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## Appeal Decision

Site visit made on 27 November 2025

by **N Unwin BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 December 2025

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**Appeal Ref: APP/A5270/W/25/3372906**

**120 Rydal Crescent, Ealing, Perivale UB6 8EQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
  - The appeal is made by Grolar SPV 25 Limited against the Council of the London Borough of Ealing.
  - The application ref is 251431FUL.
  - The development proposed is described as the change of use of 120 Rydal Crescent from a dwellinghouse (Class C3 use) to a six room/six-person small house in multiple occupation (Class C4 use).
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The application form states that the development has commenced and was completed on the 1st of October 2024. I have determined the appeal on this basis.
3. The appellant did not consider it essential for me to enter the appeal site. I am satisfied that I saw everything I needed from public land and the submitted documents provided all necessary information to determine the appeal.

### Background and Main Issues

4. The appeal relates to a planning application that was not determined by the Council within the prescribed period. I note that the Council would have refused planning permission should it have made a decision on the development. I have had regard to the parties' submissions in establishing the main issues which are:
  - the effect of the development on the character of the area and community cohesion; and
  - the effect of the development on the living conditions of occupiers, with specific regard to internal communal living space.

### Reasons

#### *Character of the area and cohesion*

5. The appeal site forms a two-storey end terraced dwelling adjacent to the highway. The evidence indicates that there is only one registered House in Multiple Occupation (HMO) within the same postcode as the appeal site. Based on the evidence and my own observations, the area is predominantly comprised of single-family homes with comings and goings to these dwellings relatively low and

commensurate with a single-family unit, with family members likely sharing activities, commutes, visitors and deliveries, resulting in a relatively low level of comings and goings. As a C3 dwellinghouse, the appeal property would contribute to the character of the area.

6. The development involves the conversion of the property to a six-person HMO. Each Occupant will attract their own visitors and also have their own deliveries and are more likely to carry out individual activities while at home across a wider range of times. As such, the intensity of use of the appeal property as a HMO, inclusive of the number of comings and goings, is such that it is out of character with the existing nature of the area which is primarily comprised of single-family homes. The low number of surrounding HMO's further exacerbates the development's discordance with the lower intensity character of the area. Furthermore, the occupiers of HMO's can be of a transient nature, eroding the existing community cohesion of single-family dwellings.
7. HMO's are an important part of the broader private rental sector with Policy H9 of the London Plan (2021) (the London Plan) requires Boroughs to take account of the role of HMOs in meeting local and strategic housing needs. Nevertheless, the benefits of a single HMO in this area does not outweigh the above identified harm to the character of the area and community cohesion.
8. As such, the development has an unacceptable effect on the character of the area and community cohesion. Therefore, it conflicts with the relevant provisions of Policy D3 of the London Plan and the Framework. When read together, these require development to respond to and maintain the existing character of an area, functioning well and adding to its overall quality.

#### *Living conditions*

9. The development comprises six bedrooms for single occupants and two shared kitchens forming the only internal communal living areas. The ground floor kitchen is approximately 6.3 square metres and lacks a window. The absence of a window within this room results in it providing no outlook or daylight and sunlight to occupiers. It therefore forms a cooking space but is unlikely to be utilised as a habitable communal living area.
10. The second kitchen is located on the second-floor, benefiting from a window which provides outlook and natural light for occupiers and therefore the only practical communal living space. It is relatively small with a floor area of approximately 6.5 square metres which is further reduced by the white goods and storage necessary for a kitchen. Therefore, this limited floor space makes it impractical and unrealistic for six residents to utilise it at the same time as communal living space, placing an over reliance on their individual bedrooms for day to day living, resulting in an unacceptable standard of accommodation.
11. Whilst the second-floor kitchen has a floor area above the 5 square metres, within the HMO licencing standards that have been provided, these do not form adopted planning policy and relate to separate legislation. Further, it is not clear as to whether the 6.5 square metres is inclusive of the white goods and storage, which would further reduce the floor area.
12. The Council contend that the location of the ground floor bedrooms close to the front and rear gardens results in noise and disturbance and overlooking for the

occupiers when in use. Bedrooms adjoining external amenity areas are common, with the front bedrooms of the appeal property experiencing a certain level of street noise and overlooking from the highway. Given the relatively large size of the rear garden, occupiers could utilise it at a reasonable distance from the rear bedroom windows, reducing the effect of noise and overlooking of the occupiers of these rooms.

13. The Council contend that there is no direct internal access to the rear garden. The appellant states that the rear garden can be accessed via a side entrance. Based on the submitted plans and my site visit observations, there is a shared side access with the neighbouring property providing access to the rear garden. The occupiers of the appeal property could exit the front door and access the rear garden area through the side access. As such, occupiers have convenient access to the rear garden area.
14. For the above reasons, the development has an unacceptable effect on the living conditions of occupiers with specific regard to internal communal living space. It therefore conflict with the relevant provisions of Policy D6 of the London Plan and the Framework. When read together, these require development to provide adequately-sized rooms with comfortable and functional layouts, and a high standard of amenity for existing and future users.

#### **Other Matters**

15. The appellant contends that the development has been built to a high standard with new and modern fixtures and fittings. Nonetheless, this does not outweigh the above identified harm to the character and appearance of the area including community cohesion and the living conditions of occupiers.

#### **Conclusion**

16. For the reasons given above the appeal should be dismissed.

*N Unwin*

INSPECTOR