



Appeal Decision

Site visit made on 2 April 2025

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th April 2025

Appeal Ref: APP/F5540/W/24/3353574

3 Gordon Road, Hounslow TW3 1XP

- 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 G Tamber against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is P/2024/2489.
 - The development proposed is the change of use of an existing single-family dwelling to a House in Multiple Occupation (HMO).
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of an existing single-family dwelling to a House in Multiple Occupation (HMO) at 3 Gordon Road, Hounslow, TW3 1XP in accordance with the terms of the application, Ref P/2024/2489, subject to the conditions in the attached schedule.

Background and Main Issues

2. The appeal property is already being used as an HMO. Accordingly, I have determined this appeal retrospectively.
3. Additional information was submitted by the appellant with the appeal which resolves the Council's concerns regarding the principal of an HMO in this location. I see no reason to disagree with this position.
4. Therefore, the main issues are the effect of the development on:
 - the character and appearance of the area; and
 - the living conditions of neighbouring occupiers of properties on Gordon Road, with particular regard to noise.

Reasons

Character and appearance

5. No details showing how the storage and collection of waste and recycling is being managed on the appeal site was provided with the planning application or as part of the appeal. Policy SC10 of the Local Plan expects proposals to include such facilities to ensure there is no serious impact on the character and appearance of the area resulting from bins and refuse being left on the street, or not collected regularly. Nevertheless, based on my observations during my site visit, I see no reason preventing adequate waste and recycling facilities to be provided, subject

to the imposition of a suitably worded condition on the grant of planning permission.

6. There is a high probability that the number of comings and goings of six residents would be more than that of the use of the property as a single household dwelling. However, this is not guaranteed and, in any event there are no restrictions on a large, single household occupying a similarly sized property. Therefore, given the use and activities associated with the HMO, the residential character of the area is maintained.
7. As no external alterations to the frontage of the property have been undertaken and no physical development is included within the proposal, the appearance of the street is unchanged.
8. I conclude that, subject to a condition requiring suitable waste and recycling facilities to be provided, the development does not harm the character and appearance of the area and accords with Policy SC10 of the Local Plan, in this respect.

Living conditions – noise

9. As identified above, it does not necessarily follow that a property with more occupants than a typical single household dwelling of this size would result in an increase in the comings and goings from it. Nor would it necessarily lead to an unacceptable increase in noise experienced by neighbouring occupiers. The development retains the existing entrance onto the street as the principal point of access with noise from occupiers entering or leaving the property being directed to an area where a certain amount of noise is expected.
10. Furthermore, as the property has been licenced¹ as an HMO by the Council, should significant disturbance result from its use lead to complaints from neighbouring occupiers, this licence can be revoked. The Council also has the ability to review the licence should a renewal request be made.
11. I conclude that the development does not harm the living conditions of neighbouring occupiers of Gordon Road, with particular regard to noise, and is in accordance with Policy SC10 of the Local Plan, in this regard.

Other Matters

12. As the appeal site is located within a controlled parking zone (CPZ) and no parking spaces are associated within the property, the development constitutes car-free housing. The Council's Delegated Report refers to the use of condition restricting occupants of the HMO from obtaining a residents' parking permit had planning permission been granted. However, no such condition was included in the Council's list of suggested conditions.
13. Nonetheless, I am aware from another appeal in Hounslow that the Council's internal processes allow for the removal of properties from the list of addresses eligible to apply for a parking permit once the registered addresses of the development are provided. In this case, as the address of the property is already known, a condition requiring the appellant to provide these details to the Council is

¹ Ref: FL/134791

unnecessary and, in any event, I see no reason which would prevent the Council from removing the property from their internal lists.

14. As submission of a management plan or statement with a planning application is not a requirement of Policy SC10 of the Local Plan the absence of such a document, in itself, does not make the development unacceptable. No substantive evidence is before me demonstrating that the HMO is not being managed in an acceptable way. Additionally, the SPD² confirms such a document should, rather than must, accompany the planning application. Nevertheless, conditions relating to the provision of adequate waste and cycle storage facilities for the occupants of the HMO are necessary to make the development acceptable in planning terms.

Conditions

15. As the development has been implemented it is not necessary for me to impose the standard time limit condition. The standard plans condition, however, has been imposed for clarity.
16. Two conditions have been imposed to ensure that details of cycle parking/storage, and waste and recycling facilities are submitted, approved and implemented to protect the character and appearance of the area and promote the use of alternative modes of transport to the private vehicle. There is a strict timetable for compliance as permission is being granted retrospectively it is not possible to secure the approval and implementation of the cycle parking, waste and recycling facilities before the development is occupied. These conditions also ensure that the development can be enforced against if the requirements are not met.
17. In order to maintain acceptable living conditions for the existing and neighbouring occupiers, I have imposed a condition limiting the occupancy of the HMO to a maximum number of residents.

Conclusion

18. For the reasons given above, the appeal is allowed.

Juliet Rogers

INSPECTOR

² Houses in Multiple Occupation Supplementary Planning Document (the SPD)

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with drawing nos:
Unnumbered 1:1250 Location Plan
SD2416(P)01 Existing Floor Plans
SD2416(P)02 Existing Floor Plans (showing Elevations)
- 2) Unless within six months of the date of this decision a cycle store scheme, is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within six months of the local planning authority's approval, the occupation of the site as an HMO shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme is approved and implemented.

If no scheme in accordance with this condition is approved within nine months of the date of this decision, the occupation of the site as an HMO shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme approved by the local planning authority is implemented.

The approved scheme shall be implemented as approved and thereafter be retained and maintained.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.
- 3) Unless within six months of the date of this decision a scheme for the storage of waste and recycling, is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within six months of the local planning authority's approval, the occupation of the site as an HMO shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme is approved and implemented.

If no scheme in accordance with this condition is approved within nine months of the date of this decision, the occupation of the site as an HMO shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme approved by the local planning authority is implemented.

The approved scheme shall be implemented as approved and thereafter be retained and maintained.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.
- 4) The occupancy of the HMO hereby approved shall be limited to a maximum of six residents.

**** End of Schedule ****