



Appeal Decision

Site visit made on 12 May 2025

by **S Burch BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20th June 2025

Appeal Ref: APP/F5540/W/24/3358131

85 Elmer Gardens, Isleworth, Hounslow TW7 6EZ

- 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 S Singh of Tapit Capital against the decision of the Council of the London Borough of Hounslow.
- The application Ref is P/2024/2792.
- The development proposed is described as the 'proposed change of use from single dwelling to large HMO following with Single Storey Rear Extension and Loft conversion with a rear dormer and front roof lights.'

Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024. The appellant and the Council have had the opportunity to comment on any implications for this appeal through their submissions. I have taken any comments made into account in my reasoning.
3. The appellant states that the scheme would not result in a material change of use or constitute development. Within the context of an appeal under section 78 of the Act it is not within my remit to formally determine whether the proposed development requires planning permission. If the appellant wishes to ascertain whether the development is lawful, they may make an application under section 192 of the Act. I have assessed the appeal accordingly.
4. The case officer report references an emerging local plan. The decision notice however only cites policies from the adopted Local Plan. The Council are therefore not seeking to rely on any emerging local plan policies. I have determined the appeal accordingly.

Main Issues

5. The main issues are:
 - whether or not the property is suitable for conversion with particular regard to its location, access to public transport, and floor area;
 - the effect of the proposed extensions on the character and appearance of the site and the surrounding area;
 - the effect of the proposed development on the living conditions of neighbouring residents, with particular regard to disturbance;

- whether the proposed development would provide acceptable living conditions for future occupiers, with particular regard to outdoor amenity space;
- the effect of the proposed development on parking provision;
- whether the proposed development, together with other similar developments in the surrounding area, would have an unacceptable cumulative effect on the character and residential amenity of the area.

Reasons

Location, public transport and floor area

6. Policy SC10 of the London Borough of Hounslow Local Plan 2015 – 2030 (LP) sets out the Council's approach to Houses in Multiple Occupancy (HMOs), Hostels and Bed and Breakfast accommodation. This policy recognises that HMOs are a responsive and flexible part of the range of housing provision and sets out to support this type of accommodation where a number of criteria are met. The Local Plan is supported by the London Borough of Hounslow Houses in Multiple Occupation Supplementary Planning Document (HMO SPD).
7. The criteria outlined within Policy SC10 includes a requirement that the development is located within convenient walking distance of town centre facilities and has good public transport links. According to the policy's supporting text, a 'convenient walking distance' is considered to be 400 metres (m). The SPD confirms that potential HMOs should have a Public Transport Accessibility Level (PTAL) of 4 which is considered 'good'.
8. The application site has a PTAL of 1a which is poor. Though a number of bus stops are located in the vicinity of the appeal site, the PTAL rating is reflective of the overall accessibility of the site using public transport. Indeed, my own experience of reaching the site using public transport further cements my view that the site is not in a location readily served by such transportation.
9. Whilst there are a number of shops and other facilities along London Road, these are around a 15-20 minute walk from the appeal property and are significantly further than the 400m guidance distance specified in the supporting text to Policy SC10. The scheme therefore fails to meet the requirements of criterion (a) of Policy SC10 as it is not within convenient walking distance of town centre facilities, and it does not have good access to public transport links.
10. Turning to the floor area of the proposal, criterion (e) of Policy SC10 states that the development should have a minimum 'original' floor area greater than 130 square metres (sqm) to be suitable for conversion. The HMO SPD provides further reasoning for criterion (e) outlining how the size requirement is to resist the loss of smaller family dwellings and, ultimately, to maintain a good balance and mix of housing in response to what is described as a 'pressing need' for smaller units. The Council state that the original floorspace of the house is 87 sqm and this is accepted by the appellant. The proposed scheme therefore fails to meet the criterion (e) of Policy SC10 as it has an 'original' floor area smaller than 130 sqm.
11. HMOs can play an important role in meeting certain housing needs. However, the minimum size and location of dwellings considered appropriate for conversion are clearly set out in the policy and the reason for it. While the proposal would result in

the loss of just one family sized home, it would nevertheless adversely affect the mix of available housing.

12. For the reasons set out above, I find that the property would not be suitable for conversion as the original floor space would be less than 130 sqm, the site is not located within convenient walking distance of town centre facilities and does not have good public transport links. The proposal is therefore unacceptable in principle and would be contrary to LP Policy SC10. It would also be contrary to the HMO SPD in this regard.

Character and appearance

13. The appeal site comprises of a two-storey mid terrace property located towards one end of Elmer Gardens. The immediate area is characterised by semi-detached and terraced dwellings and is suburban in character. Dwellings are generally of a similar size and style, although there is some variation. There is a large area of open space to the east of the site.
14. The proposed development seeks permission for a single storey rear extension and a rear dormer. Focussing firstly on the rear extension, this would extend across most of the width of the dwelling and extend a considerable depth outwards from the rear wall. This significant depth would dominate the host property and result in an incongruous addition to the property. Furthermore, the roof fail fails to complement the existing dwelling and would further harm the character and appearance of the area.
15. Turning to the proposed rear roof dormer, the proposed scale of the dormer would dominate the rear roof slope and the rear elevation of the property. As a result of its scale, the dwelling would have the appearance of a three-storey dwelling when viewed from the rear. This would be out of keeping with the surrounding character of the area which is characterised by two storey dwellings of a similar size and style.
16. No party has raised concerns regarding the proposed rooflights on the front roof slope. I do not consider the development to be problematic in this regard.
17. For the reasons set out above, the proposed rear extension and rear dormer would harm the character and appearance of the host dwelling and surrounding area. This element of the scheme would therefore be contrary to Policies CC1, CC2 and SC7 of the LP in this regard. Amongst, other things, these policies seek to ensure that development is in keeping with the character and appearance of the host properties and the surrounding area.

Living conditions of neighbouring residents

18. The existing dwelling comprises three bedrooms. The proposal would create seven bedrooms in total. The occupancy of the dwelling would therefore increase by around 3-4 persons. An increase in the activities and the comings and goings associated with the property would result from this.
19. Furthermore, the use of the property as an HMO would likely generate more activity, and thus noise and disturbance, than its use as a conventional single family dwelling as people would be living independently. Occupants would have differing independent lives and living, working and social patterns, with comings

and goings at different times of the day and night as well as an increased frequency of home deliveries.

20. The site is located within a predominately residential suburban area and forms part of a terrace of dwellings. Most dwellings appear to be smaller family sized dwellings. The frequency and nature of the activities associated with use as an HMO would result in undue noise and disturbance which would be out of keeping with the residential suburban character of this area and detrimental to the living conditions of neighbouring residents.
21. The appellant outlines how residents would be professional residents, however I am not satisfied that the fact they would be professional residents would overcome the harm that I have identified above. They also outline how any noise would likely fall below the WHO recommended levels. However, I am not satisfied that there is sufficient evidence before me to demonstrate this.
22. The appellant has suggested that a management plan could be ensured through the use of a suitably worded planning condition. However, for the reasons given above, and in the absence of detailed or compelling information setting out how this would be achieved, I am not satisfied that a management plan would effectively mitigate the harm I have identified and, consequently, such a condition would not be appropriate.
23. The proposal would therefore fail to accord with Policy SC10 of the LP and the HMO SPD insofar as they relate to the requirement for proposed HMO developments to demonstrate that they would not have a harmful impact on the residential amenity of the area.

Living conditions of future occupiers

24. Policy SC5 of the LP and the guidance in the HMO SPD requires dwellings with five habitable rooms to provide no less than 75 square metres (sqm) of external amenity space. The HMO would be provided with useable, private external amenity space in excess of this requirement to the rear of the dwelling. All future occupiers could access this area through the communal kitchen and living area.
25. The proposal is therefore in accordance with Policy SC5 and SC10 of the LP in this regard. Collectively, amongst other matters, these policies seek to ensure that development is situated in appropriate locations and provides adequate external amenity space for future occupiers. It would also accord with the HMO SPD in this regard.

Parking provision

26. No. 85 is a terraced property with no available off-street parking space. Other properties have driveways although the presence of those driveways reduces the amount of space available for on-street parking. Added to that the carriageway is narrow and I noted that unusually, white lines demarked the edge of the carriageway and some parking bays. Accordingly, from all I have seen and read options for on-street parking are limited and the potential for congestion and inconvenience to residents is already high.
27. The appeal site has a PTAL 1a which is considered poor. As a result, it is likely that a large proportion of the future occupiers would own cars.

28. The development has the potential to bring an additional seven cars into the area, without providing any off-street car parking. This is much greater than the number of cars normally associated with a three-bedroom dwelling. Even if the scheme only generated 4-5 cars, this is still much more than generally associated with a small family dwelling house. This increase is likely to lead to an increased demand for on-street car parking spaces, and therefore a further reduction in the availability of on-street car parking spaces. Moreover, it is likely to increase congestion and inconvenience local residents.
29. The lack of evidence of any collisions or accidents along adjacent roads does not outweigh the harm that I have identified, nor does it justify the development.
30. For the reasons given above, the scheme would be contrary to Policy EC2 of the LP. This policy expects development to provide for existing local need, together with the resulting increase in demand arising from the development. It would also be contrary to the HMO SPD in this regard.

Cumulative effect

31. Policy SC10 is clear that the Council expect development proposals to demonstrate that, together with other similar developments in the surrounding area, they will not have a serious harmful cumulative impact upon residential amenity and character. No such assessment has been produced by the appellant.
32. As outlined previously, I do not accept that there would be a comparable number of occupants at the proposed HMO compared to the current use. The impacts of the increased number of unrelated individuals, such as increased noise and disturbance, cumulatively with other comparable uses has the potential to have a serious harmful cumulative impact upon residential amenity and character.
33. Given this lack of assessment, and limited information regarding the cumulative impact, it has not been demonstrated to my satisfaction that the development, together with other similar development in the surrounding area, would not have a serious harmful cumulative impact on residential amenity, contrary to Policy SC10 of the LP. It would also be contrary to the HMO SPD in this regard.

Other matters

34. I am mindful of the fallback position put forward by the appellant under Classes A and B of Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GDPO), as amended, which would allow for a similar rear extension and dormer as those proposed in this case. The appellant has explained the extensions would form part of the comprehensive renovation of the site in any event. I have no reason to doubt that and the fallback position, in this instance, therefore has a greater than a theoretical possibility of being carried out whether or not this appeal is allowed. As it is a likely alternative and would cause a similar impact on the character and appearance of the host dwelling and surrounding area as the proposal before me, the fallback position carries significant weight.
35. The Council raises additional concerns regarding the effect on natural light as a result of the proposed extension in their case officer report. However, these concerns are not cited in their refusal reasons. Given the orientation of the plots, coupled with the single storey nature of the proposed extension, I do not consider

that the proposed extension would result in material harm by way of loss of natural light.

36. The scheme would provide acceptable internal and external living conditions for occupants. This is however considered to be a neutral factor and does not weigh in favour of, nor against, the appeal.

Planning Balance and Conclusion

37. I have found that the scheme would provide a satisfactory standard of living for future occupiers. The proposal would harm the character and appearance of the area but nevertheless the fallback position in relation to the proposed extensions outweighs the conflict with the development plan policies in that regard. Accordingly, these can be considered neutral matters in the planning balance. However, the harm that would be caused in relation to the other main issues collectively weigh substantially against the scheme such that the proposal would not comply with the development plan considered as a whole. There are no other considerations which indicate the proposal should be granted other than in accordance with the development plan. Therefore, the appeal should be dismissed.

S Burch

INSPECTOR