
Appeal Decision

Site visit made on 27 August 2025

by **F Harrison BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 September 2025

Appeal Ref: APP/A5270/W/25/3366759

72 Conway Crescent, Perivale, Ealing UB6 8JA

- 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 S Taub against the decision of the Council of the London Borough of Ealing.
 - The application Ref is 250414FUL.
 - The development proposed is described as 'retrospective planning for the conversion of the property from a C3 classification single dwelling house to a C4 classification a small HMO'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At my site visit I noted that development has been undertaken, however it appeared different to the scheme shown on the plans and I cannot be sure that the development I observed was in its finished state. As such, for clarity, I have determined the appeal based on the submitted plans upon which the Council made its decision.
3. The appellant contends that the Council's reliance on an Article 4 Direction, removing permitted development rights for the change of use to a house in multiple occupation (HMO) is flawed. Nevertheless, the proposal is before me, which I have assessed against the information submitted by the parties and my site visit.

Main Issue

4. The main issue is whether acceptable living conditions for future occupiers of the proposed development would be provided.

Reasons

5. It is not disputed that the use of the appeal property as an HMO would be acceptable in principle. However, because of the proposed configuration of the internal accommodation the first-floor kitchen would be located within the middle of the property and provide no windows for outlook or ventilation, making it an uninviting space to use.
6. It is suggested that a mechanical extraction system could be installed in the kitchen to remove odours, however no details have been provided. Taking account of the first-floor kitchen's proximity to two bedrooms, it is not known whether a form of mechanical ventilation to satisfactorily remove odours, would have an unacceptable effect on the living conditions of the occupiers of the adjacent

bedrooms regarding noise and disturbance. This is not therefore a matter that can be resolved through the imposition of a planning condition as it would be imprecise, failing to meet the prescribed tests set out in Paragraph 57 of the National Planning Policy Framework (the Framework).

7. There is no communal living room proposed, very limited space within the kitchens for communal dining and the first-floor kitchen would have no outlook or ventilation making it an unpleasant space. As such, there would be limited opportunity for occupiers to interact with one another. There would consequently be a high probability that the future occupiers would spend most of their time within their bedrooms. There may be no explicit policy requirement for internal communal facilities to be provided, however Framework paragraph 135f) requires development to promote health and wellbeing. That would not be the case for the appeal scheme, despite the provision of outdoor communal amenity space.
8. Furthermore, the lack of communal internal space highlights the importance of securing a high quality of accommodation to ensure satisfactory living conditions for the occupiers of the HMO in their private rooms. While it is not disputed that the proposed bedrooms would meet the relevant technical space standards and would achieve satisfactory natural light and ventilation, the ground floor bedrooms would be served by windows onto the front and rear amenity areas and in the case of bedroom 2, proximate to the proposed bike store.
9. This would allow other occupiers to easily see into these bedrooms and the occupiers of the ground floor bedrooms would therefore not be provided with acceptable levels of privacy. Blinds and curtains could be drawn, or screening or partitions installed as suggested by the appellant to address privacy concerns. However, this would result in the occupiers of these bedrooms having a poor, uninviting outlook and could limit the amount of daylight and sunlight entering the rooms, resulting in inadequate living conditions.
10. The appellant indicates they could revise the internal layout to introduce a communal area and relocate the first-floor kitchen to the ground floor. However, I do not have any plans showing this and it would not be appropriate to comment on a scheme I have not seen. Moreover, without clear details there are limited assurances that any changes to the arrangement of internal accommodation would achieve a comfortable and functional layout as required by Policy D6 of the London Plan (2021) (LP). Therefore, I cannot be certain a condition on this matter would overcome my concerns.
11. Given my findings above, the proposal would not therefore meet the provisions of the Housing Supplementary Planning Guidance (2016, updated 2017), which advises that all new housing, including change of use schemes, should provide comfortable and enjoyable places of retreat and privacy.
12. To conclude, the proposed development would not provide acceptable living conditions for future occupiers and would be in conflict with LP Policies D4 and D6. Amongst other things, these policies require housing to be of a high-quality design with layouts that are fit for purpose and meet the needs of Londoners.
13. Reference is also made on the decision notice to the Ealing HMO Standards (2025). The purpose of this document is to form the basis of conditions attached to a licence for an HMO. As Licencing relates to powers under housing legislation, which operate separately to the planning system, the weight afforded to the

guidance as a specific measure for planning purposes is limited. As such this document has not been determinative.

Other Matters

14. While appropriate bin storage and cycle parking could be achieved, this, and any other policy compliance including outdoor amenity space, would be a neutral factor, weighing neither for nor against the proposal. There is support for the appeal development from some in the local community, however this is not a reason, in itself, to allow inappropriate development. The Council's handling of the application has not affected my consideration of the planning merits of the case.

Conclusion

15. My above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR