



Appeal Decision

Site visit made on 13 October 2026

by Siobhan Watson BA(Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 October 2026

Appeal Ref: APP/F5540/C/25/3360814

10 The Warren, Hounslow, TW5 0JN

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr Parvsha Shah against an enforcement notice issued by the Council of the London Borough of Hounslow.
- The notice was issued on 17 January 2025.
- The breach of planning control as alleged in the notice is: The unauthorised conversion of an outbuilding as a separate self-contained unit.
- The requirements of the notice are: i) cease the use of the outbuilding as a separate self-contained residential unit; ii) Remove the kitchen and kitchen associated facilities (including cooker, extractor fan, worktop, kitchen sink, benchtop and cabinets etc. In addition to the above items, all water and gas supply piping and all waste connections); iii) Remove the bathroom and bathroom associated facilities (i.e. shower/bathing facilities, WC, wash basin and pedestal. In addition to the above items all water piping and all waste connections); iv) Remove all resultant debris from the land.
- The period for compliance with the requirements is: 3 months.
- The appeal is proceeding on the grounds set out in section 174(2)(a) and (d) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Decision

1. It is directed that the enforcement notice is corrected by the deletion of the word “conversion” and the substitution of the word “use” in the allegation. Subject to the correction, the appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended) for the development already carried out, namely the conversion of an outbuilding as a separate self-contained unit at 10 The Warren, Hounslow, TW5 0JN as shown on the plan attached to the notice and subject to the following condition:

- 1) Within 3 months of the date of this decision a scheme for the parking/storage of one bicycle which includes proposals for a covered area, locking facility, and a timetable for its implementation, shall be submitted, for approval in writing, to the local planning authority. The cycle parking/storage shall be implemented in accordance with the approved timetable and shall thereafter be kept available for the parking/storage of bicycles.

REASON: To encourage sustainable transport choices.

Procedural Matters

2. The National Planning Policy Framework has been revised since the appeal was made but as the revisions do not make any material difference to my decision I have not sought comments from the parties.
3. The word “conversion” in the allegation does not fall within the definition of development. I can substitute it for the word “use” without injustice to the parties.

Reasons

The appeal on ground (d)

4. An appeal on ground (d) is that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters.
5. The time limits for the development to become immune from enforcement if no action is taken is either (a) within 10 years for an unauthorised change of use to a single dwellinghouse where the change of use took place on or after 25 April 2024 or (b) within 4 years where the change of use took place before 25 April 2024. The use must have been continuous.
6. The Council say that they found a tenant in the unit on 28 October 2022 so the use must have continuously subsisted for 4 years before the date of the enforcement notice which was issued on 17 January 2025.
7. There are various invoices for building works associated with the conversion dated between 31 March and 30 November 2015.
8. The appellant says that the building was rented to Mr Ali on 1 April 2018 until January 2020. Then it was occupied by Mr Parshva Shah until May 2024 and then it was occupied by the current tenant Ms Salhotra.
9. The following assured shorthold tenancies have been submitted:
 - Pritpal Sohanpal from 1 April 2017 to 31 March 2018.
 - Ahmed Ali from 15 April 2018 to 14 January 2020 (over two ASTs).
 - Parshva Shah (the appellant) from 1 February 2020 to 31 January 2021.
 - Yasmin Salhotra from 1 June 2024 to 1 January 2025.
10. However, the statutory declaration of Preeti Shah, the owner of the property, said that her son, Parshva Shah (the appellant), got married and moved into the outbuilding with his wife in January 2018. She said that his wife moved out in March 2021 and the son remains living in it.
11. The returned Planning Contravention Notice was filled in by Parshva Shah in December 2023, who said that he had lived in it since 3 January 2018. However, the Council say that they found a female tenant living in it on 28 October 2022. The Council also say that in February 2024, they undertook a site visit and found that the main house was being lived in by tenants and the outbuilding was occupied by the owner and her son (the appellant).

12. All of the above information is conflicting. On the one hand the owner's son had lived in it since 2018 but on the other hand, there have been various tenants since then. Two different stories have been presented.
13. For the above reasons, and, on the balance of probability, the evidence does not precisely and unambiguously demonstrate that the use of the building as a separate self-contained dwelling has continuously subsisted for a four-year period before the date of the notice. Therefore, the ground (d) appeal fails.

The appeal on ground (a)

14. The main issues are the effect of the use of the outbuilding as a separate dwelling on (a) the living conditions of the occupiers of nearby dwellings and (b) the character and appearance of the area; and (c) whether there is adequate provision for the storage of waste and bicycles.

Living conditions

15. The Council argues that the additional comings and goings would cause noise and disturbance to neighbours and that there would be a perceived loss of privacy because there is no screening.
16. The outbuilding is at the end of a long garden and is accessed via a pedestrian side gate. At my visit I saw that the outbuilding is a small one-bedroom unit with a compact combined sitting, dining and kitchen area. It is suitable for just one or two people due to its small size. There is a small patio area in front of it with some garden furniture.
17. Given that it is suitable for just one or two people, and there are lots of other dwellings around it, I do not consider that the additional activity could be particularly disturbing for neighbours. Given the large size of the garden to the main house, I do not consider that the residential use would be an over intensification of the land.
18. Furthermore, the adjoining garden at No.10 has an outbuilding with a conservatory right next to the appeal outbuilding. Therefore, it appears that there is living accommodation of some sort adjacent to the unit.
19. The Council do not explain what privacy would be perceived to be lost. The side boundaries to the garden leading to the outbuilding are marked by fences and a wall, which in combination, range from between about 1.5m to 1.75m high. Given that the garden can be used by the residents of the main house anyway, I do not consider that there is any loss of privacy to adjoining occupiers. There is a bedroom window in the side of the outbuilding facing the rear garden of No 12 but I noticed that No 12 has an almost finished outbuilding next to the appeal outbuilding and this has no windows in the side. The window is partly screened by the boundary wall as well. For these reasons, I do not consider that there is any loss of privacy or perceived privacy to neighbours.
20. I conclude that there is no harm to the living conditions of neighbouring occupiers. Therefore, there is no conflict with Hounslow Local Plan (LP) Policies SC7 and EQ5. In combination these seek to protect the amenities of neighbouring residents.
21. I note that the Council's Residential Extension Guidelines say "*any application that proposes an independent residential unit or has been designed in a way that may*

*facilitate future use in such a manner will be refused due to impact on neighbours*¹. However, I have found that it does not have an adverse impact on neighbours, so there can be no conflict with this.

Character and appearance

22. The Council says that the self-contained unit results in the loss of the suburban character to the host building and its surrounding area because the surrounding area is characterised by single family dwellings with long rear gardens.
23. Only the use of the building is enforced rather than the building itself. Regardless of the outcome of the appeal, the building will remain and so will the long rear garden. The Council has not elaborated on why the use changes the character of the area.
24. I therefore conclude that there is no harm to the character and appearance of the area. Therefore, I find no conflict with LP Policies CC1 and CC2 which seek to protect character and appearance.

Waste and cycle storage

25. The Council are concerned that there is no provision in the layout for sorting, recycling and processing waste and that there are no cycle parking facilities on site.
26. Recycling containers were neatly stored next to a tool shed and were screened from next door by the garden fence. It was obvious from my site visit that there is plenty of space in the layout for a bike and some bins. A small one-bedroom home is not going to generate a lot of waste and there will certainly be no need for “processing” waste. The normal arrangement for residential development is that waste gets processed after it gets taken away – not on site. A condition can require details for secure cycle parking.
27. I therefore conclude that there is adequate provision for waste and cycle storage. There is no conflict with LP Policy EC2 which seeks to encourage the use of cycling as a mode of transport.
28. LP Policy EQ7 is related to strategic waste facilities rather than the layout of individual sites.

Conclusion on ground (a)

29. Policy SC1 (q) maintains a presumption against the development of self-contained residential units within the curtilage of existing dwellings where the proposal would be in conflict with other policies in the plan. However, I have not found conflict with other policies. The development accords with the development plan as a whole.

Conclusion

30. For the reasons given above, I conclude that the appeal succeeds on ground (a). I shall grant planning permission for the use as described in the notice. The enforcement notice will be quashed.

Siobhán Watson

INSPECTOR

¹ p27