
Appeal Decision

Site visit made on 19 May 2025

by **F P Tinsley MA (Hons) MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2 July 2025

Appeal Ref: APP/E5900/W/24/3356328

34 Mast House Terrace, Tower Hamlets, London. E14 5RW.

- 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 M Ahmed against the decision of the Council of the London Borough of Tower Hamlets.
 - The application reference is Ref PA/24/00742.
 - The development proposed is 'Conversion of Terraced House into 8 Bedroom HMO.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During my site visit, I established that the internal works detailed in the planning application drawings, intended to facilitate the proposed change of use from a dwelling (Use Class C3) to an eight-bedroom House in Multiple Occupation (HMO) (Sui Generis), have been largely completed. However, I did not find evidence that the proposed change of use has taken place. As such, I have determined that the appeal should be considered on the basis that the material change of use has not yet occurred.
3. The appellant submitted with the appeal a Building Act 1984 Building Regulations 2010 Certificate of Completion, dated 24 May 2023, concerning works including a single-storey rear extension, loft conversion with a rear dormer and installation of front roof lights. These works were not part of the original planning application subject to this appeal. This document was not provided with the planning application.
4. I have taken this document into account in my determination of the appeal. However, my consideration is strictly limited to the proposal before me—namely, the change of use from a dwelling (Use Class C3) to an eight-bedroom HMO (Sui Generis). I have not considered the works outlined above, as they fall outside the scope of this planning application and appeal.

Main Issue

5. The main issue is the effect of the proposal on local housing provision.

Reasons

6. Policy S.H1 of the Tower Hamlets Local Plan 2031 (2020) (the Local Plan) amongst other things states that the borough will secure the delivery of at least

58,965 new homes across the borough between 2016 and 2031 through ensuring that development does not undermine the supply of self-contained housing – in particular family homes and resisting development that would result in the net loss of residential floorspace or family units. The proposal is contrary to this requirement and will result in the net loss of a self-contained potential family home.

7. Local Plan Policy D.H7 sets out six criteria under which HMOs may be supported. While there is recognition of increasing demand for HMOs in the borough, the appellant has failed to demonstrate a need for this HMO in the specific location, as required by the policy's supporting explanation.
8. The proposal would result in the loss of a five-bedroom dwelling suitable for family occupation, which is contrary to the policy's objective of preventing such loss. Additionally, no evidence has been presented to indicate that the proposal would contribute to the supply of low-cost housing.
9. Furthermore, the appeal site is situated in an area with a low Public Transport Accessibility Level (PTAL) and therefore does not meet the policy requirement for high transport accessibility. As a result, the proposal fails to adequately satisfy four of the six criteria outlined in Policy D.H7.
10. The appellant submits that the proposal aligns with the Local Plan's objectives of providing a balanced mix of housing and recognises the important role of HMOs in accommodating single occupants, students, young professionals, and low-income individuals in need of affordable, flexible housing. However, no evidence has been presented to me to demonstrate how the proposal will contribute to a balanced community or be secured to specifically address the needs of the identified groups.
11. The appellant states that the area surrounding the appeal site has a high proportion of family-sized dwellings, ensuring that the availability of such homes would not be significantly diminished by the proposed change of use. However, no evidence has been provided pertaining to the existing use of properties in the surrounding area and whether they remain as family dwellings under Use Class C3. I am therefore unable to determine whether the loss of this property, as a potential family home, would have a material impact on the availability of such homes, as suggested by the appellant. The loss of a single house available for family occupation could be particularly significant in a context where there may be a low incidence of such properties in the locality.
12. While the existing property's layout and size may lend itself to conversion into an HMO as suggested by the appellant, this does not justify a change of use where it would otherwise be contrary to Local Plan policy.
13. It is recognised that there is a shortage of affordable housing in the borough and the proposal will be subject to a licensing regime which requires minimum accommodation standards; however, no mechanism has been proposed to ensure that the scheme will deliver affordable housing as the appellant states the proposal will deliver.
14. For these reasons, I find that the proposal would result in the loss of a large family-sized dwelling, for which there is an evidenced need and the proposal has failed to demonstrate compliance with the criteria whereby HMOs may be permitted. Consequently, the proposal would not accord with Policies S.H1 and D.H7 of the Tower Hamlets Local Plan 2031 (2020), Amongst other things, these policies seek

to ensure that development responds to the identified need for different types of housing and prevent the loss of a large family-sized dwellings.

Conclusion

15. For the reasons given above, the proposal conflicts with the development plan considered as a whole and there are no material considerations that outweigh this conflict. Therefore, the appeal is dismissed.

F P Tinsley

INSPECTOR