
Appeal Decision

Site visit made on 16 October 2025

by **J Heppell BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 November 2025

Appeal Ref: APP/E5900/W/25/3370216

6 Woodseer Street, Tower Hamlets, London E1 5HD

- 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 Mosqud Ahmed Latif against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref is PA/25/00690.
 - The development proposed is change of use from Class C4 to hybrid use as C4 and C1 (sui generis).
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Although the appellant's existing plans show seven rooms, in addition to a shared kitchen and three shared toilets, the appellant has confirmed that the room on the lower ground floor is used as a communal living room and that there are only six bedrooms. The Council has moreover confirmed that it has been supplied with six tenancy agreements for the period between 2022 and 2022, corresponding with the property's HMO licence. The parties agree that the existing use falls within class C4, and on the evidence before me I concur with this view.

Main Issues

3. The main issues in this appeal are:
 - the effect of the proposal on the supply of houses with shared facilities in Tower Hamlets;
 - the effect of the proposal on the highway network, with particular reference to servicing arrangements and cycle storage; and
 - whether the proposal makes adequate provision for waste storage.

Reasons

Supply of houses with shared facilities

4. The appeal site is a mid terrace property which is used as a house in multiple occupation (HMO) (sui generis). The proposal is to change its use to a hybrid of sui generis and C1 (hotels, boarding and guest houses). No physical alterations are proposed.

5. It is not in dispute that the property has been in use as a HMO since 2019, and neither party has disputed the lawfulness of the use. As such, Policy D.H7 of the Tower Hamlets Local Plan 2031 Adopted January 2020 (THLP) and Policy H8 of the London Plan March 2021 (LP) are engaged, which together resist the loss of good quality shared accommodation for which there is a need unless the accommodation does not meet the relevant standards or will be replaced. Policy S.H1 of the THLP adds that development resulting in the net loss of residential floorspace will be resisted.
6. The proposal would allow rooms within the house to be used flexibly as short-term accommodation in between long-term lets, at times when they would otherwise be vacant. The appellant has explained that this is a response to the urban rental market, and would allow the structural and functional integrity of the shared living arrangement to be maintained when rooms are vacant. A draft management plan includes a tenancy structure, which is based on the primary use being 6-12 month assured shorthold tenancies, with rooms being let on a short-term basis for between 1 and 28 days during void periods. A short term letting protocol states that a room would only be let when it is vacant and no long-term tenant is confirmed.
7. From my inspection of the property, I consider that it provides good quality shared accommodation, and I have not been presented with evidence that it is substandard. The THLP explains that there is increasing demand in the borough for HMOs, particularly among young people who cannot afford self-contained accommodation. The proposal would introduce visitor accommodation into the HMO, and whilst I recognise the appellant's desire to maximise occupancy within the building, there is a proven need for houses with shared facilities in the borough – which should therefore be protected – as well as a wider demand for housing.
8. Although the appellant has tabled a management plan, there is no mechanism within it to ensure the primacy of long-term lets, meaning that for practical purposes there would be nothing to prevent the building being given over to visitor accommodation. The appellant has offered to be bound by a condition requiring the implementation of the management plan, but my doubts around the feasibility of the plan, coupled with the difficulty of enforcing such a condition on a day-to-day basis, lead me to conclude that such a condition would be ineffective and unenforceable.
9. Policy D.TC6 of the THLP supports short-stay accommodation in specific zones within the borough. Although the appeal site is not located within these zones, there is no indication that visitor accommodation elsewhere in the borough would be harmful. As neither party has provided me with evidence specifically regarding Policy D.TC6, I have not found that the proposal would conflict with the aims of this policy.
10. I nevertheless conclude that the proposal would harmfully reduce the supply of houses with shared facilities in Tower Hamlets, contrary to policies D.H7 and S.H1 of the THLP and Policy H8 of the LP, the aims of which I have outlined above.

Effect on the highway network

11. The Council considers that visitor accommodation could significantly change servicing requirements as regards cleaning, laundry and deliveries, with a resultant potential adverse impact on the operation of the highway if not adequately

managed. In response, the appellant has offered to be bound by a condition requiring a servicing and delivery management plan to be approved and implemented.

12. Whilst visitor accommodation has different servicing requirements to shared housing, and Woodseer Street is narrow and has limited parking opportunities, the scale of the visitor accommodation would be modest, and the Council has acknowledged that servicing arrangements are capable of being managed. Given these considerations, I consider it unlikely that the servicing of the visitor accommodation would impact harmfully on the highway network, provided it is properly managed and, were I minded to allow the appeal, I would have given consideration to imposing a condition to address this matter.
13. Although there is no dedicated cycle storage at the property, visitor accommodation is likely to generate less demand for cycle storage than shared accommodation. In any event, cycle storage could be provided in the rear yard if required, and the appellant has offered to be bound by a condition requiring details of such storage to be submitted and approved. On this basis, I do not consider that this aspect of the proposal would adversely affect the highway network.
14. I conclude that the proposal would not have a harmful effect on the highway network, and would therefore accord with policies D.TR2 and D.TR3 of the THLP and Policy T5 of the LP, which together require development which would have an adverse impact on traffic congestion to deliver effective mitigation measures, and for priority to be given to space for cycle parking.

Waste storage

15. As with servicing arrangements, visitor accommodation could generate different waste storage requirements compared with shared accommodation. However, there is nothing to suggest that adequate provision for waste storage and collection could not be made within the building or rear yard. The appellant has offered to be bound by a condition requiring the submission and approval of a waste management strategy. Such a solution would satisfactorily address the issue, were I minded to allow the appeal.
16. I therefore consider that the proposal would make adequate provision for waste storage, in accordance with Policy D.MW3 of the THLP and Policy SI7 of the LP, which together require new development to have adequate, flexible and easily accessible storage space and collection systems to separate and store waste.

Other Matters

17. The appeal site is located within Fournier Street and Brick Lane Conservation Area. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 places a statutory duty on decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The significance of the Conservation Area derives from the architecturally and historically significant early Georgian buildings around Fournier Street, and the overlapping cultural legacy of three successive groups of immigrants who each made a unique contribution to Brick Lane.
18. The proposal involves no external changes to the building, and the introduction of visitor accommodation would have no adverse impact on the conservation area.

Consequently, there would be no harm to the heritage asset, and the proposal would satisfy the test set by paragraph 215 of the National Planning Policy Framework as well as the statutory test.

Conclusion

19. The proposal would conflict with the development plan as a whole, and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Accordingly, the appeal should be dismissed.

J Heppell

INSPECTOR