



Appeal Decision

Site visit made on 13 October 2025

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2025

Appeal Ref: APP/A5270/W/25/3369232

26 Granville Gardens, Ealing, London W5 3PA

- 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 Shaz Perwaz against the decision of the Council of the London Borough of Ealing.
 - The application Ref is 233734FUL.
 - The development proposed is retention of change of use of single family dwellinghouse to a large House in Multiple Occupation (HMO) comprising 8 bedrooms for up to 10 persons (sui generis).
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Decision

1. The appeal is allowed and planning permission is granted for retention of change of use of single family dwellinghouse to a large House in Multiple Occupation (HMO) comprising 8 bedrooms for up to 10 persons (sui generis) at 26 Granville Gardens, Ealing, London W5 3PA in accordance with the terms of the application, Ref 233734FUL, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawing nos:
PL/A627/07 (EXISTING SECOND FLOOR PLAN)
PL/A627/08 (EXISTING FRONT & REAR ELEVATIONS)
PL/A627/12 (LOCATION & SITE PLAN)
PL/A627/13 REV. C (PROPOSED GROUND FLOOR & BIKE STORE DETAILS)
PL/A627/14 REV. B (PROPOSED FIRST FLOOR PLAN)
PL/A627/16 (SECTION THROUGH LOFT FLOOR)
 - 2) Within 3 months of the date of this decision storage provision for at least 10 cycles shall be provided to accord with London Plan Policy T5, in accordance with details to be first submitted to and approved in writing by the local planning authority. Thereafter the approved cycle storage facilities shall be permanently retained.
 - 3) Within 3 months of the date of this decision, confirmation of amendments to the relevant Traffic Regulation Orders (TROs) or Traffic Management Orders (TMOs) to remove the existing property from the residents parking scheme and as such prevent residents from applying for permits must have been submitted to and approved in writing by the Local Planning Authority.
 - 4) Within 3 months of the date of this decision, refuse and recycling storage shall be provided in accordance with drawing no. PL/A627/13 REV. C. The

refuse and recycling storage facilities shall thereafter be retained for the lifetime of the development.

- 5) The development hereby permitted shall be occupied by a maximum of 10 persons at any one time.

Preliminary Matters

2. The Council have referred to the emerging Draft Ealing Local Plan (2024) (emerging Local Plan) which is understood to have been submitted for examination and so is at a relatively advanced stage. A copy of emerging Policy DAA has been submitted, and this is broadly consistent with the National Planning Policy Framework (the Framework). However, the Council has not advised whether there are any unresolved objections. No further details on the progress of the emerging Local Plan have been provided, and I have little information to suggest when the plan is likely to be adopted or if any policies will be modified. The emerging plan can therefore only be afforded limited weight.

Main Issue

3. The main issue is whether the development provides adequate living conditions for occupiers, with particular regard to noise.

Reasons

4. Policy D14 of the London Plan March 2021 (the London Plan) states that residential proposal should manage noise, including by avoiding significant adverse noise impact on health and quality of life and improving and enhancing the acoustic environment. Policy 7A of the Ealing Development Management Development Plan Document Adopted 10 December 2013 (the DM DPD) indicates that the requirement to properly regulate and ameliorate emissions, including noise, applies also to functionally separate areas within a given development, for instance between separate flats or dwellings.
5. During the application process, the Council's Noise Officer required evidence of enhanced sound insulation between the communal main entrance / stairs / circulation space, and between kitchen / living / dining / bathrooms and bedrooms. In particular, sound insulation to bedrooms that achieves at least 10dB uplift above the recommended Building Regulations value was sought, however this information was not forthcoming. The Council has requested a planning condition to secure this in the event the appeal is allowed.
6. As part of their appeal submission, the appellant has supplied a further report¹ and a Technical Memo², providing detailed sound insulation testing results for floors, ceilings, and walls separating bedrooms from communal living / kitchen areas, in response to the Council's Noise Officer's comments.
7. Airborne sound insulation testing following the procedures and guidance specified within Building Regulations Approved Document E was conducted on site on 22 May 2024 and 28 May 2025. The results show that the criteria set by the Council of achieving a 10dB uplift above the Building Regulations would be achieved in most cases except between bedrooms 5 and 3, and between the kitchen and bedroom 4. The appellant contends that further testing to include all communal

¹ Nova Acoustics, Sound Insulation Testing Report, Job Ref No NP-012726, 28 May 2025

² Nova Acoustics, Technical Memo, Project Ref No NP-012726, 09/06/2025

areas, including bathrooms, entrance areas and stairs is neither practical nor necessary in this case, based on both current Building Regulations and accepted industry practices.

8. The evidence indicates that the minimum requirements of the Building Regulations are exceeded in all cases, and I have not been provided with any planning policy or guidance that would require sound insulation to bedrooms to achieve at least 10dB uplift above the recommended Building Regulations value. Accordingly, a condition to this effect would not be appropriate. There is otherwise no indication that the development has a significant adverse noise impact on health and quality of life of occupiers.
9. I am thus satisfied that the development provides adequate living conditions for occupiers, with particular regard to noise. It is in accordance with Policy D14 of the London Plan and Policy 7A of the DM DPD. These policies, among other provisions, seek to reduce, manage and mitigate noise to improve health and quality of life and ensure that development takes all reasonable steps to ameliorate emissions of any sort and provides all necessary evidence of mitigation that is requested. The development would also comply with Policy DAA of the emerging Local Plan, which seeks to ensure that new development achieves a high quality of environment in itself, including protection of sensitive uses within the development.

Conditions

10. The Council did not provide a comprehensive list of conditions which they consider should be imposed if planning permission is granted. I have nevertheless considered the evidence and representations before me, and have set out a list of planning conditions, having regard to the Planning Practice Guidance (PPG) and the tests for conditions set out in the Framework.
11. As the development has already commenced, the standard time limit condition is not appropriate. It is however necessary to specify the approved plans and to limit the number of occupants permitted, as this provides certainty. Conditions are also required to ensure cycle and refuse storage facilities are installed as proposed in a reasonable timeframe in the interests of the living conditions of occupiers, highway and pedestrian safety, the character and appearance of the area and the sustainability of the development.
12. In this instance, I am also satisfied that a planning condition can be used to ensure the relevant Traffic Regulation Orders (TROs) or Traffic Management Orders (TMOs) are amended to remove the appeal site from the resident parking scheme, in order to negate any harm to the living conditions of neighbouring occupiers or highway safety through increased parking pressure.

Conclusion

13. The development adheres to the development plan as a whole and there are no other considerations that would outweigh this finding. Accordingly, for the reasons given, the appeal succeeds.

Ryan Cowley

INSPECTOR