



Appeal Decision

Site visit made on 4 August 2025

by F P Tinsley MA (Hons) MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 September 2025

Appeal Ref: APP/F5540/W/25/3366117

70 Vicarage Farm Road, Hounslow, TW5 0AB

- 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 Puneet Sagoo against the decision of the Council of the London Borough of Hounslow.
 - The application reference is Ref: P/2024/3442
 - The development proposed is described as 'the demolition of the existing annex building; the construction of rear extensions to ground, first and second floors; the re-siting of the residential access door to the front and the change of use of the rear ground floor and upper floors to a seven bedroom HMO (Sui Generis) with associated refuse and cycle storage'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of development detailed on the application form lodged with the planning application. This differs from the description provided on the Council's Decision Notice.

Main Issues

3. The main issues in this case are:
 - The suitability of the premises for use as a seven-bedroom HMO, considering its location.
 - The impact of the proposed development on the living conditions of future occupiers, with regard to the standard of amenity space provided and the adequacy of waste and recycling facilities.
 - The impact of the proposed development on the living conditions of surrounding occupiers, particularly in relation to increased activity and the use of the premises as an HMO.

Reasons

Location

4. Policy SC10 of the London Borough of Hounslow Local Plan 2015–2030 (the Local Plan) states that Houses in Multiple Occupation (HMOs) are expected to be located within convenient walking distance of town centre facilities and to have good public transport links. Paragraph 3.4 of the London Borough of Hounslow

Houses in Multiple Occupation Supplementary Planning Document 2017 (the SPD) adds that HMOs should have at least a Public Transport Accessibility Level (PTAL) of 4 and be situated within 400 metres of town centre facilities. It defines town centre facilities as those found in Metropolitan and District Centres, specifically Hounslow, Chiswick, Brentford, and Feltham. The SPD is a significant material consideration in the determination of this appeal.

5. The appeal site has a PTAL rating of 3 (moderate), although it is approximately 50 metres from an area with a PTAL rating of 4 (good). It is located significantly more than 400 metres from Hounslow, which is the nearest designated town centre (Metropolitan or District).
6. While there are limited retail and other services nearby on Vicarage Farm Road and Great West Road, and the neighbourhood centre at Hounslow West tube station is significantly over 400 metres away, these locations do not offer the range of town centre facilities found in Hounslow, Chiswick, Brentford, and Feltham. These centres are specifically referenced in paragraph 3.4 of the SPD as the locations within 400 metres of which HMOs should be situated. The bus services available on Vicarage Farm Road and Great West Road do not result in a PTAL rating of 4 or higher at the site. Therefore, I am unable to conclude that the site benefits from good transport links, as required by Policy SC10.
7. The appellant argues that Policy SC10 does not specify PTAL ratings or designated centres, and that the SPD's reference to a PTAL rating of 4 and proximity to Hounslow, Chiswick, Brentford, and Feltham should be interpreted as a locational preference rather than a requirement. They note that this interpretation would restrict the area of the borough where HMOs could be located to a small area. They further contend that Local Plan Policy SC10, which does not refer to specific PTAL ratings or town centres, should take precedence over the SPD.
8. Local Plan Policy SC10 states that it 'expects' development proposals for HMOs to be located within convenient walking distance of town centre facilities and good public transport links. It is reasonable to conclude that where a proposal fails to meet a stated policy 'expectation', it is considered contrary to that policy. I do not agree with the appellant's interpretation that a policy expectation does not constitute a requirement that development proposals must address in order to comply with the policy.
9. Paragraph 2.7 of the SPD clearly states that it provides additional guidance to Local Plan Policy SC10, meaning that the SPD builds upon and buttresses the Local Plan. The SPD was adopted specifically to provide further guidance on the implementation of Local Plan policies. For this reason, development proposals should address policy requirements in both documents.
10. In summary, the proposal is contrary to Local Plan Policy SC10 due to its location not being within convenient walking distance of town centre facilities and its lack of good public transport links. Specifically, as outlined in the SPD, the site is more than 400 metres from Hounslow town centre and has a PTAL rating of 3, which is below the minimum recommended PTAL 4.

Future occupiers living conditions.

11. Local Policy SC5 of the Local Plan stipulates that dwellings with more than five habitable rooms must provide a minimum of 75 square metres of usable outdoor

amenity space. The Supplementary Planning Document (SPD) further clarifies that this requirement applies to Houses in Multiple Occupation (HMOs) and identifies other requirements. The current proposal does not include any outdoor amenity space and therefore does not comply with these policy requirements.

12. The appellant argues that outdoor amenity space is not required, asserting that the existing and proposed use both constitute dwellinghouses, and thus no material change of use is occurring. They cite the case of *London Borough of Brent v Secretary of State for Levelling Up, Housing and Communities and Anor* [2022], which established that a Class C4 HMO (3-6 residents) can be considered a dwellinghouse. However, the current application seeks permission for a Sui Generis HMO, representing a change of use from Class C3 to Sui Generis. As such, the cited case is not applicable, and the proposal must be assessed against the relevant planning policies for a material change of use.
13. The absence of outdoor amenity space in the existing Class C3 dwelling does not negate the requirement to provide such space in the context of a material change of use. There is no evidence to suggest that the Council is satisfied with the current lack of amenity space, which is likely a legacy of historic planning standards. Regardless, the Council has no control over the existing situation but does have authority over new developments and changes of use.
14. The appellant contends that the provision of outdoor amenity space is not an absolute requirement and should be considered in light of site constraints. They claim it is not possible to provide such space, but no supporting evidence has been submitted. Furthermore, the proposal includes a large single-storey rear extension within the application site boundary. This area could have been designed to incorporate outdoor amenity space, thereby addressing the policy requirement. However, my role is to determine the proposal before me.
15. The proposal includes provision for up to seven standard wheelie bins to be located in the rear yard area to serve residents. The Council considers this to be inadequate provision for waste and recycling facilities and finds that it fails to accord with Local Plan Policies SC10 and EQ7, as well as the SPD. Given the space available in the rear yard, had I been minded to allow the appeal, this matter could have been addressed by means of a planning condition requiring details to be agreed with the Council prior to the occupation of the development.
16. The proposed development fails to provide adequate outdoor amenity space and therefore does not comply with Policy SC5 of the Local Plan or the SPD, insofar as they require schemes to meet the demands of everyday life for the intended occupants and comply with the required standards. While internal living conditions and provision of waste and recycling and cycle storage facilities may be acceptable, the lack of external amenity space undermines the overall quality of the living environment for future occupants.

Surrounding occupiers living conditions.

17. Local Plan Policies CC2 and SC10, along with the SPD, require that proposals demonstrate they will not, either individually or cumulatively with other similar developments in the area, cause serious harm to the character or residential amenity of the locality.

18. I have not been provided with any information about other similar HMO properties in the area. This lack of data prevents a proper assessment of the cumulative impact of the proposal, as required by both Policy SC10 and the SPD. However, this is a location and context characterised by a mixture of residential and commercial properties, and the unit is more suitable for shared occupation rather than as a family home. I also acknowledge the important role that HMOs play in addressing a specific housing need within the Borough and the Greater London area and the proposal would bring an unused property back into active use.
19. For these reasons, I have found that the proposed development would have an acceptable impact on the living conditions of surrounding occupiers and therefore consider it to be in compliance with Local Plan Policies CC2 and SC10 in this regard. It also meets the requirements of the SPD in this context.

Other Matters

20. The proposal provides an adequate standard of internal accommodation for future occupiers in terms of room sizes and shared internal facilities. Sufficient storage areas are provided including cycle parking spaces. I have also not been presented with any evidence that would lead me to conclude that the proposed HMO would be poorly managed. The requirement for a management plan could have been addressed by means of a planning condition, had I been minded to allow the appeal. However, the absence of harm in these respects is not a benefit that weighs in favour of the proposal; rather, it is an expectation of compliance with other local and national planning policies. These considerations do not outweigh the harm identified in relation to the site's location, particularly its access to town centre facilities and public transport, and the inadequate living conditions for future occupiers due to the lack of outdoor amenity space.

Conclusion

21. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations that indicate that the development should be determined otherwise than in accordance with it. Therefore, the appeal is dismissed.

F P Tinsley

INSPECTOR