



Appeal Decision

Site visit made on 14 January 2026

by E Everitt BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 January 2026

Appeal Ref: APP/U5930/W/25/3372160

15 Epsom Road, Leyton E10 6ES

- 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 K Abasi against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref is 251575.
 - The development proposed is described on the application form as “retrospective planning application for the change of use from a C3 dwelling house to a C4 House in Multiple Occupation (HMO). The property was originally in C3 use but is currently operating as a C4 HMO for up to six people. This application seeks to regularise the current C4 use through planning permission”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form states that the change of use was started in September 2023 and the description of development refers to the House in Multiple Occupation currently being in operation. I have, therefore, determined the appeal on the basis that the development has already taken place.

Main Issue

3. The main issue is whether the use as an HMO would be acceptable having regard to relevant development plan policies governing such uses.

Reasons

4. The appeal property is an end-of-terrace dwelling. It is located within an area which comprises semi-detached and terraced properties and is residential in character.
5. The appeal proposal is for the conversion of the property into a House in Multiple Occupation (HMO) for up to 6 people.
6. Policy 20 of the Waltham Forest Local Plan Part 1 outlines that the conversion of a larger home(s) to smaller self-contained homes (C3), Houses in Multiple Occupation (HMO) (C4) and Buildings in Multiple Residential Occupation (Sui Generis) will not be allowed where: i. the house has a gross original internal floor space of less than 124sqm; or ii. the proposal will result in the over concentration of HMO conversions in one street or in the wider local area.
7. The Council does not raise concerns about an overconcentration of HMOs. However, the Council has measured the original internal floor area of the property

to be approximately 94 square metres. This floor area is significantly below the required size set out in Policy 20. The proposal is, therefore, contrary to Policy 20.

8. The need for family-sized homes is identified in the Council's Strategic Housing Market Assessment, which underpins the preferred housing mix set out in Policy 15. The Council's Authority Monitoring Report 2022/23 identifies recent underdelivery of 3-bed or larger homes (18% of total delivery compared to a target of 30% in Policy 15). As such, there is evidently a shortfall in the delivery of family-sized homes and, consequently, an ongoing need to retain family-sized homes to support the housing needs of the Borough.
9. The appellant has brought to my attention the Council's Housing Strategy and the need for diverse housing types and smaller, more affordable accommodation identified within this document. However, neither this document nor any other evidence demonstrating the need for an HMO at the appeal property is before me.
10. I do not dispute that HMOs can increase choice in the housing market and, by providing accommodation for single households, relieve pressure for larger homes. They can also make efficient use of land, support the local economy and, as is the case with the appeal proposal, enable the use of an existing building rather than requiring new build construction. Nevertheless, these matters do not lead me to an alternative conclusion on the main issue.
11. The appellant suggests that the limited size of the appeal property and its layout means that it may no longer meet the needs of larger families. No evidence is before me to support this assertion. As such, this matter does not lead me to an alternative conclusion.
12. Taking account of the above, I conclude that the development would not be acceptable having regard to the relevant provisions of Policies 1, 15 and 20 of the Waltham Forest Local Plan Part 1. These policies, among other matters, seek to ensure that development works to the benefit of residents and provides a range of housing, including family homes, to meet the needs of the Borough.

Other Matters

13. The appeal property is located within a Controlled Parking Zone. In this context, the Council requests a Section 106 Legal Agreement to secure the development as car-free with residents not entitled to parking permits. No such agreement is before me. However, as I am dismissing the appeal for other reasons, the decision does not turn on this matter.
14. The Council does not object to the appeal proposal in character and appearance or living conditions terms. From the information before me, I see no reason to disagree with those findings. Ultimately, however, these matters do not lead me to an alternative conclusion on the main issue.

Conclusion

15. For the reasons given above, having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

E Everitt
INSPECTOR