



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon Appeal Statement

Appeal By: Mr Mundae

Proposal: Proposed internal alterations to convert a single dwelling (Class C3) to 5 bedroom, 8 person HMO (Sui Generis use)

Appeal Site: 47 Hanover Circle, HAYES, UB3 2TJ

Our Ref:
Your Ref:

51063/APP/2025/1399
APP/R5510/W/25/3372543

1. Introduction

- 1.1 This appeal statement is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in respect of the appeal against its refusal to grant permission for proposed internal alterations to convert a single dwelling (Class C3) to 5 bedroom, 8 person HMO (Sui Generis use).
- 1.2 The LPA refused planning permission on 23rd July 2025 for the following reasons (as stated on the decision notice):
 1. The development, by virtue of the loss of the existing family dwelling, would conflict with the Borough's strategic housing goal of safeguarding family dwellings and the proposed change of use to a Large House in Multiple Occupation (HMO) would be harmful to the area's character. Consequently, the principle of development is considered to be unacceptable. The proposal is, therefore, contrary to Policies DMH 1 and DMH 5 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the National Planning Policy Framework (2024).
 2. The proposal has failed to demonstrate that sufficient off-street parking and secure cycle storage would be provided, as required by the local parking standard for the proposed occupancy level. The proposal has the potential to lead to undue on-street parking displacement to the detriment of parking capacity and safety on the local public highway, contrary to Local Plan: Part 2 Development Management Plan (2020) - Policies DMT 1, DMT 2 & DMT 6 (Appendix C) and Policy T4, T5 and T6 of the London Plan (2021).
 3. The applicant has failed to demonstrate that the proposal and the high number of potential occupants would not result in noise and general disturbance to neighbouring properties alongside a harmful over-intensification of the use of the site (through additional comings and goings generated by the additional occupants), detrimental to both the occupiers and neighbouring properties and the residential amenity of the area. The proposal is, therefore, contrary to Policies DMH 5, DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D13 of the London Plan (2021) and Paragraph 135f) of the National Planning Policy Framework (2023).
- 1.3 The LPA's case is set out in the Planning Officer's delegated report, which should be read in conjunction with this statement. A copy of the delegated report is provided at Appendix 1.
- 1.4 This statement will not repeat the delegated report and will focus on addressing matters raised in the Appellant's statement of case.

2. LPA Comments on Appellant's Statement of Case

- 2.1 The appellant Statement of Case advises that the council acknowledges that there are already HMOs at numbers 49 and 51, so the use is a feature of the area. There are no material changes to the exterior to the building, and it will not be obvious to a casual observer that the house is not in use as a family home.
- 2.2 Officers consider however that the proposal conflicts with the requirements of Policies DMH 1 and DMH 5 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the National Planning Policy Framework (2024). in that both Numbers 49 and 51 Hanover Circle are registered small HMO's (up to 6 residents). The proposal would therefore result in an over-concentration of HMO or sui-generis uses in the immediate area. the development would result in the loss of the 6 bedroom family home, which conflicts with the Borough's strategic housing goal of safeguarding and providing family sized dwellings. The specific harm associated with the nature of the use is addressed below and the harm to the character of the area and residential amenity of neighbouring properties would only be exacerbated given the overconcentration of similar uses in the area.
- 2.3 The council argues that while the appellant claims to retain two on-site car parking spaces, the proposed layout changes would reduce this to only one practical parking space, because the new fencing would prevent the second vehicle from entering and exiting easily. The appellant disputes this assessment – the plans clearly show that there is sufficient space for two vehicles. In addition, the appellant argues that the Transport Statement submitted with the application shows ample on-street parking capacity, capable of coping with any overspill parking that might be associated with the development.
- 2.4 The Councils Highways officer maintains the view that under the proposals the layout is changed with the placing of fencing reducing the scope of a vehicle being parked further in which would allow the second vehicle parked parallel with the highway can enter and egress easily, under the proposed layout this is not possible and may require numerous manoeuvring, leading to perpendicular to the highway vehicle having to be removed before the other (parallel) can enter or egress. which is not acceptable on practical and safety grounds. Therefore, only 1 car parking space on site can be considered. Heavy and inconsiderate footway parking takes place around the vicinity of the site, given most people prefer to park in front or as close to their dwellings, the proposal could result in overspill of 4 or more cars parking onto the public highway leading to inconsiderate and illegal parking, creating nuisance and stress to local users parking demand, particularly in a location with a sharp bend in the road opposite a junction, prejudicial to highway safety due to all the conflict points. With the property being occupied by up to 8 persons, it would be possible that all occupiers may own a vehicle in an area where no on-street parking controls exist to prevent significant overspill parking from occurring. Whilst the applicant has used the Lambeth parking survey methodology however given the site-specific highway conditions that exist combined with the current level of parking stress, any overspill impact from the proposed development will exacerbate existing highway safety concerns.

- 2.5 The Council maintains that the proposal conflicts with London Plan Policy T2, T4 T5 and T6: and London Borough of Hillingdon Local Plan Part 2 - Development Management Policies Policy DMT 1, DMT 2; DMT 5: and DMT 6; as well as Paragraphs 115 and 116 of the NPPF 2024.
- 2.6 In response to refusal reason 3, the appellant considers that the council's assertions in terms of intensification of use are exaggerated and unsubstantiated. There is no reason to expect 'fundamental' changes to the pattern of use of the building, or disruptive activity "at all times of day and night. The council does not explain why a HMO with between 5 and 8 residents will necessarily cause unacceptable harm relative to the use of the building as a 6- bedroom family home (likely to be occupied by a larger family). It is not sufficient to argue that all HMOs, by their very nature, cause such concerns – there is no support in policy for a moratorium on HMOs on this basis.
- 2.7 The Council would draw the Inspectors attention to Policy DMH 5 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that:
A) In all parts of the Borough Proposals for the provision of large HMOs, residential hostels, student accommodation and secure accommodation will be required to demonstrate that:
i) there is good accessibility to local amenities and public transport;
ii) they accord with the Accessible Homes standards and provide satisfactory living conditions for the intended occupiers; and
iii) there will be no adverse impact on the amenity of neighbouring properties or the character of the area.

The supporting text to Policy DMH 5 also states - "intensive occupation of former family dwellings such as those used for student accommodation or as a HMO can have negative impacts on residential amenity within an area through increases in on street and off-street parking, loss of front gardens, reductions in levels of privacy, alterations to the exterior of buildings and increased generation of refuse".

- 2.8 The proposed development includes no changes to the bulk, size, height or position of the existing building and no external changes are proposed to its fenestrations. The existing building provides 6 bedrooms (2 double and 4 x single). (8 persons). The submitted plans indicate that the HMO would be occupied by up to 8 persons. This is similar to the potential occupation as a single private dwelling. Given the nature of the proposed occupation of the property however, this would result in a greatly increased number of comings and goings from the site. This would likely include movements on foot and by car throughout the day and night and it is considered that the over-intensification of the site would be to the detriment of the neighbouring properties along this quiet residential street, through the resulting additional levels of noise and disturbance.
- 2.9 This view is further supported by an appeal Inspector in consideration of appeal reference APP/R5510/W/25/3360554 in respect of the refusal of planning application reference 20650/APP/2024/1895 for the change of use from single Dwelling (Class C3) to 6-bed HMO (Class C4) at 5 Crossway, Hayes in August 2025. A copy of the appeal decision is attached as Appendix 3. The appeal Inspector advised:

“The use of the building at number 5 Crossway as a House in Multiple Occupation would be very likely to amount to a more intensive use than use as a family dwellinghouse (or a dwelling occupied by not more than six residents living together as a single household), because of the potential numbers involved and the different movement patterns of people living independent lives. This more intensive use would be likely to generate greater levels of disturbance for neighbours and I am persuaded that the change for which planning permission is sought would amount to an over-intensification of development on the site that would also harm the character of the area.”

- 2.10 The above appeal highlights the potential impact that large HMO uses within may have on the residential amenity of the surrounding properties. The appellants SOC dismisses the relevance of this appeal, however 5 The Crossway is in a similar residential neighbourhood to the appeal property, and both the appeal plans and the plans for the dismissed appeal at 5 The Crossway relate to large HMO's. The Council therefore would emphasise that there are material similarities. The number of residents proposed within the building would be substantially more than if a single family were to occupy the dwelling and therefore the impact on neighbouring occupiers, in terms of vehicle movements, movements of residents at all times of the day and night and consequently noise and disturbance would be greater than could reasonably be expected if the property were occupied by a family and thus the proposal is considered, on balance to have an unacceptable and undue impact on existing residential amenity in terms of noise and disturbance.

3. Conclusion

- 3.1 For the reasons set out in the delegated report and this statement, the Council considers that the proposed. The Inspector is therefore respectfully requested to dismiss the appeal.
- 3.2 In the event that the Inspector considers the appeal should be allowed, and without prejudice to the Council's case, a list of recommended planning conditions is included at Appendix 2.

Appendices

Appendix 1 – Planning Officer's Delegated Report

Appendix 2 – The LPA's Recommended Conditions

Appendix 3 – Appeal Decision (APP/R5510/W/25/3360554) – 5, The Crossway, Hayes.