
Appeal Decision

Site visit made on 17 December 2025

by H Miles BA (hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 January 2026

Appeal Ref: APP/Y3615/W/25/3370583
17 St Johns Road, Guildford GU2 7UQ

- 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 Mizan Uddin against the decision of Guildford Borough Council.
 - The application Ref is 23/P/01933.
 - The development proposed is change of use to a 7 bedroom HMO and erection of single storey 6m rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. For the avoidance of doubt, the fact that some of the works have been carried out has not had a bearing on this decision.

Main Issue

3. The main issue is the quality of the living conditions for future occupiers with particular regard to communal space.

Reasons

4. The communal space would be accessed via the ground floor lobby. Within this area a fitted kitchen is shown along one wall with a door to a shower room on another side. The plans also show a door to the front ground floor bedroom leading off this space. There would then be a narrow connection to a smaller part of the communal space which would connect to a corridor with another shower room and two bedrooms leading from it.
5. This would be the only communal area for the 7 bedrooms in this HMO. Whilst there is no dispute as to the size of the bedrooms, the evidence does not demonstrate that they would be sufficiently large to provide space for eating, cooking or socialising. Occupiers would be unrelated individuals and as such there would not be an expectation for eating or socialising together. Nevertheless, they would need to prepare separate meals at similar times and individuals would require space away from bedrooms to eat and interact. Therefore, the occupants would be reliant on the kitchen for these activities, which are necessary to health and wellbeing.
6. The L shaped layout of the room with just a narrow access between the two parts would restrict the furniture and activities which could take place in certain areas. Furthermore, there would be two bedrooms and two shower rooms which could

only be reached through this room, one with a door directly onto the space. The room would therefore be required as a thoroughfare which further limits the placement of furniture and function of this area as communal space. Even if the front bedroom door were not used, I am not provided with evidence that the arrangement of this room would enable suitable space, furniture and facilities for the number of bedrooms at this property. Therefore, given the limited size, layout and constraints of the space, the appeal scheme would not provide a high quality or functional communal area or a suitably healthy home for the occupiers.

7. There are no specific size requirements for such spaces in the development plan and I understand that the kitchen is adequately sized for the purposes of an HMO license, however these standards are separate from planning legislation. Developments should ensure a high standard of amenity for future users and Policy D4 of the Guildford Borough Local Plan: Development Management Policies (2023) (DMP) requires high quality design and well designed places including achieving functional, healthy and sustainable homes and buildings, amongst other things.
8. The appellant suggests that there are other HMOs where this layout is found, however I am not provided with evidence of other similar arrangements where planning permission has been granted.
9. Therefore, the appeal scheme would provide an unacceptable quality of living conditions for future occupiers, with particular regard to communal space. As such, it would be contrary to policy D4 of the DMP, the aims of which are set out above.

Other Matters

10. The Thames Basin Heaths Special Protection Area is a habitats site that has a high level of protection. It is designated as it provides a habitat for the internationally important bird species of woodlark, nightjar and Dartford warbler. The Council state that, without any mitigation in place, in combination with other plans and projects, there would be a likely significant effect on the interest features of the site from the proposed development. Notwithstanding this, there is no need to consider the implications of the proposal on the protected site because the scheme is unacceptable for other reasons.

Conclusion

11. The material considerations do not 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.

H Miles

INSPECTOR