



Appeal Decision

Site visit made on 8 December 2025

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2026

Appeal Ref: APP/A5270/W/25/3374867

10 Dane Rd, Southall, Ealing UB1 2EA

- 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 Ahmad Jamil against the decision of the Council of the London Borough of Ealing.
 - The application Ref is 253043FUL.
 - The development proposed is Change of use of sui generis HMO to Short-Term Letting Guest House (class C1).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I am aware that planning permission was granted by the Council for extensions to the dwelling and a change of use of the C3 use to a sui generis use as a nine bed house for up to 10 people living together at the site¹. The appellant's application form however describes the proposal as '*Semi-detached house in residential area. Currently classed as C4. Client seeks Change Of Use to C1(Short Term Letting).*'
3. The parties were asked to confirm whether or not the use of the appeal site has been implemented as a sui generis use. Based on the evidence before me I am content that the extension to the dwelling and its sui generis use has been implemented. Therefore, I have amended the banner heading to reflect a more accurate description of the proposal before met and determined the proposal on this basis.

Main Issues

4. The main issues are whether or not:
 - There would be an adverse effect of the change of use on the living conditions of local residents with regards to noise and disturbance; and
 - Whether or not the proposal would have a detrimental effect on local housing supply.

¹ Application reference 213431ful

Reasons

Living conditions

5. The appeal site is an extended two storey dwelling located close to the amenities of Southall on the east side of Dane Road. It is situated within a double sided and long street of houses of the same typology within an suburban context, and residential in character. The fact the dwelling has a lawful planning use as an HMO that could be occupied by up to ten people across nine bedrooms is a material planning consideration.
6. As a C1 use for up to ten guests at any one time, there would be a significant number of comings and goings associated with the use, and could arise at any time, day or night. Even if managing staff would be available on site 24 hours a day or remotely to deal with issues surrounding the guests, and guests would be met by managing staff and have access to their mobile numbers, managing the behaviours of others cannot be reasonably controlled through the planning system as planning is land-use based.
7. The management company would be subject to separate audits, and the appellant intends to make regular inspections, with CCTV at the site in operation. Restrictions on timings for guests to arrive with key safes available to access the main entrance is noted. Nevertheless, there are limitations as to how effectively and efficiently these measures would be to manage the activities at the site in order to control noise and disturbance levels arising from guests and their activities.
8. The guests within the site would be vetted in advance although how this would ensure the living conditions of the local residents would be safeguarded has not been explained to me. Given the number of guests the site could accommodate, the turnover of guests to the C1 use could be considerable and cannot be controlled through the planning system. Even with two parking spaces to the front of the site, vehicular pickups and drop offs would be likely to be experienced on a regular basis and at any time of the day and night. Therefore, the intensity of the use of the site as a whole in this otherwise densely residential context would be significant. To that end, the living conditions of the neighbouring occupants would be adversely compromised.
9. Turning my attention to the lawful use of the site, there would be an expectation of noise and disturbance arising as a consequence of the comings and goings of occupants and visitors within the HMO. Having said that, a C1 use would be a materially different use and function in a different way to an HMO. A guest house would consist of a transient number of people coming and going on a frequent basis, potentially daily, unlike an HMO whereby it would be a residential home for people to reside on a more permanent basis. People living within an HMO even if on a short-term tenancy basis, contrasts to how a C1 use can operate with the turnover frequent and this intensity and transition of up to ten guests would have a different character to that of up to ten unrelated people living together in an HMO.
10. Therefore, to conclude on this main issue, the proposal would not comply with the aspirations of policies D3 of the London Plan in respect of mitigating noise effects of development, or the National Planning Policy Framework in its aims to safeguard amenity. However, I find no direct relevance to policies D6 and T7 of the London Plan as these relate to housing quality and standards, and car parking, or policy 7B of Ealing Development Management DPD as this relates to design.

Housing supply

11. The appellant contends that there are new dwellings being erected within the local area. Whilst this may be the case, the appellant has provided no evidence to demonstrate the Council can meet a 5 year housing land supply. The Council explain they cannot meet its 5 year housing land supply and therefore I apply considerable weight to this matter.
12. A large HMO contributes to local housing supply. The loss of the dwelling to a C1 use as a guest house would extricate up to ten people living together. This is a large number of people living here as their main residence. A C1 use is not a permanent home. Therefore, the effect on displacing this number of people would be significant. The supply of homes in the Borough should therefore be safeguarded to which an HMO would secure and can contribute to building strong communities.
13. To conclude on this matter, the proposal would be contrary to policy H1 and H9 of the London Plan in so far as securing and protecting housing supply, and the National Planning Policy Framework in its broad aims to maintain an adequate supply of homes. However, I find no direct correlation with London Plan policies D1 and D3 as these are design led policies.

Conclusion

14. The proposed development would lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR