



Appeal Decision

Site visit made on 19 August 2025

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 September 2025

Appeal Ref: APP/D5120/W/25/3364037

118 Northumberland Avenue, Bexley, Welling DA16 2PZ

- 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 D Rugless against the decision of the Council of the London Borough of Bexley.
 - The application Ref is 24/02762/FUL.
 - The development proposed is the proposed conversion of existing C4 small HMO for 6 people to a Sui Generis HMO for 8 people.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was submitted by the appellant. This is the subject of a separate decision.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the living conditions of neighbouring occupiers, with particular reference to noise and disturbance;
 - whether the proposal would provide adequate refuse and recycling storage facilities; and
 - whether the proposal would provide adequate cycle parking.

Reasons

Living Conditions

4. The appellant argues that the increase from 6 to 8 residents would be minor, that two of the rooms are doubles so some occupants could be couples, and that any noise concerns can be addressed through existing HMO licensing controls. However, HMO licensing regulates management and specific anti-social behaviour but does not control the frequency of day-to-day movements, visitor arrivals, and general domestic activity levels, all of which fall within the scope of planning control.
5. Large HMOs such as the one proposed, would consist of a high number of transient adult tenants with independent and uncoordinated schedules. This would

increase the likelihood of staggered and overlapping use of communal areas (such as kitchens, internal facilities and gardens), independent hosting of guests, informal social gatherings, repeated entry and exit of different occupants at irregular hours, greater use of on-site parking spaces, short-term stopping on-street for drop-offs, and frequent deliveries. Increased refuse handling and recycling activity at the frontage would also be likely.

6. These cumulative activities would increase the potential for disruptive noise events such as slamming doors, voices and activity in communal areas, noise from music, televisions, telephones, or noise from vehicles. In a semi-detached property on a relatively compact plot, the increase to eight occupants would reasonably be expected to result in more of these activities. Even if each individual contribution is modest, the cumulative effect of eight adults following independent daily patterns would be materially greater than either a single dwellinghouse or a smaller Class C4 HMO.
7. Given the proximity of neighbouring dwellings, this intensification would be likely to erode the quiet enjoyment of neighbouring homes. Therefore, the scale and form of the intensification would be apparent and, on the balance of probability, harmful.
8. Given this, the proposed development would harm the living conditions of neighbouring occupiers as a result of increased noise and disturbance. It would therefore conflict with Policies DP5 and DP11 of the Bexley Local Plan insofar as they seek to ensure proposals for HMOs do not have an adverse impact on the local area or unacceptably affect neighbouring occupiers.

Refuse and Recycling Storage

9. The proposal would include storage for nine 180-litre wheeled bins and six 23-litre food caddies within the front forecourt. There would also be two off-street parking spaces, leaving limited room to store and access the containers conveniently. The Council's evidence indicates that the amount of storage proposed would be insufficient for the needs of eight residents.
10. While the appellant considers that additional provision could be secured by condition, any such increase would need to be accommodated within the already constrained forecourt area. In these circumstances there is no reasonable certainty that an arrangement could be achieved that would meet capacity requirements without creating an overly congested forecourt that would limit manoeuvrability and harm the appearance of the frontage and streetscene.
11. Given the above, the proposed development would not provide adequate refuse and recycling storage. The proposal would therefore conflict with Policies DP5 and DP11 of the Bexley Local Plan, which require developments to provide adequate refuse and recycling facilities.

Cycle Parking Provision

12. Policy DP22 of the Bexley Local Plan and Policy T5 of the London Plan require cycle parking to be secure, well-located, and meet minimum London Plan standards. For a large HMO (Sui Generis), the most appropriate standard is one long-stay space per bedroom, giving a requirement of 6 spaces for the appeal property.

13. Only two spaces are proposed, positioned within the already limited forecourt alongside the bin storage and parking spaces. This falls substantially short of the policy requirement, and there is no evidence that the forecourt could accommodate the necessary number of secure, accessible, and weather-protected spaces without significant reconfiguration. While the appellant suggests this matter could be conditioned, the scale of the shortfall and physical constraints of the site mean there is insufficient certainty that a compliant solution could be delivered.
14. For these reasons, the proposed development would not provide adequate cycle parking and storage. It would thus conflict with Policy DP22 of the Bexley Local Plan and Policy T5 of the London Plan which seek to ensure developments provide a sufficient amount of secure and well-located cycle storage.

Other Matters

15. The appellant has drawn attention to other developments and permissions for HMOs, including schemes in Ilford, Margate, Ramsgate, and Southsea. However, these examples are not directly comparable to the appeal proposal for several reasons. They are located a considerable distance from the appeal site and within different local planning authority areas, where policy context, urban form, and site circumstances may differ. I have no detailed information about the surroundings or the size and layout of the forecourts in those cases and so cannot reliably assess whether the circumstances are similar to those here.
16. Moreover, none of the examples before me appear to present the same combination of considerations as this case, which involves the cumulative effects of increased occupancy on noise and disturbance alongside clear deficiencies in both cycle parking provision and refuse/recycling arrangements. For these reasons, the cited examples do not alter my conclusions on the appeal proposal.
17. The appellant highlights that the scheme would make efficient use of housing stock and contribute to housing supply. While this is a benefit, it is modest in scale and does not outweigh the harm I have identified.

Conclusion

18. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
19. For the reasons given above the appeal should be dismissed.

Thomas Courtney

INSPECTOR