22 Sidney Road, Staines-Upon-Thames TW18 4LX in accordance with the terms of the application, Ref 24/01019/FUL, dated 23 August 2024, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: M/662/01, 02, 03 04, 05 06, 07 and 08-22 A.
 - 3) The occupation of the House of Multiple Occupation hereby permitted shall be limited to a maximum of 8 residents at any time
 - 4) Prior to the occupation of the premises for the permitted use, details of the refuse and recycling facilities shall be submitted to and approved in writing by the local planning authority. The approved facilities shall be provided prior to the occupation of the development and thereafter retained in the approved form.
 - 5) Prior to the occupation of the premises for the permitted use, details of the cycle storage facilities shall be submitted to and approved in writing by the local planning authority. The approved facilities shall be provided prior to the occupation of the development and thereafter retained in the approved form.

Main Issues

2. The main issue in this appeal are the effects of the proposal in relation to neighbours' living conditions and in relation to car parking.

Reasons

3. The appeal relates to this substantially sized, detached house which has accommodation over 3 floors. The property has a garage to the side, one to the rear and areas which could accommodate open parking. The road contains a variety of houses, many with off-street parking areas.
4. The existing house has 6 bedrooms, 3 bathrooms and living/reception rooms and kitchen on the ground floor. The proposal would use the 6 bedrooms as exist and provide 2 bedrooms on the ground floor, along with communal space on the ground floor, providing a large open plan kitchen/lounge/diner and a bathroom, for use by its occupants. The occupants will also have access to the garage/outbuilding and the garden area. The Council and the appellant acknowledge that the existing house could be converted to a 6 person HMO without the need for planning permission.
5. The existing property has a good degree of separation from the neighbouring houses, set within this wide plot. Taking account of the fact that it is currently a substantial family home, clearly capable of accommodating a large family, along with the acceptance that it could be converted to a 6 person HMO, I consider that 8 people residing at the property would be very unlikely to generate noise and activity which is perceptibly greater than these uses, and certainly not at such levels that would unacceptably disturb neighbours. In this respect, I find no conflict with Policy EN11 of the Council's Core Strategy and Policies Development Plan Document (CS).
6. In relation to car parking, the property is located a short distance from Staines town centre with ready access to rail and bus services. There are also ample facilities for shopping, employment and leisure. I consider that the location of the site would mean that residents would have available to them the means to access transport and other facilities without the need to rely on a private car. Additionally, I accept the point made by the appellant that future residents may be less likely to own a car.
7. I note that there is space on site for 3 cars to be parked and that the County Highways Authority has assessed the proposal as being acceptable in this respect. Having taken account of these matters, I consider that the proposal would not give rise to conditions on the surrounding streets which would justify the refusal of planning permission. Therefore, there is no conflict with Policy CC3 of the CS.

Conditions

8. I have taken account of the advice in the NPPF and the PPG in relation to the use of conditions in planning permissions. The Council has submitted a schedule of conditions which are for my consideration and I have taken these into account. Along with the standard time limit condition, I shall include a condition which identifies the approved drawings for the sake of clarity and certainty. So that the use of the property complies with the terms of the application, I shall impose a condition restricting the number of residents to a maximum of 8. In order that facilities for bins, recycling storage and cycle parking are provided I shall include conditions which require these.
9. In relation to some of the conditions suggested by the appellant, there are no new external alterations and so it is not necessary to require the submission

and agreement of materials. The proposal would not give rise specifically to a need for additional windows and so I see no justification for such a restriction. The car parking areas are obvious and I see no need to specifically agree a layout for this aspect of the site.

Conclusion

10. For the reasons set out above, the appeal is allowed.

T Wood

INSPECTOR