



Appeal Decision

Site visit made on 30 September 2025

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2025

Appeal Ref: APP/F5540/W/25/3367557

108 Hibernia Road, Hounslow, London TW3 3RN

- 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 Reeve on behalf of Link-Estates Limited against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is P/2025/0952.
 - The development proposed is described as the change of use of part of ground floor class E to a 3-bedroom C3 flat.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has indicated that there is an ongoing Local Plan review. I am not aware of the exact stage it has reached, the extent of unresolved objections or whether the policies concerned will be considered consistent with the National Planning Policy Framework (the Framework). Consequently, in accordance with Paragraph 48 of the Framework, I give it limited weight.

Main Issues

3. The main issues are:
 - The effect of the proposed development on the provision of community facilities in the local area; and
 - Whether the proposed development would provide adequate living conditions for future occupiers, with particular regard to the provision of external amenity space.

Reasons

4. The appeal site comprises a two-storey detached property situated on the corner of Hibernia Road and Grove Road. The ground floor of the building was previously a doctor's surgery, with residential accommodation to the upper floors. The surrounding area is predominantly residential in character, with a mix of semi-detached and detached properties.

Provision of Community Facilities

5. Policy CI1 of the London Borough of Hounslow Local Plan, adopted 2015 (the HBLP) states that proposals that would not re-provide the existing community use elsewhere, at an equivalent capacity that suits existing, and future needs must

meet certain criteria. This includes a requirement that the facility has been vacant or significantly underused for a continuous period of 18 months and is not appropriate for any other community uses as demonstrated by the applicant through evidence of sufficient marketing. It also requires evidence to demonstrate that the facility is no longer required by the body that operate it (for example NHS England), and that robust evidence has shown that the use is no longer required to serve its catchment area.

6. The Council state that the lawful use of the ground floor of the appeal premises is as a Doctor's Surgery, which closed in November 2015 when the GP retired. I understand from the evidence before me that it was subsequently brought into use as a House of Multiple Occupation (HMO) in 2020. However, I also understand that the use of the premises for these purposes is the subject of an Enforcement Notice and subsequent appeal¹, which requires the use as a HMO to cease.
7. The proposed development would involve the change of use of part of the ground floor to provide a self-contained residential dwelling. It would retain approximately 77m² of floorspace for a Class E use, which based on the submitted plans would be converted to provide four offices. The exact use of these offices has not been provided, as this does not form part of the appeal proposal. Overall, whilst retaining some community floorspace, the proposed development would lead to a loss of part of a community facility.
8. The appellant states that since the closure of the doctor's surgery, two large medical facilities have been opened, The Hounslow Centre for Health and the Bath Road Medical Centre, both of which are understood to have capacity for additional patients. However, whilst I accept that the premises has not been in use for community purposes for a significant amount of time and the development of these larger facilities may meet the needs of the local area, there is no robust evidence before me that the premises is no longer required as a doctor's surgery, or other similar use.
9. There is no marketing evidence provided with the current scheme. Whilst the appellant refers to marketing evidence which was considered in respect of the various previous planning applications and appeal decisions, I cannot be certain what information was before the decision maker when the proposals were considered. Therefore, I find that it has not been demonstrated through evidence of sufficient marketing that it is not appropriate for any other community use. Furthermore, it has not been demonstrated that the proposed reduction in floorspace would be capable of continuing to provide a suitable alternative community use.
10. I have had regard to the previous appeal decision² which sought approval for the use of the entire building for a mix of residential purposes, including a large HMO to the upper floors and part of the ground floor, with part of the ground floor retained for offices and an assessment centre. This appeal was dismissed with the Inspector finding harm in relation to living conditions of the future occupiers and highway safety. I acknowledge that this decision found no harm in relation to the loss of a community facility; on the basis that part of the ground floor would be retained for a community use. However, whilst I have been provided with a copy of the decision, I cannot be certain as to the evidence which was presented for

¹ Appeal Ref: APP/F5540/C/24/3338679

² Appeal Ref: APP/F5540/W/21/3288952

consideration as part of that appeal. Therefore, whilst I acknowledge that there are some similarities in that both proposals seek to retain an element of community use on the ground floor, they are different proposals, which must be considered on their own merits.

11. Taking all of the above into account, I find that the proposed development would not re-provide the previous or any alternative community use at an equivalent capacity. Furthermore, the appellant has not demonstrated that the site has been actively and adequately marketed for the required period. In light of this, I conclude that the proposal would result in the unacceptable loss of a community facility and would conflict with Policy CI1 of the Hounslow Local Plan, which seeks to protect such facilities for the benefit of the community.

Living Conditions – Future Occupiers

12. Policy SC5 of the HBLP seeks provision of private external space that is usable and affords privacy and security. For flats, including residential conversions, a minimum of 5m² is required for 1–2-person accommodation, plus an additional 1m² for each additional occupant.
13. The proposed dwelling would have three bedrooms and be suitable for occupancy by up to four persons. As such, it would be family-sized accommodation. Therefore, a minimum of 7m² of private external amenity space should be provided. In addition, for flats, Policy SC5 of the HLP also requires provision of communal amenity space, with a minimum of 30m² to be provided for dwellings with four habitable rooms.
14. The submitted plans show that gardens would be provided to the front and rear of the building, amounting to approximately 62 m². However, I understand from the evidence before me that this would be shared with the occupiers of the upper floors of the building and would not include any additional provision, nor any provision of private external amenity space for the proposed flat. Accordingly, the lack of provision would fail to provide adequate living conditions for the future occupiers of the ground floor flat.
15. My attention has been drawn to another appeal decision³, which sought approval for the change of use of the entire ground floor, together with the first floor and attic floor to provide a large HMO, including extensions. In this particular case, the Inspector found that the HMO would provide adequate living conditions for future occupiers. However, this decision related to the use of the entire building as a HMO which differs from the current appeal scheme and did not specifically consider the provision of external amenity space. It is not therefore directly comparable to the appeal proposal which seeks approval for a family-sized residential unit.
16. My attention has also been drawn to a planning application⁴ which was recently granted by the Council for the creation of a small HMO on the first and attic floors of the appeal building. This proposal included provision of 62m² of external private amenity space, which the appellant states exceeds the minimum requirement of 30m². However, this decision relates to a different type of accommodation and is not therefore directly comparable to the appeal proposal.

³ Appeal Ref: APP/F5540/W/24/3350140

⁴ Planning Application Ref: P/2025/0078

17. Consequently, even if the provision of communal external amenity space would be sufficient, the absence of private external amenity space would fail to provide adequate living conditions for future occupiers. Thus, it would be contrary to Policy D6 of the London Plan 2021 and Policy SC5 of the HBLP, which seek to ensure the provision of adequate private external amenity space, which is usable and affords privacy and security.

Other Matters

18. I have also had regard to the National Planning Policy Framework (the Framework) which promotes the efficient use of land, particularly in support of its aim to significantly boost the supply of housing. However, the Framework also requires sufficient provision of community facilities. Therefore, for the reasons set out above, the harm I have identified in relation to loss of part of an existing community facility and failure to provide adequate living conditions for future occupiers would not be outweighed by the provision of a single dwelling and the effective use of land.
19. The appellant has referred to the need for consistency in decision making and considers that the Council has failed to act in a consistent manner having regard to previous appeal decisions. However, whilst consistency is important, each proposal must be considered on its own merits and based on the evidence provided. Therefore, I have determined the appeal on its own merits having regard to the evidence before me.

Conclusion

20. For the reasons given above, I conclude that the development conflicts with the development plan as a whole. There are no material considerations of sufficient weight which would outweigh that conflict. Therefore, the appeal is dismissed.

K Lancaster

INSPECTOR