

STATEMENT OF CASE

IN THE MATTER OF AN APPEAL UNDER SECTION 78 OF THE TOWN AND COUNTRY PLANNING ACT 1990

The Site: 49 Gledwood Avenue, Hayes, UB4 0AW

Appellant: Mr Raj Sharma

LPA Application Reference: 64670/APP/2026/249

Date of Refusal: 20 March 2026

LPA: London Borough of Hillingdon

Proposal: Change of use from Class C3 Dwellinghouse to a six-bedroom, six-person Class C4 House in Multiple Occupation (HMO), with no external alterations.

Date: July 2026 (Rev.1.0)

OPS Chartered Surveyors

17 Garvin Avenue, Beaconsfield, Buckinghamshire, HP9 1RD

M: 07881 457903 | E: info@ops-surveyors.co.uk



1. INTRODUCTION

1.1 This Statement of Case has been prepared by **OPS Chartered Surveyors** on behalf of the Appellant, Mr Raj Sharma, in support of a Section 78 appeal against the refusal by the London Borough of Hillingdon ("the Council") of planning permission for a change of use from Class C3 dwellinghouse to a six-bedroom, six-person Class C4 HMO at 49 Gledwood Avenue, Hayes, UB4 0AW.

1.2 The Council refused permission on 20 March 2026 for three stated reasons:

- (1) noise and disturbance to neighbouring residents;
- (2) insufficient car and cycle parking provision; and
- (3) unacceptable living conditions for future occupiers of Bedrooms 2 and 3.

1.3 This Statement addresses each reason in turn and demonstrates that the proposal is consistent with the development plan when read as a whole, and with the National Planning Policy Framework (NPPF, 2024). It further demonstrates that the Council has acted inconsistently with its own prior decisions on materially comparable applications submitted by the same agent.

1.4 The Appellant respectfully submits that planning permission should be granted, subject to the conditions set out at Section 10 of this Statement.

2. THE SITE AND ITS CONTEXT

2.1 The application site comprises a three-storey semi-detached residential property located on the northern side of Gledwood Avenue, Hayes. The property has been previously extended by way of a single storey rear extension and a loft conversion incorporating a hip-to-gable roof extension and rear dormer window. A detached outbuilding is also located to the rear, approved for use as a home office, storage and WC.

2.2 The surrounding area is a predominantly residential neighbourhood characterised by detached and semi-detached dwellings, broadly consistent in scale and typology with the appeal property. The site is not located within a conservation area, and the building is not listed or locally listed. The site lies within the Developed Area as defined by the Hillingdon Local Plan: Part Two (2020).

2.3 The site is not located within a Controlled Parking Zone (CPZ), and regular bus services operate along nearby Uxbridge Road, providing convenient access to the wider public transport network. The submitted Design and Access Statement identifies the site as having a **Public Transport Accessibility Level (PTAL) of 2**, whereas the Council's Officer Report refers to a slightly lower PTAL of **1b**, based on the TfL WebCAT mapping tool.

2.4 The Appellant notes that this minor discrepancy is most likely attributable to the precise location selected within the TfL WebCAT grid system. As illustrated in **Diagrams 1-3**, the vast majority of Gledwood Avenue, including locations immediately adjacent to the appeal site, falls within **PTAL 2**, while a **PTAL 3** area is situated only a short walking distance away. The appeal property is therefore located close to the boundary between different PTAL zones, meaning that small changes in the mapped reference point can produce different PTAL scores. Consequently, whether the site is identified as PTAL 1b or PTAL 2 has little practical significance when assessing its accessibility, as both ratings confirm that the property benefits from reasonable access to public transport and should not be viewed in isolation from the wider transport context.

2.5 Diagrams 1-3 below, extracted from the TfL WebCAT mapping tool, demonstrate the proximity of the appeal site to the PTAL 2 and PTAL 3 areas and illustrate why slight variations in the selected grid reference can result in different PTAL classifications.

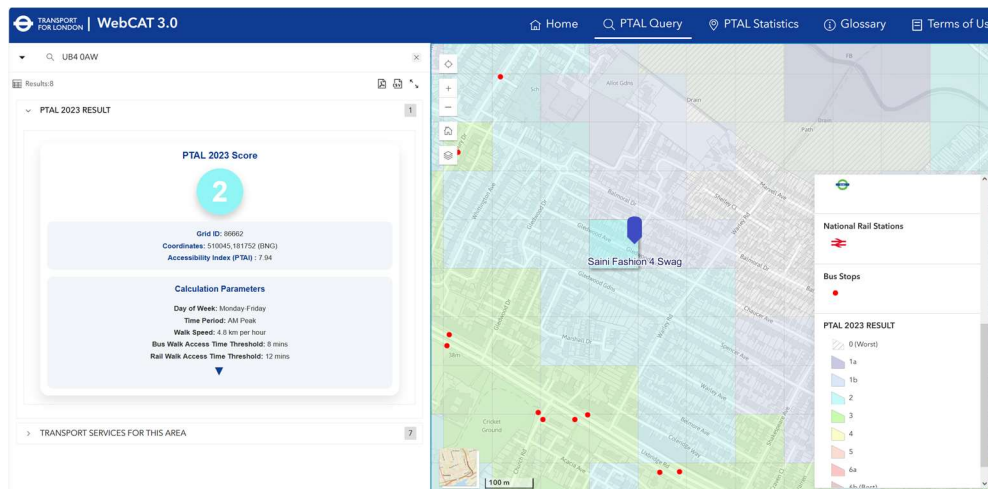


Diagram 1: Showing the majority of Gledwood Avenue is within the PTAL 2 zone.

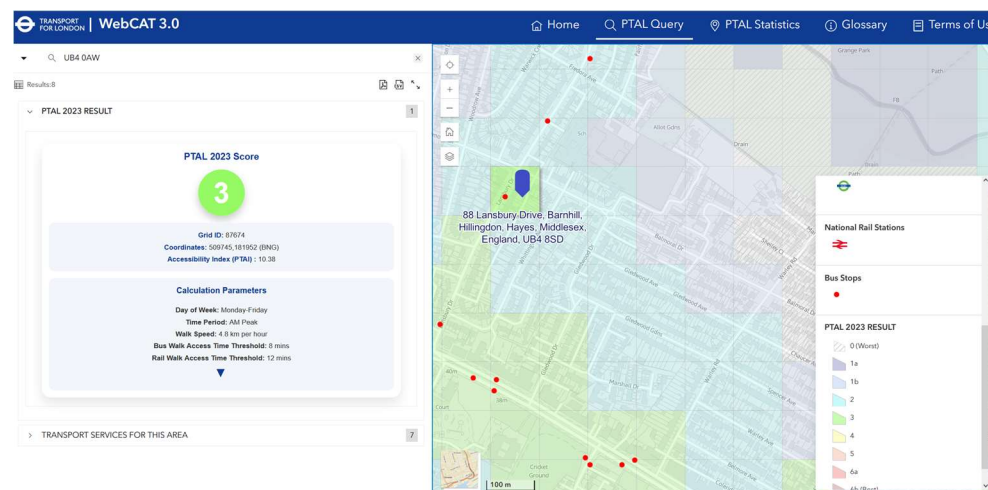


Diagram 2: Showing the appeal side is only a few minutes walking distance from the PTAL 3 zone.

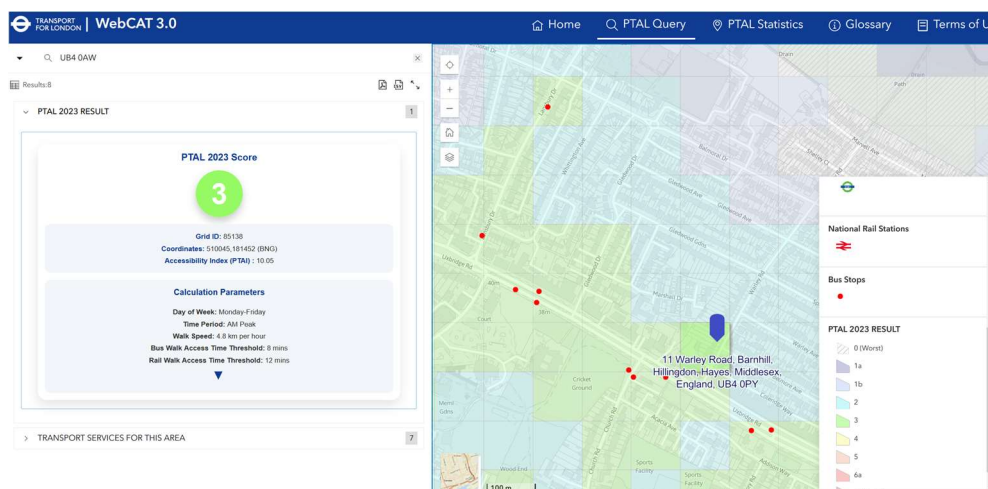


Diagram 3: Showing the appeal side is only a few minutes walking distance from the PTAL 3 zone.

2.4 The relevant planning history of the site confirms that extensions and outbuildings have been lawfully approved and constructed. There is no planning history indicating enforcement concerns, and the property is in active lawful Class C3 use.

2.5 The Council adopted a borough-wide Article 4 Direction on 12 December 2025, removing Class L permitted development rights for changes of use from Class C3 to Class C4. The current application accordingly seeks full planning permission for the proposed change of use.

3. THE PROPOSAL

3.1 The proposal is for a change of use from Class C3 dwellinghouse to a six-bedroom, six-person Class C4 HMO, with no external alterations whatsoever to the host building or its curtilage. The accommodation proposed comprises:

- Six en-suite bedrooms, each restricted to single occupancy, with room sizes as follows:

Bedroom	Floor Area
Bedroom 1	12.2 m2
Bedroom 2	7.50 m2
Bedroom 3	7.90 m2
Bedroom 4	14.3 m2
Bedroom 5	11.4 m2
Bedroom 6	19.0 m2

- One shared kitchen and dining area of approximately 15.6 m2;
- Secure cycle storage for up to six bicycles;
- Two 240-litre refuse bins;
- Approximately 103 m2 of shared rear garden space retained as outdoor amenity;
- A detached outbuilding to the rear, measuring approximately 31 m2, providing additional indoor amenity space;
- One off-street car parking space.

3.2 The proposal involves no extension, no external alterations, and no change to the external appearance of the host building. The property would be externally indistinguishable from any other semi-detached dwellinghouse on Gledwood Avenue.

HMO Concentration Analysis

3.3 The submitted Design and Access Statement includes a detailed HMO concentration analysis based on the Council's own HMO Register (December 2025), which confirms that both thresholds under Policy DMH 5(B) are met by a substantial margin:

Test	Properties	Existing HMOs	Post-proposal HMOs	Threshold	Compliant?
Neighbourhood area (100m radius)	96	2 (2.08%)	3 (3.12%)	20%	YES
Street length (100m either side)	54 (Gledwood Avenue)	0 (0%)	1 (1.85%)	15%	YES

3.4 The officer's own report confirms: "From a review of the HMO Register there are no registered HMOs within Gledwood Gardens and 2 licensed HMO properties in Balmoral Drive. As such, the proposal would not therefore result in a concentration of properties falling under an HMO use as defined under Policy DMH 5." The Council thus accepted that the concentration thresholds are met. The Appellant emphasises this uncontested finding at the outset.

Management Arrangements

3.5 Two detailed management documents were submitted with the application: (i) an HMO Management Supervision Plan; and (ii) a Site Supervision Management Plan. These documents were prepared by OPS Chartered Surveyors and set out comprehensive arrangements for occupancy control, fire safety, refuse management, maintenance, garden management and neighbour liaison. Materially identical management documents have been accepted as adequate by the Council in a series of comparable HMO approvals granted to the same agent, as set out in Section 9 below.

4. RELEVANT POLICY FRAMEWORK

4.1 The development plan for the London Borough of Hillingdon comprises:

- Local Plan: Part 1 - Strategic Policies (2012)
- Local Plan: Part 2 - Development Management Policies (2020)
- The London Plan (2021)

4.2 The National Planning Policy Framework (NPPF, December 2024) is a material consideration.

4.3 The principal development plan policies relevant to this appeal are:

Local Plan Part 2 (2020):

- DMH 1: Safeguarding Existing Housing
- DMH 5: Houses in Multiple Occupation. Section A requires proposals to demonstrate good accessibility to local amenities and public transport, satisfactory living conditions for intended occupiers, and no adverse impact on the amenity of neighbouring properties or the character of the area. Section B, applicable in wards covered by an Article 4 Direction, sets out concentration thresholds (20% neighbourhood, 10% conservation area, 15% street length) and requires compliance with planning standards relating to car parking, waste storage, amenity space and residential amenity.
- DMHB 11: Design of New Development
- DMHB 16: Housing Standards

- DMHB 18: Private Outdoor Amenity Space
- DMT 1: Managing Transport Impacts
- DMT 2: Highways Impacts
- DMT 6: Vehicle Parking. Requires compliance with parking standards in Appendix C, Table 1. The Council may agree to vary these requirements where "the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity."

London Plan (2021):

- D3: Optimising site capacity through design-led approach
- D6: Housing quality and standards
- D13: Agent of Change
- T4: Assessing and mitigating transport impacts
- T5: Cycling
- T6: Car Parking

NPPF (2024):

- Paragraph 116: 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.
- Paragraph 135(f): Planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

5. PRINCIPLE OF DEVELOPMENT

5.1 The Council's officer report expressly acknowledges that a change of use from C3 to C4 is "acceptable in principle subject to compliance with other relevant material considerations and policies." This is consistent with the officer's conclusion that the DMH 5(B) concentration thresholds are met in both the neighbourhood area and the street length.

5.2 Furthermore, under Policy DMH 1, the officer confirms there would be "no loss of identified residential accommodation/housing stock" because the building is going from C3 to C4 use.

5.3 The only substantive questions are therefore whether the specific design, parking and amenity concerns raised in the three refusal reasons are made out. The Appellant submits they are not, for the reasons that follow.

6. REBUTTAL: REASON 1 - NOISE, COMINGS AND GOINGS, GARDEN USE

The Council's case

6.1 The Council contends that the increased number of independent occupiers would generate materially greater noise, comings and goings, and garden use than the existing C3 dwelling. The

officer's report relies heavily on the dismissed appeal at 5 Crossway, Hayes (APP/R5510/W/25/3360554), where the Inspector found that an HMO would "very likely amount to a more intensive use than a family dwellinghouse."

This reason is not made out

6.2 The Council's Reason 1 is founded on assertion rather than evidence. The officer report contains no survey evidence, no monitoring data, and no technical assessment of noise levels at neighbouring properties. It offers only a generalised assertion that six independent adults will produce more activity than a family dwelling. This is precisely the kind of evidence-free objection that Inspectors in this area have repeatedly rejected.

6.3 The most directly analogous decided case is the appeal at 49 Central Avenue, Hayes, Hillingdon (APP/R5510/W/17/3178166), decided by Inspector Richard S Jones on 1 December 2017. That case involved a materially comparable semi-detached property in Hayes, converted by the same agent (OPS Chartered Surveyors) to a seven-bedroom Sui Generis HMO. The Inspector's findings are directly instructive:

- "The proposal would result in one additional bedroom being created within the existing floor space... two additional occupants in a property of this size and layout would not result in a significant additional amount of comings and goings or such an intensification of use of the building or garden which would warrant withholding planning permission."
- "The existing HMO has not resulted in any noise complaints and no evidence to the contrary has been provided by the Council."
- "I therefore conclude that the proposal would not result in unacceptable harm to the living conditions of neighbouring residents."

6.4 Inspector Jones also found that the parking provision and management plan were acceptable and allowed the appeal. Those factual circumstances closely mirror the present case.

6.5 In addition, the Inspector at 4 Rofant Road, Northwood, Hillingdon (APP/R5510/W/24/3351260, allowed 7 May 2025) found, in relation to a 6-person C4 HMO in the same borough, that movements associated with the HMO use were "in keeping with a residential area" and "not readily discernible from other properties." The noise and disturbance claim was rejected.

6.6 The Inspector at 6 Cherry Orchard, West Drayton, Hillingdon (Case 6005048, allowed 3 June 2026) rejected identical intensification and noise arguments for a 5-bedroom HMO in a quiet residential area. Crucially, that Inspector expressly declined to follow the Council's citation of the 5 Crossway decision (APP/R5510/W/25/3360554), distinguishing it on its facts.

6.7 The Inspector at 95 Harlington Road, Uxbridge, Hillingdon (APP/R5510/W/24/3321861, allowed 1 May 2024) similarly found noise and disturbance to be acceptable in relation to an 8-person Sui Generis HMO, and found the Article 4 Direction to be of "limited significance" to the assessment.

Distinguishing 5 Crossway

6.8 The officer's report places significant reliance on the dismissed appeal at 5 Crossway, Hayes (APP/R5510/W/25/3360554). This reliance is misplaced. The 5 Crossway Inspector's decision turned on a combination of factors specific to that site: the proposal involved a site that had been operating as a de facto HMO without planning permission, and the refusal was sustained on the combined effect of intensification and an absence of ANY car parking on a narrow road. As confirmed by the Cherry

Orchard Inspector, the 5 Crossway decision cannot be mechanically applied to a case with different material circumstances. In the present appeal, the proposed HMO has never operated without permission, the site is not on a narrow road, and parking (while limited) is not entirely absent.

The management plan

6.9 The Council contends the submitted management plan does not "adequately address or mitigate" the operational noise and activity associated with the HMO use. However, the officer report provides no explanation of what specific additional measures are required. Materially identical management plans prepared by OPS Chartered Surveyors have been accepted as adequate by Hillingdon Council in at least three recent HMO approvals, as set out in Section 9 below. In the absence of any specific criticism of the management plan's content, the Council's assertion that it is inadequate is not a sound basis for refusal.

6.10 Furthermore, the proposed HMO involves no external alterations. There is no new side door, no new external access point, and no change to the building's fenestration. All resident movements will use the single main front door, consistent with any standard family dwelling. The pattern of comings and goings will be entirely unremarkable within this residential street.

7. REBUTTAL: REASON 2 - PARKING AND CYCLE STORAGE

The Council's case

7.1 The Council contends that:

(a) the one off-street parking space provided falls short of the three spaces required under Local Plan Appendix C, creating a shortfall of two spaces and likely overspill parking; and

(b) the proposed cycle storage is inaccessible, with the side access measuring approximately 0.85m, which falls below the 1.2m minimum required under the London Cycling Design Standards (LCDS) and LTN 1/20.

Car parking: the NPPF severe test is not met

7.2 Paragraph 116 of the NPPF (2024) establishes 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." The threshold is a high one.

7.3 The Council's officer report asserts that Gledwood Avenue "already experiences notable parking stress, with kerbside parking heavily utilised." However, no formal parking survey was undertaken by the Council or submitted in evidence. The assertion of parking stress is unsupported by any count, survey, or technical assessment. The Council's Highways Authority concedes as much by stating that "the applicant has not undertaken any formal parking stress survey." The absence of a stress survey was treated as a reason to refuse the application - but the Highway Authority's own response provides no survey evidence either. The Council cannot have it both ways.

7.4 The most directly on-point appeal precedent is the decision at 4 Church Close, West Drayton, Hillingdon (APP/R5510/W/23/3315732, allowed 30 August 2023). In that case, an HMO had been refused on parking grounds including a one-space shortfall and a parallel parking bay described as "difficult to access and exit." The Inspector allowed the appeal, expressly finding "an absence of clear firm evidence of parking stress." The Inspector concluded that the NPPF's severe test was not met and that the Council's objection amounted to an unsubstantiated assertion. The present case is materially

analogous: there is no formal parking survey, no count data, and no specific evidence that Gledwood Avenue experiences stress of the kind that would cause a severe impact.

7.5 At 218 Nestles Avenue, Hayes, Hillingdon (APP/R5510/W/24/3351583, allowed 31 January 2025), the Inspector found "no substantive evidence of on-street parking stress" and accepted a DMT 6 variance. The same logic applies here.

7.6 At 50 St Martins Approach, Ruislip, Hillingdon (APP/R5510/D/22/3296373, allowed 9 August 2022), the Inspector found that a parking shortfall amounted to "inconvenience not unacceptable harm" in the absence of evidence of severe impact on the highway network.

7.7 During the Inspector's site visit, it will be readily apparent that the existing front drive is physically capable of accommodating two vehicles. The Appellant has nevertheless proposed only one off-street parking space, not because additional parking cannot be provided, but as a consequence of previous experience with the Council's application of parking standards.

7.8 In an earlier planning application submitted by the same planning agent, the Council's Highway Officer expressly required the proposed parking provision to be reduced because it exceeded the maximum residential parking standard set out in the London Plan. The Council requested amended drawings showing only a single parking space together with physical measures to prevent additional vehicles from parking on the forecourt.

7.9 In contrast, in the present appeal the Council criticises the proposal for providing only one parking space and suggests that additional parking should be available. These two positions are difficult to reconcile and demonstrate an inconsistent application of parking policy. The Appellant therefore adopted a cautious approach by proposing a single compliant parking space, recognising the Council's previous insistence that parking provision should not exceed the applicable maximum standards. The documentary evidence is reproduced at [Appendix 21](#).

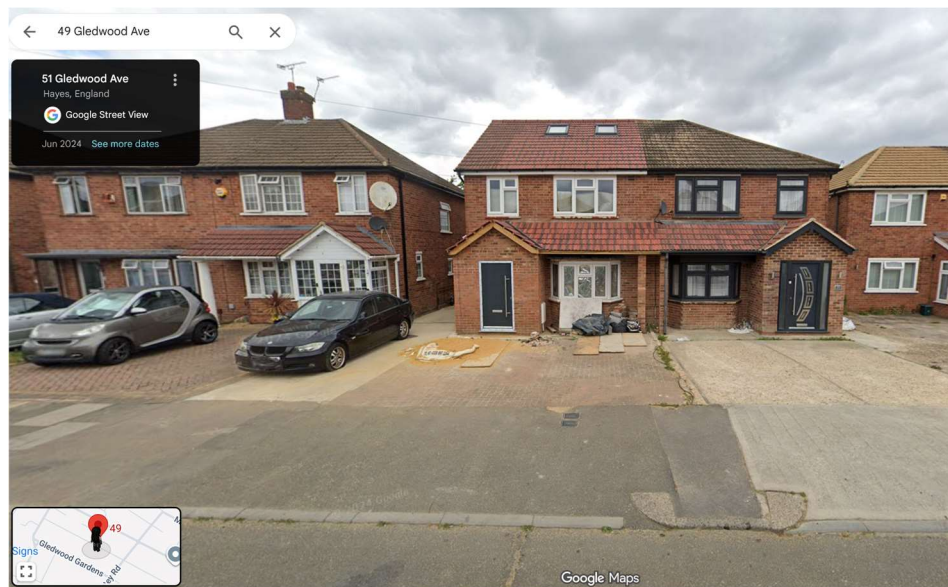


Diagram 4: Demonstrates the parking space on the front driveway of the appeal site

The Peachey Lane comparator

7.7 Most importantly, the Council's own prior decision at 19 Peachey Lane, Cowley (ref: 75488/APP/2020/4271, approved 1 March 2021) is a direct and materially comparable precedent. In that case, the same agent (OPS Chartered Surveyors, Mr Sammy Chan) obtained planning permission for a seven-bedroom HMO with ZERO on-street parking provision, on a site with a PTAL rating of 1b. The Highways Authority explicitly recommended no objection, noting the site's position within a Residents' Parking Permit zone. The Council approved that application.

7.8 In the present case, the Appellant proposes MORE parking provision than was approved at Peachey Lane, at a site of equivalent PTAL. The Council cannot rationally maintain that one off-street parking space, on an uncontrolled residential street, constitutes an "unacceptable" highway safety risk when it approved zero parking in a materially comparable situation for the same agent. To do so would be to act inconsistently in a manner that is contrary to the obligations of a local planning authority to determine cases consistently.

7.9 Policy DMT 6 of the Hillingdon Local Plan expressly provides that "the Council may agree to vary [parking] requirements when the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity." No deleterious impact has been evidenced. This variance clause should be invoked.

Cycle storage

7.10 The Council's complaint about cycle storage focuses on the side access width of approximately 0.85m, below the 1.2m minimum. The Appellant accepts that this requires resolution, but this is a matter readily capable of being addressed by condition, requiring the submission and approval of detailed cycle storage drawings prior to first occupation. Specifically, the Appellant proposes either: (a) the relocation of cycle storage to the front forecourt area, accessed directly from the highway without requiring side passage; or (b) the submission of a revised cycle storage scheme demonstrating LCDS-compliant access within the red-line boundary.

7.11 The Council at 177 Station Road, West Drayton (ref: 47713/APP/2024/1041) accepted cycle parking "by condition" where no provision had been shown on deposited plans. The same approach should apply here. It is not necessary to refuse permission where a deficiency in cycle storage can be resolved by a pre-occupation condition.

7.12 It is notable that the Council's Access Officer, in their consultation response, raised no objection to the application from an accessibility perspective, finding that "there would be no loss of accessible housing stock as a result of this proposed Change of Use."

8. REBUTTAL: REASON 3 - LIVING CONDITIONS FOR FUTURE OCCUPIERS

The Council's case

8.1 The Council identifies two specific concerns: (a) Bedrooms 2 and 3 have rear-facing windows and doors that are obscure glazed, providing no clear outlook; and (b) the sole communal kitchen/dining area is served by a single side-facing window that looks over the shared driveway to the flank wall of the neighbouring property, resulting in limited light and outlook.

8.2 The officer's report acknowledges that "the bedrooms would provide adequate space for single occupancy, and the size of the communal living room is considered acceptable in quantitative terms." The objection is therefore not to the size of the rooms but to the quality of outlook.

Bedrooms 2 and 3: the obscure glazing issue

8.3 The Appellant acknowledges that the quality of outlook from Bedrooms 2 and 3 is a matter that requires attention. However, this is a matter entirely capable of resolution, either by condition or by revised drawings, and does not constitute a sustainable reason for outright refusal. **More importantly, the applicant has already replace those glazing with clear glazing after the case officer's revisit.**

8.4 The obscure glazing to the rear-facing windows and doors of Bedrooms 2 and 3 appears to have been adopted on the existing drawings in order to protect the privacy of bedroom occupants from other residents using the communal rear garden. The appropriate remedy is not to refuse permission but to require, by condition, that alternative clear-glazed window openings be provided to these bedrooms, in a position that provides adequate daylight, outlook, and privacy. A number of options exist:

- Clear glazing to existing window openings, combined with appropriate privacy screening to the rear garden boundary or a horizontal privacy band at low level;
- An additional clear-glazed window in a side or alternative elevation;
- Revised internal layout drawings relocating the room access to avoid direct relationship with the communal kitchen.

8.5 The Borough Solicitor's section in the Council's own committee procedures confirms: "Planning consent should not be refused where planning conditions can overcome a reason for refusal." The obscure glazing issue can be overcome by a condition requiring revised drawings or details of alternative clear-glazed windows to be approved and installed prior to first occupation of those rooms. On this basis alone, outright refusal on this ground is not appropriate.

8.6 In any event, Bedrooms 2 and 3 each comply with minimum single-occupancy room size requirements. Bedroom 2 at 7.5 m² and Bedroom 3 at 7.9 m² both exceed the HMO licensing minimum of 6.51 m². The rooms are self-contained en-suite units. Their measured dimensions are consistent with, or greater than, rooms approved in comparable schemes in the borough. The issue is solely one of glazing specification, which is a technical matter capable of administrative resolution.

The communal kitchen/dining area

8.7 The Council contends that the communal kitchen/dining area at 15.6 m² receives "limited light and outlook" from its side-facing window. However, 15.6 m² is a generous communal space for a six-person HMO. The Council has approved significantly smaller communal spaces in comparable applications. At 177 Station Road, West Drayton (ref: 47713/APP/2024/1041), the Council approved an eight-person HMO with communal kitchen/dining facilities of only 18.5 m², which was itself half the size of a previously approved scheme for the same property. The officer at Station Road found: "It is therefore considered that a refusal based on the reduction of communal facilities within the main building would not be sustainable."

8.8 Furthermore, at 19 Peachey Lane, Cowley (ref: 75488/APP/2020/4271), the Council approved a seven-person HMO with a communal kitchen/dining area of 15.7 m² - essentially identical in size to the 15.6 m² proposed at Gledwood Avenue. The officer noted, "the current Local Planning Policies do

not specify the minimum shared communal floor space for HMO use." The same position applies to the present case.

8.9 In addition, the detached rear outbuilding (approximately 31 m²), lawfully approved under planning permission ref: 64670/APP/2020/1860, provides additional indoor amenity space that supplements the communal kitchen/dining area. This further supports the adequacy of communal provision for the proposed occupancy level.

8.10 The Appellant would also note that the Inspector at 49 Central Avenue, Hayes (APP/R5510/W/17/3178166) found living conditions acceptable in a broadly comparable semi-detached HMO scheme in Hayes with a floor area of 165 m², a comparable number of occupants, and an arrangement that similarly included garage conversion accommodation. No living conditions objection was upheld.

Summary on Reason 3

8.11 The quality-of-outlook issue for Bedrooms 2 and 3 is real but conditionable. The communal space issue does not withstand scrutiny given the Council's prior approvals of comparable and smaller communal facilities for larger HMOs. Reason 3 does not justify outright refusal.

9. CONSISTENCY WITH THE COUNCIL'S OWN PRIOR DECISIONS

9.1 A local planning authority is required to determine applications consistently. The following approvals granted by Hillingdon, all submitted by OPS Chartered Surveyors with materially identical supporting documentation (including the same HMO Management Supervision Plan and Site Supervision Management Plan), are directly relevant:

App Ref.	Address	Decision	Occupant	Parking Space	Communal Space	Notes
75488/A PP/2020 /4271	19 Peachey Lane, Cowley	APPROVED 01/03/21	7-person	0	15.7m ² kitchen /diner	PTAL 1b, in CPZ
47713/A PP/2024 /1041	177 Station Road, West Drayton	APPROVED 19/07/2024	8-person	2	18.5m ² kitchen /diner	Conservation area; officer said refusal on communal space "not sustainable"
38444/A PP/2016 /744 (appeal)	49 Central Avenue, Hayes	ALLOWED 01/12/2017	7-person	4	Kitchen /diner + 2 living rooms	Inspector rejected noise and parking objections
64670/A PP/2026 /249	49 Gledwood Avenue	REFUSED 20/03/2026	6-person	1 (up to 2)	15.6m ² kitchen /diner	Less intensive than all above; same management docs

9.2 The present proposal is less intensive in every material respect than the three comparable applications listed above: it involves fewer occupants than any of them, provides more communal space than the Peachey Lane scheme (and equivalent to it), and provides more car parking than Peachey Lane. The management documentation is materially identical.

9.3 The Council approved a 7-person HMO with zero parking at Peachey Lane. It cannot consistently refuse a 6-person HMO with one parking space at Gledwood Avenue on parking grounds, in the absence of any substantiated difference in the highway context. Both streets are uncontrolled residential roads in Hayes with PTAL 1b.

9.4 The Council approved an 8-person HMO at 177 Station Road with communal kitchen/dining of only 18.5 m², specifically finding that refusal on communal space grounds "would not be sustainable." It cannot consistently refuse a 6-person HMO at Gledwood Avenue with a larger communal kitchen/dining of 15.6 m² on living conditions grounds.

9.5 This pattern of decision-making is directly analogous to the situation considered by the Inspector at 10 Dane Road, Southall (APP/A5270/W/21/3276106, decided 17 January 2022), where full costs were awarded against Ealing Council following the refusal of an HMO application by the same applicant family and same agent OPS Chartered Surveyors, despite the Council's prior approval of a comparable scheme. The Inspector found that the "failure to determine cases in a consistent manner" justified a full award of costs.

10. PROPOSED CONDITIONS

10.1 The Appellant accepts the following conditions without reservation and respectfully invites the Inspector to grant planning permission subject to them:

1. Time limit: The development hereby permitted shall begin not later than three years from the date of this decision.
2. Approved plans: The development shall be carried out in accordance with the following approved documents: [plan numbers to be listed].
3. Maximum occupancy: The development hereby permitted shall be occupied by a maximum of six persons.
4. HMO Management: The HMO shall not be occupied until the HMO Management Supervision Plan and Site Supervision Management Plan have been implemented in full, and shall be operated in accordance with those plans for as long as the development remains in use as an HMO.
5. Cycle storage: Prior to first occupation, full details of a cycle storage scheme providing secure and accessible parking for not fewer than six bicycles, with details of the access route to be used and compliance with London Cycling Design Standards, shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be provided prior to first occupation and retained thereafter.
6. Car parking: The off-street car parking space shown on the approved site plan shall be retained and kept available for use by the occupants of the site at all times.
7. Window glazing - Bedrooms 2 and 3: Prior to the first occupation of Bedrooms 2 and 3, a scheme for the provision of adequate clear-glazed window openings to those bedrooms, providing satisfactory natural light and outlook, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and retained thereafter.

8. Refuse storage: Two 240-litre refuse bins with appropriate storage enclosures shall be provided before first occupation and retained thereafter.
9. No additional bedrooms: No part of the communal spaces or outbuilding shall be converted to bedroom or sleeping accommodation without the prior written consent of the Local Planning Authority.
10. HMO use only: The property shall not be used for any purpose other than a Class C4 House in Multiple Occupation for not more than six persons, and shall not revert to Class C3 use without the prior written consent of the Local Planning Authority.
11. Outbuilding restriction: The outbuilding shown on the approved plans shall be used as communal amenity space for the occupants of the HMO and for no other purpose, and shall not be used as sleeping accommodation.

11. CONCLUSION

11.1 The Appellant respectfully submits that the three reasons for refusal are not made out:

- Reason 1 (Noise): The objection is unsupported by any evidence of actual noise harm. It is directly rebutted by the Inspector's decision at 49 Central Avenue (APP/R5510/W/17/3178166), by the decisions at Rofant Road (APP/R5510/W/24/3351260), Cherry Orchard (Case 6005048), and Harlington Road (APP/R5510/W/24/3321861), and by the Council's own officer at 19 Peachey Lane. The 5 Crossway decision relied upon by the Council is distinguishable on its facts.
- Reason 2 (Parking/Cycling): The NPPF's "severe" test is not met. No parking survey evidence was submitted. The 4 Church Close Inspector (APP/R5510/W/23/3315732) found on identical facts that assertion alone does not meet the test. The Council approved zero parking at Peachey Lane for the same agent. Cycle storage concerns can be resolved by condition.
- Reason 3 (Living Conditions): The room sizes are adequate. The obscure glazing issue is conditionable. The communal kitchen at 15.6 m² is equivalent to or larger than communal spaces approved by the Council at Peachey Lane and Station Road. Outright refusal is not appropriate where conditions can resolve the concern.

11.2 The proposal accords with Policies DMH 5, DMHB 11, DMHB 16, DMHB 18, DMT 2 and DMT 6 of the Hillingdon Local Plan Part 2 (2020), with Policies D3, D6, T5 and T6 of the London Plan (2021), and with the NPPF (2024). The appeal should be allowed.

APPENDICES LIST

APPX 1 - DAS - 49 Gledwood Ave (24.01.26)

APPX 2 - APP DWG REV.1.0 (23.01.26)

APPX 3 - HMO Management Supervision Plan

APPX 4 - Site Supervision Management Plan

APPX 5 - HMO Register (12.2025)

APPX 6 - CIL Form

APPX 7 - OFFICER REPORT

APPX 8 - DECISION NOTICE

APPX 9 - ACK Letter 05.02.26

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APPX 11 - 5 Crossway Appeal DN 3360554

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APPX 13 - 19 PEACHEY LANE

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APPX 20 - 4 Rofant Rd Appeal DN 3351260

APPX 21 - LBH Max vs Min Parking Standards