



Appeal Decision

Site visit made on 16 December 2025

by **P Burley BA (Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5th January 2026

Appeal Ref: APP/T5150/W/25/3375313

736 North Circular Road, Neasden, London, Brent, NW2 7TB

- 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 Mrs Noha Adnan (One Studio) against the decision of the Council of the London Borough of Brent.
 - The application Ref is 25/2189.
 - The development proposed is described as: 'Retrospective application for conversion of dwellinghouse to a 5-bedroom, 6-person HMO (House in Multiple Occupation) and cycle storage to front'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On my site visit I observed that the appeal scheme had been carried out and that it appears to accord with the plans before me. Therefore, I have considered the appeal on the basis that the development has already taken place.
3. The description of development on the planning application form is different from that on the Council's decision notice. Given that I have been provided with confirmation that the appellant agreed to a change to the description of development, I have used the description as set out on the decision notice.

Main Issues

4. The main issues are:
 - whether the appeal site is in a suitable location for use as a house in multiple occupation (HMO); and
 - whether there are acceptable living conditions for the occupiers of the HMO.

Reasons

Suitability of the Site

5. Policy BH7 of the Brent Local Plan (2022) (BLP) states that accommodation with shared facilities, which includes HMOs, must be located in an area with good access to public transport and other amenities, including shops (normally within 400m). Transport for London's PTAL tool provides a means of showing the comparative levels of access to bus and rail services across London, based on the proximity of services and their frequency, ranking locations on a scale ranging

from zero (poor) to 6b (excellent). The Council's Houses in Multiple Occupation Supplementary Planning Document (2022) (HMO SPD) says that in order to meet BLP Policy BH7's criterion relating to good access to public transport, an HMO's PTAL must be a minimum of 3. However, the appeal site has a lower PTAL rating of 2. Furthermore, the Council has noted that the site is located more than 400m walking distance from day-to-day facilities such as shops and the appellant has not refuted this. Therefore, the appeal scheme conflicts with BLP Policy BH7 insofar as it states that development must be located in an area with good access to public transport and other amenities.

Living Conditions

6. The appellant has submitted a fire safety plan and a management plan with this appeal and any refinements could be agreed with the Council by way of planning conditions to ensure compliance with Policy D12 of the London Plan 2021 (LP) and the HMO SPD in respect of fire safety and management considerations.
7. However, the appellant has not addressed compliance with the standards in the HMO SPD and as referred to in the Council's officer report for example in respect of the lack of washing / drying facilities. Furthermore, as is evident from the submitted plans and as I saw when I visited the site, the required amount of communal indoor amenity space has not been provided. Thus, the appeal scheme does not provide an adequate standard of accommodation for all future occupiers and therefore fails to comply with BLP Policy BH7 insofar as it seeks acceptable quality accommodation including in terms of communal facilities in accommodation with shared facilities.
8. The Council's decision notice also refers to BLP Policy BH4 which relates to small housing developments and to LP Policy D6 which relates to self-contained dwellings. However, I do not find these policies to be directly relevant to this issue.

Other Matters

9. Whilst the appellant has said that the Council's reasons for refusing the appeal application are contradicted by its own HMO licencing approval, planning and licencing are separate regulatory regimes and a decision made under one regime does not prefigure or fetter a decision made under the other.
10. The appellant has also noted that the development is car-free, has cycle parking and that other changes have been made such as the removal of gas, the installation of an air source heat pump and fire safety improvements. However, these matters do not outweigh the conflict with policies relating to the location of the development and the quality of accommodation.

Conclusion

11. The appeal scheme conflicts with the development plan when taken as a whole and there are no material considerations which indicate that a decision should be made other than in accordance with the development plan. Therefore, for the reasons given above the appeal should be dismissed.

P Burley

INSPECTOR