
Appeal Decision

Site visit made on 2 September 2025 by S Wilson LL.B. MSc MRTPI

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2025

Appeal Ref: APP/P5870/W/25/3363920

3 Hilliers Lane, Beddington, Sutton CR0 4SU

- 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 Summer Asim against the decision of the Council of the London Borough of Sutton.
 - The application Ref is DM2025/00009.
 - The development proposed is described as: 'change of use from single family dwelling to multiple occupation occupancy.'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the proposed development on 1) the supply of family housing and whether the site is in a suitable location for a House of Multiple Occupation (HMO), and 2) highway safety.

Reasons for the Recommendation

Family Housing/Suitable Location

4. The appeal property (No 3) is a large two storey detached residential dwelling located on Hilliers Lane. The wider area predominantly comprises residential properties.
5. The proposed development involves the change of use of the existing family sized dwelling to a large HMO. The proposed plans show that 8 bedrooms would be provided, and the property could accommodate up to 14 residents in total.
6. The Sutton Local Plan (2018) (the Local Plan) Policy 10 establishes that the Council seek to support conversions in appropriate circumstances, such as where a specific community facility is required, whilst also seeking to resist the loss of existing housing. Policy 10(c) sets out the criteria under which proposals for HMOs of seven people or more would be permitted.

7. One of the criteria for support is that the property for conversion should be located in an Area of Potential Intensification (API). The appeal property is not located in an API, a matter not disputed by the Appellant. Whilst the proposal would only fail to meet that single criteria of Policy 10(c) of the Local Plan, it is an inclusive list. Consequently, the appeal proposal would not be in a location where such uses were supported, and the loss of existing family housing would undermine the Council's housing strategy.
8. I acknowledge that the size and scale of the dwelling may lend itself to the proposed use and that there may not be an increase in the number of residents; however, there is no evidence before me to indicate a specific social need in the community for an HMO in this location and therefore there is no justification to deviate from the development plan.
9. Accordingly, the proposal would conflict with Policy 10 of the Local Plan, insofar as it seeks to deliver Houses of Multiple Occupation within APIs and to resist the loss of family housing.

Highway Safety

10. Hilliers Lane is a heavily trafficked classified highway. There is an existing area to the front laid to block paving that is the width of the appeal site and serves as parking. There is a footway separating the highway and the appeal property with two sections of dropped kerb along its frontage with a small, raised section of kerb splitting those dropped kerbs. There are double red lines directly outside No 3 and the south bound carriageway on Hilliers Lane widens into two lanes directly outside No 3 as it approaches the traffic lights at the crossroads.
11. There would be limited space to manoeuvre a vehicle at the appeal property and it is clear that vehicles would be required to either enter the proposed parking in a reverse gear or exit in a reverse gear. That action would require oncoming vehicles to stop and wait in a heavily trafficked classified carriageway for vehicles to carry out their parking manoeuvre.
12. Whilst the Council and Transport for London have concerns regarding highway safety in this regard, the existing dropped kerbs suggest this is an established access. The evidence is that parking has existed in its current form for a period of time and the Council do not dispute this. At the time of my visit, which I appreciate is a snapshot in time and was during school hours, there were two vehicles parked on the front paved area of the appeal site which were facing forward.
13. The evidence is that the number of parking spaces proposed meets the London Plan (2021) car parking standards for the proposed use and a large family would likely use the parking in the same way and to a similar amount as the proposal. There is no evidence provided to demonstrate that the proposal would not comply with the Local Plan car parking standards. I also note that the vicinity had plenty of parking space at the time of my visit and that there is no evidence of parking stress in the vicinity. Therefore, I do not consider that the parking situation would change above its existing use and consequently, for all the reasons outlined above, the proposal would not increase the danger to highway safety above the existing position.
14. Accordingly, I conclude that the proposed development would not cause an increase in danger to highway safety and would not be contrary to Policy T4 of the

London Plan (2021), and Policies 36 and 37 of the Local Plan, insofar as they seek to provide car parking in accordance with restraint based standards and to avoid harm to pedestrian and highway safety. Nonetheless I have found harm in regard to the location above and the lack of increase in harm to road safety would not outweigh this matter.

Conclusion and Recommendation

15. Section 38(6) of the Planning and Compulsory Purchase Act, 2004 outlines that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
16. The proposed development conflicts with the development plan and there are no identified other considerations, including the National Planning Policy Framework, that outweigh this conflict.
17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

A M Nilsson

INSPECTOR