



Appeal Statement

Change of use from dwelling (C3)
to 8-person HMO (Sui Generis)
AT
47 Hanover Circle,
Hayes UB3 2TJ

Reference:
47HC-2825

Date:
29 August 2025

1. Introduction

- a. This Appeal Statement has been prepared by Just Planning on behalf of Mr Mundaie to support an appeal against the decision of London Borough of Hillingdon to refuse planning permission for the change of use of 47 Hanover Circle from a single family dwellinghouse into a 5-bedroom, 8-person house in multiple occupation (HMO).
- b. Following a description of the site and surrounding area, the report describes the proposal, considers the planning history and outlines the case for the appellant.
- c. It will be demonstrated that the proposal complies with relevant local and national policies and that planning permission should therefore be granted.

2. Background

- a. On 16 May 2025, the appellant submitted an application (reference: 51063/APP/2025/1399) to London Borough of Hillingdon. The proposal was given the following description:

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

- b. In a Decision Notice dated 23 July 2025, the Local Planning Authority (LPA) advised that the application had been refused, for the following reasons:

- 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).

3. Site Description

- a. The appeal property is a two-storey, semi-detached house located on a corner plot on Hanover Circle. It is twentieth century in design, with pebble-dashed elevations, a front bay window and enclosed porch and a hipped, tiled roof. The front of the house is shown in the image in figure 1, below.



Figure 1: Image of the front of the appeal property.

- b. The house has a two-storey side and rear extension and a single-storey rear extension. It is currently laid out with reception rooms on the ground floor, along with an en-suite bedroom, and five bedrooms on the first floor.
- c. The house has a rear garden with an outbuilding. There is off-street parking to the front, accessed via a crossover from Hanover Circle.
- d. The surrounding area is predominantly residential in character. The streetscene is diverse in character and appearance with a mix of dwelling sizes and architectural designs.

- e. There are no listed buildings on the site, and it is not located in a designated conservation area. It is not affected by any other planning constraints.
- f. The site has a public transport accessibility (PTAL) of 2, indicating poor accessibility by public transport.

4. Appeal Proposal

- a. The appeal proposal is for the change of use of the dwelling to a 5-bedroom HMO, for a maximum of 8 residents.
- b. The proposed accommodation would include 5 bedrooms in total, comprising 3 double bedrooms for 2 persons each and 2 single bedrooms for 1 person each, allowing for a maximum of 8 occupants.
- c. Each bedroom would have its own en-suite bathroom, and residents would share a communal kitchen/living/dining area of 29sqm and a laundry room of 5sqm.
- d. The two existing off-street car parking spaces would be retained, and 8 secure cycle parking spaces would be provided using metal bicycle lockers.
- e. External changes are minimal and involve only reducing the width of 3 existing window openings, with no alterations to the building's height, depth, width, or overall design.
- f. This proposal represents a resubmission of a previous application that was refused in November 2024 (reference: 51063/APP/2024/2609). The current scheme has been amended to reduce the number of bedrooms from the previously proposed 8 bedrooms to 5 bedrooms.

5. Planning Policy

- a. Planning law states that decisions on planning applications must be taken in accordance with the statutory development plan unless material considerations indicate otherwise. The relevant parts of the development plan for the area are the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).
- b. According to the decision notice, the development fails to comply with policies DMH 1, DMH 5, DMHB 11, DMHD 1, DMT 1, DMT 2 and DMT 6 (Appendix C) of the Development Management Policies, policies D3, D13, T4, T5 and T6 of the London Plan and the provisions of the National Planning Policy Framework (the NPPF, 2024).

- c. Part A of policy DMH 1 (Safeguarding Existing Housing) states that:

"The net loss of existing self-contained housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent residential floorspace."

- d. Part B relates to the subdivision of dwellings (into flats) and is not relevant to the appeal proposal.
- e. Paragraph 4.3 of the supporting text states that:

"In order to meet projected housing needs, the Council aims to resist the loss of residential accommodation within the Borough by means of Policy DMH 1: Safeguarding Existing Housing. For the purposes of this policy, residential accommodation includes Houses in Multiple Occupation (HMOs), student accommodation and other uses falling into Use Classes C3 and C4."

- f. Since the proposal is for the change of use of one kind of residential accommodation to another, there is no loss of residential accommodation and policy DMH 1 is not relevant to the appeal proposal.
- g. Policy DMH 5 (Houses in Multiple Occupation (HMOs) and Student Accommodation) states that:

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.

h. Paragraph 4.13 of the supporting text acknowledges that:

"Large homes in multiple occupation (HMOs) and hostels can contribute to the overall supply of cheaper accommodation, particularly for students, young people and those on low income."

i. Policy DMHB 11 (Design of New Development) requires that all development exhibits a high quality of design. It should relate well to its immediate surroundings in terms of its scale (including height, mass and bulk), plot sizes, building lines and detailed architectural design.

j. Part B of the policy states that:

"Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space."

k. Part D states that:

"Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours."

l. Policy DMHD 1 relates to householder extensions and alterations and does not appear to be relevant to the appeal proposal.

m. Policy DMT 1 (Managing Transport Impacts) states that development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

n. Policy DMT 2 (Highways Impacts) states that development proposals must ensure that safe and efficient vehicular access to the highway network is provided; they do not contribute to the deterioration of air quality, noise or local

amenity or safety of all road users and residents and that safe, secure and convenient access and facilities for cyclists and pedestrians are satisfactorily accommodated in the design of highway and traffic management schemes.

- o. Policy DMT 6 (Vehicle Parking) states that development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.
- p. For HMOs specifically, the parking standards in Appendix C state:

"For a HMO with up to 6 occupants: 1 space per 2 occupants. For HMOs over 6 occupants, car parking requirements will be assessed through a transport appraisal and travel plan."

- q. The London Plan is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over a period of 20-25 years.
- r. Policy D3 of the London Plan seeks to *"make the best use of land by following a design-led approach that optimises the capacity of sites"*. Part C of the policy states that the *"incremental densification of sites should be actively encouraged"*. The policy goes on to state that development should represent a high quality of design and respect and reflect the character of the area. It should also protect the residential amenity of close neighbours.
- s. Policy D13 requires that development proposals minimise noise pollution.
- t. Policy T1 sets a Strategic approach to transport, stating that development proposals should facilitate the Mayoral strategic target of 80% of all trips in London to be made by foot, cycle or public transport by 2041.
- u. Policy T5 requires that development proposals help remove barriers to cycling through the provision of appropriate levels of cycle parking, which should be fit for purpose, secure and well located. Development should provide cycle parking at least in accordance with the minimum standards within the plan.
- v. Policy T6 states that car parking should be restricted in line with levels of existing and future public transport and connectivity. Policy T6.1 defines maximum parking standards.
- w. Policy GG4 seeks the delivery of new homes. The policy requires a mix of homes, including specialist housing (such as HMOs).

- x. Section 3.4 of the Mayor's Housing SPG relates to HMOs. Paragraph 3.4.1 states that HMOs:

"are a strategically important housing resource, providing flexible and relatively affordable accommodation through the private market. outside London they are sometimes associated with concentrations of particular types of occupier e.g. students, leading to concerns about the social mix of some localities. In London, the occupier profile tends to be more broadly based and HMOs play a particularly important role in supporting labour market flexibility (especially for new entrants), and in reducing pressure on publicly provided affordable housing."

- y. The SPG goes on to say that reasonable quality HMOs should be protected.
- z. The National Planning Policy Framework (NPPF), adopted on 12 December 2024, sets out the government's national planning policies and how these policies should be applied. It identifies a presumption in favour of sustainable development. Development is sustainable when it meets the economic, social and environmental needs of a community.

- aa. According to paragraph 39:

"Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."

- bb. Paragraph 61 seeks to address the *"needs of groups with specific housing requirements"*. According to paragraph 63:

"the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies"

- cc. Chapter 5 sets out the government's objective *"of significantly boosting the supply of homes"*.

- dd. Chapter 11 encourages developers and local planning authorities to *"make effective use of land"*. Part (d) of paragraph 124 promotes *"the development of under-utilised land and buildings"*.
- ee. Chapter 12 requires good design. Paragraph 131 describes the *"creation of high quality, beautiful and sustainable buildings and places"* as *"fundamental to what the planning and development process should achieve"*.
- ff. Paragraph 130 requires that densities be maximised, to *"ensure that developments make optimal use of the potential of each site"*.
- gg. According to paragraph 135, developments must *"function well add to the overall quality of the area"*, be *"visually attractive as a result of good architecture"*, be *"sympathetic to local character and history, including the surrounding built environment"* and provide *"a high standard of amenity for existing and future users"*.
- hh. Paragraph 116 states that:
- "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*

6. Case for the Appellant

- a. In its first reason for refusal, the council objects to the loss of family housing and argues that the creation of a larger HMO would harm the character of the area.
- b. It quotes policies DMH 1 and DMH 5 of the Development Management Policies, as well as unspecified provisions of the NPPF. However, none of these policies discourages the change of use of family homes into HMOs.
- c. Policy DMH 1 seeks to protect residential uses, but the policy's supporting text makes clear that the council considers both family houses and HMOs to represent residential uses, so a change from one to the other would not be contrary to the policy.
- d. Policy DMH 5 relates specifically to HMOs and outlined the circumstances in which they will be allowed. Nowhere in that policy does it say that HMOs will not be permitted where they represent the loss of a family home.
- e. In fact, the supporting text to the policy (in paragraph 4.13) expresses general support for the 'cheaper accommodation' provided by HMOs.
- f. Policy DMH 5 does say that HMOs will not be permitted where they harm the character of the area. It is not clear from the analysis in the officer's report why the council believes that the change of use would harm the character of the area.
- g. The council acknowledges that there are already HMOs at numbers 49 and 51, so the use is a feature of the area. This is a residential area, but a HMO is residential use. 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.
- h. In its second reason for refusal, the council argues that the proposal makes insufficient provision for car and cycle parking.
- i. 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.

- j. In any case, 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.
- k. The parking survey results show parking stress at 75%, considerably lower than the 85% 'high stress' threshold. It reports that there are 35-36 vacant parking spaces available on peak nights. It is clear that the surrounding streets can accommodate any additional parking that might be associated with the change of use.
- l. Even under the council's worst-case scenario of 4 additional vehicles requiring on-street parking, stress would only reach 77.5% - still comfortably below problematic levels.
- m. The TRICS analysis in the Transport Statement deliberately overestimated trip generation by using flat-based data rather than HMO-specific rates. The assessment shows a net increase of only 11 daily vehicle trips compared to the existing dwelling, representing minimal additional demand on the local network.
- n. Local census data shows 68% of households own one car or fewer. HMO bedrooms typically generate lower car ownership than standard flats due to the transient nature and demographics of occupants. The council's assumption that all 8 occupants would own cars is unrealistic and unsupported by evidence.
- o. The appellant notes that the area is well served by public transport, with access to multiple bus routes (H98, 278, 427, SL8 Superloop) and cycle accessibility to Hayes & Harlington Station. The PTAL rating of 2 doesn't reflect recent TfL Superloop improvements.
- p. The council objects to the proposed cycle provision but the plans clearly show cycle parking spaces provided. If the inspector is not satisfied with their design or siting, further details can be secured by condition.
- q. In its final reason for refusal, the council argues that the change of use would harm neighbours through noise and disturbance associated with the additional comings and goings generated by the additional occupants.
- r. In the appellant's view, the council's assertions 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"*.

- s. The appellant notes that 8 is the maximum number of residents, giving him the flexibility to rent to couples if they should apply to rent one of the larger rooms. It does not mean that the building will always have 8 residents and may have as few as 5 residents.
- t. 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). The officer's report acknowledges that:

"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."

- u. Because of its size, a large, single household could occupy the appeal property. This could include some variation in pattern and activity undertaken by different generations of a family, for example parents going to work and separate activities associated with children and their schooling.
- v. 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 – a site and case specific reason must be given.
- w. The council does not rely on any policies or supplementary guidance setting a threshold above which HMOs are likely to cause unacceptable levels of noise and disturbance.
- x. The appeal site is not a particularly sensitive location, and the council has not identified anything unusual about this site that justifies additional controls over the possible noise impacts of HMOs. The council acknowledges that two of the neighbouring properties (numbers 49 and 51) are themselves already in use as HMOs.
- y. The council quotes an appeal decision in which the inspector did determine that a HMO would cause noise concerns (APP/R5510/W/23/3327485). However, site specific reasons were given in that case – the inspector identified the area as 'tranquil'. In addition, the HMO was 25% larger, with capacity for 10 residents.
- z. The appellant is an experienced landlord who manages a number of rental properties. He has prepared a Management Plan to show how the HMO will be managed to preserve neighbours' living conditions. A copy of the plan is submitted with this appeal as Appendix A.

- aa. The appellant notes that the development will have to comply with the appropriate building regulations in respect of the passage of sound. If the inspector remains concerned about potential impacts from noise, the appellant will accept a condition requiring that enhanced acoustic insulation be applied to the envelope of the building to reduce noise transmission.

7. Conclusions

- a. The council's first reason for refusal fundamentally misapplies policy DMH 1. The policy's own supporting text recognises HMOs as residential accommodation, meaning the proposal represents a change between residential uses rather than a loss of housing. Policy DMH 5 provides the appropriate framework for assessing HMO proposals and contains no prohibition on converting family homes.
- b. The council has failed to substantiate its claim that the proposal would harm the area's character. The surrounding area already accommodates HMOs at numbers 49 and 51, demonstrating that such uses are compatible with the local context. The minimal external alterations mean the building will retain its residential appearance, with no discernible impact on the character of the area.
- c. The submitted Transport Statement demonstrates that local streets can accommodate any additional parking demand. With parking stress at 75% and 35-36 vacant spaces available on peak nights, there is clear capacity for the modest increase in vehicle trips associated with the development. Even under the council's most pessimistic assumptions, stress levels would remain well below the relevant thresholds.
- d. The council's third reason for refusal relies on unsupported assertions about noise and disturbance. No evidence has been provided to distinguish between the impact of 5-8 HMO residents and a large family occupying the same six-bedroom property. The officer's report acknowledges that potential occupancy levels are comparable between the existing and proposed uses.
- e. The proposal aligns with strategic policy objectives in both the London Plan and NPPF. Policy GG4 specifically supports the delivery of specialist housing including HMOs, whilst the Mayor's Housing SPG recognises HMOs as strategically important for providing flexible, affordable accommodation. The NPPF's emphasis on optimising land use and boosting housing supply further supports the appellant's case.
- f. For these reasons, the proposed development complies with relevant development plan policies and national planning guidance. The council's reasons for refusal are not substantiated by robust evidence or sound policy interpretation. The inspector is respectfully requested to allow this appeal and grant planning permission for the proposed change of use.



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