



Appeal Decision

Site visit made on 19 January 2026

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 February 2026

Appeal Ref: APP/Z3635/W/25/3375431

60 Avondale Road, Ashford, Surrey TW15 3HT

- 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 Daniel Moore (AXMO NORTH LIMITED) against the decision of Spelthorne Borough Council.
 - The application Ref is 25/01091/FUL.
 - The development proposed is a first floor rear extension to facilitate a change of use from a 6-person HMO (use class C4) to a 7-person HMO (use class sui generis).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has referred to policies within the draft Spelthorne Local Plan 2022 – 2037. I note that the draft plan is at Examination, and although it is at an advanced stage, at the current time it does not form part of the statutory development plan. Further, I have not been made aware as to whether there are any unresolved objections in relation to the cited policies. I therefore attach limited weight to those policies in my decision.

Main Issues

3. The main issues are:
 - whether the proposed development would provide acceptable living conditions for future occupiers, with regard to the provision of internal communal space;
 - the effect of the proposal on the living conditions of nearby residents, with particular reference to noise and disturbance; and
 - the effect of the proposal on parking provision.

Reasons

Living conditions – future residents

4. The appeal property consists of a semi-detached dwelling which has been converted to a six-person House in Multiple Occupation (HMO). The appeal scheme seeks to construct a first-floor rear extension which would provide an additional bedroom, thereby increasing occupancy to seven people. The proposed internal layout would provide a communal living room and kitchen on the ground floor, as well as another kitchen within the loft space.

5. Even with bedrooms of an acceptable size and with appropriate natural light and outlook, it is reasonable to expect that future residents should have access to a good standard of communal accommodation where to prepare their meals, dine and relax in comfort.
6. The ground floor kitchen would measure some 7.02m². Given its modest floorspace, it is unlikely it would provide adequate space for storage, appliances and food preparation for seven people. The layout of the room would be contrived, which would restrict the ability of multiple people to cook at the same time and, in addition, it would not offer space to accommodate a dining table. While the kitchen within the loft space would provide additional cooking facilities and reduce pressure on the ground floor kitchen, this is also a small room which does not provide space for dining. Therefore, it would not adequately compensate the deficiencies of the ground floor kitchen.
7. The proposed communal living room would be a well-defined room, located between unit 1 and the ground floor kitchen. As this would be an internal room, there would be no window to the outside. Therefore, the room would not benefit from natural light nor ventilation and would likely be an uninviting, oppressive space which would fail to comfortably perform its expected role.
8. Overall, the internal communal space would offer limited opportunities for residents to interact with one another and relax comfortably. There would consequently be a high probability that occupiers would spend most of their time within their bedrooms. As such, the proposal would fail to provide a practical and balanced living environment.
9. While I have not been directed to any explicit policy requirement for communal living rooms to have external windows, or preventing such rooms from relying on mechanical ventilation, the National Planning Policy Framework (the Framework) requires development to promote health and wellbeing. That would not be the case for the appeal scheme, despite the provision of outdoor communal space.
10. Reference is made to the Landlord's guide to standards for HMOs. However, as licensing relates to powers under housing legislation which operate separately to the planning system, the weight afforded to these standards as a specific measure for planning purposes is limited. As such, such standards are not determinative in the context of this appeal.
11. Therefore, the proposed development would fail to provide acceptable living conditions for future occupiers, with regard to the provision of internal communal space. It would be contrary to Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document 2009 (DPD), which amongst other things, requires a high standard in the design and layout of new development.

Living conditions – adjoining neighbours

12. The proposal would result in one additional person living in the HMO, which would inevitably result in some increased activity within the building and externally, including comings and goings, some of which potentially associated with socialising and recreational activities taking place elsewhere.
13. While it may be that occupiers of HMOs largely live independently from one another, with varying routines and schedules, the increase in number of residents

associated with the proposal would be modest and therefore unlikely to result in a level of activity of such a magnitude that would cause undue noise and disturbance to neighbouring residents.

14. Thus, the proposal would have an acceptable effect on the living conditions of nearby residents, with particular reference to noise and disturbance. It would therefore accord with DPD Policies EN1 and EN11, which among other things, support development that achieves a satisfactory relationship with neighbouring properties and seeks to minimise adverse impact of noise.

Parking provision

15. The frontage of the appeal site is laid to hardstanding and has a short stretch of dropped kerb. The appeal scheme would provide two parking spaces within the property's frontage. Many properties within Avondale Road have off-road parking within their frontages. At the time of my site visit there was some availability for parking on the road, although I appreciate this is only a snapshot in time.
16. While future residents are likely to have differing travel needs, the site is in a well-connected area, which would reduce reliance in a private car. In addition, the proposed increase in the number of residents living within the property would be modest, so it is unlikely that the proposal would generate a significantly greater parking demand than the existing use.
17. Given such, I am satisfied that two parking spaces would be adequate to serve the proposed number of residents. Therefore, the proposal would not place undue pressure on the provision of on-street parking in Avondale Road.
18. Accordingly, the proposal would have an acceptable effect on parking provision, in accordance with DPD Policy CC3. This policy seeks to secure appropriate parking for proposed developments, amongst other things.

Other Matters

19. Reference is made to a previous planning application¹ on the appeal site pertaining to the change of use from a six-person HMO to a seven-person HMO which was refused by the Council. While it may be that the proposed internal layout has changed to include a communal living room, as set out above, I find that the appeal scheme would be harmful to the living conditions of future residents in its own right.
20. The appellant suggests that the use of mechanical ventilation and artificial lighting is common in residential development, including HMOs. However, I am not provided with evidence of other similar arrangements where planning permission has been granted.
21. The proposed development includes the construction of a first-floor rear extension, which the Council considers acceptable in terms of scale and design. Based on the information before me I see no reason to disagree with the Council's view on this matter.

¹ LPA Ref 25/00714/FUL

Planning Balance

22. The proposal would have an acceptable effect on the living conditions of the adjoining neighbours and on parking provision. However, these are neutral matters rather than ones that carry positive weight for the development.
23. The proposal would make a positive contribution to the housing choice within the Borough. It would provide affordable accommodation in an accessible location close to public transport and some local services. Nevertheless, given the modest scale of the proposal, its associated benefits would be limited and insufficient to outweigh the significant harm to the living conditions of future occupiers as I have identified above.

Conclusion

24. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

P Terceiro

INSPECTOR