



Appeal Decision

Site visit made on 7 July 2026

by **Jane Smith MA MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23rd July 2026

Appeal Ref: 6004329

14 Willow Tree Lane, Hayes, Hillingdon UB4 9BB

- 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 Sunny Singh against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref is 5516/APP/2025/2441.
 - The development proposed is Change of use from Class C3 dwelling house to 7-bedroom/maximum 8 person HMO Use Class Sui Generis.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A Lawful Development Certificate (LDC) was sought and granted in November 2025¹, confirming that, at the date of that application, a change of use of the site could lawfully be made from a dwellinghouse (Use Class C3) to a house in multiple occupation (HMO) for up six occupants (C4)². Shortly after that decision, an Article 4 Direction was served by the Council, withdrawing the permitted development rights which would have been relevant to their decision to grant the LDC.
3. According to the appellant, the property is currently being occupied as a 6-person HMO within Use Class C4, and there were clear indications to that effect at the time of my site visit. However, there is a dispute between the parties as to whether that change of use was implemented before or after the Article 4 Direction was served, and therefore whether the current C4 HMO use is lawful. Another application for an LDC is also mentioned in the appeal evidence, which sought the Council's confirmation whether a 7-person HMO would be a material change of use. However, I have no information as to the outcome of that application.
4. As the appellant has acknowledged, it is not the purpose of this appeal to determine the lawfulness of any existing HMO use on the site. The planning application which led to this appeal was for change of use from a dwellinghouse within Use Class C3. That is the existing use of the property as specified on the application form and it is also how it was described in the application documents. I have therefore considered the proposal on that basis.
5. The current internal layout differs somewhat from that shown on the plans, in relation to the location of communal areas and which rooms are being used as bedrooms. However, since that is linked to the existing C4 HMO use, it is of limited

¹ Application ref 5516/APP/2025/2218

² Use classes as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)

relevance to the consideration of this appeal. I have considered the proposed change of use on the basis of the plans submitted with the application.

6. Amended plans were submitted with the appeal, proposing an alternative driveway and parking layout. That would include widening the existing access and an alternative layout for car parking, cycle storage, waste and recycling. That would substantively change the proposed access and parking arrangements. Although the Council's statement of case notes the potential for an alternative layout to be secured by condition, it does not comment on the merits of the amended plans. Nor is there any clear evidence that the Highways Authority or other relevant interested parties have seen and understood the amended layout or had an adequate opportunity to comment on it. Consequently, in the interests of fairness for all affected parties, I have not taken the amended plans into account.
7. The Council's five year housing land supply position changed while the appeal was in progress. Both parties have had the opportunity to comment on any implications for their case, and I return to that matter below.

Main Issues

8. The main issues are:
 - the effect of the proposed parking and access arrangements on highway safety,
 - whether suitable living conditions would be provided for future occupiers, having particular regard to the outlook from Bedroom 3 and the proposed outdoor amenity space,
 - the effect of the proposed change of use on living conditions for occupiers of neighbouring properties, with particular regard to noise and disturbance,
 - whether suitable provision would be made for cycle storage,
 - the effect on the character and appearance of the area, and
 - the effect of the proposed change of use on the supply of larger dwellings,

Reasons

9. The appeal property is an extended semi-detached house on two storeys. It is in a largely residential area, with other dwellings to both sides and at the rear. However, there are also various commercial uses, including a parade of shops off a service road opposite and some larger business premises on Yeading Lane. In common with its neighbours, the site includes vehicular access from Willow Tree Lane, with off-street parking on a hardstanding at the front.
10. Based on the existing plans, the property appears to have provided three-bedroom accommodation when in use as a C3 dwelling. I have therefore treated it as a three-bedroom dwelling where that is relevant to the issues before me, while being mindful that is not the current internal layout.

Highway safety

11. Two parking spaces would be provided on the existing hardstanding, as well as a cycle store for eight bicycles and storage for three waste/recycling bins. There are

no specific parking standards for large HMOs in the Part Two Local Plan³, with the table in Appendix C stating that car parking requirements will be assessed through a transport appraisal and travel plan. While the Transport Assessment⁴ confirms that two spaces would be provided, that appears simply to reflect the capacity of the hardstanding, rather than any objective assessment of demand. Comparison with the required standard for a C4 HMO use is of limited relevance for this appeal, as that is not the existing use of the site as described in the planning application.

12. There is public transport close by, including a bus stop directly opposite the site, and a range of services and facilities are within easy walking distance. Pavements, pedestrian crossing facilities and cycle infrastructure are available, as well as some traffic calming measures, and my attention has been drawn to the Council's wider strategies to support active travel. Taking all that into account, future occupants need not be dependent on travel by car, and travel by other means is actively encouraged in the proposed HMO Management Plan.
13. Nevertheless, there is nothing to prevent all 7 or 8 occupants from operating their own private motor vehicle, should they be in a position to do so. If so, that would create higher demand for parking than is typical of a semi-detached three-bedroom dwelling in single household occupation. Even if not all the occupants have a car, it is highly likely that there would be an increased demand for cars to be parked off site.
14. Parking on Willow Tree Lane is unrestricted outside the site and there is also unrestricted on-street parking in several of the surrounding streets. The appellant's Parking Survey⁵ indicates that there is generally spare capacity overall, albeit there are peak periods when 80-100% capacity is reached in some streets. When considered in relation to the whole Parking Survey area, any increased demand associated with the proposal would be minimal. However, while the 200m radius of the Parking Survey area is consistent with generally recognised methodology, some of the spaces within that area are quite inconveniently located on the other side of Yeading Lane or along some narrow residential cul-de-sacs. In practice, occupants are likely to seek out on-street parking closer to the site, with a particularly strong incentive to park directly outside whenever possible.
15. Use as a large HMO would also increase the likelihood that each of the 7 or 8 occupants lived relatively independently, having their own personal pattern of comings and goings. The Transport Assessment acknowledges an anticipated increase in vehicle trips, with around 12 additional trips per day compared to the C3 use. That is still a relatively low level when considered as a proportion of traffic within the surrounding highway network, so it would not have a severe residual impact on network capacity. Nevertheless, there would be a material intensification in the number and frequency of vehicle movements at the site access.
16. Since there would be no turning facilities, that would include additional reversing movements. Based on the swept path details, the siting of the cycle store would only just provide enough tolerance for use of the parking spaces and the Highways Authority has questioned whether adequate clear space would be available in front of the parking bays. That raises the prospect of multiple shunting movements as vehicles negotiate the rather constrained parking layout.

³ LB Hillingdon Local Plan: Part Two - Development Management Policies (2020),

⁴ Nene Valley Transport Planning Transport Assessment October 2025

⁵ Nene Valley Transport Planning Parking Survey Report October 2025

17. In addition to the bus stop opposite, the appeal site is close to the signal-controlled junction of Willow Tree Lane and Yeading Lane, and several other minor junctions and property accesses. Increased use of the access, particularly in reverse, would raise additional risk of conflict between vehicles and pedestrians within this relatively complex highway environment. That would particularly be the case when buses stop opposite and/or traffic is queued at the lights. Cars parked directly outside the appeal site could also impact visibility for those using the access.
18. Although the number of accidents reported in the Crash Map data is small, three of them were in the immediate vicinity of the site, and the fourth was only very slightly further away. The accident descriptions include interactions between cars and buses leading to personal injury and, in one case, a parked car was described as having affected pedestrian visibility. They are low speed incidents which did not cause serious injuries, and the accident records do not appear to be indicative of an inherently dangerous highway layout. However, they do provide evidence of conflict between road users, including pedestrians. The likelihood of such incidents, and possibly their severity, would increase with more intensive use of the access, in combination with increased on-street parking outside the site.
19. I conclude that the proposed access and parking arrangements would be detrimental to highway safety. The proposal therefore conflicts with relevant requirements in Policies DMT1, DMT2 and DMT6 of the Part Two Local Plan, which require, amongst other things, that development provides safe and suitable highway access arrangements. Policy T6 of the London Plan takes a generally restrictive approach to parking provision and there is no specific conflict with its strategic approach. However, the proposal would conflict with London Plan Policy T4, which requires that development proposals should not increase road danger.

Living conditions – future occupiers

20. Three of the proposed bedrooms would be on the ground floor. One of those, identified as Bedroom 3, would be sandwiched between a front-facing bedroom and the rear kitchen extension. The only source of daylight would be the single side-facing window, which faces into a very narrow path between the appeal property and its unattached neighbour. On the other side of the path, very close to the window, is the blank brick wall of the neighbouring rear extension.
21. As a result of that relationship, the outlook from Bedroom 3 would be extremely enclosed, making for a gloomy and unappealing internal environment. While the occupier would also have access to communal areas, Bedroom 3 would be their only personal, private space and that aspect of the proposed layout fails to provide a suitable standard of accommodation for future occupiers.
22. Policy DMHB18 of the Part Two Local Plan sets out requirements for private outdoor amenity space. Those requirements are relevant to all new residential development and conversions and there is no indication that conversion of an existing dwelling to an HMO is exempt. While the standards in Table 5.3 do not explicitly refer to HMOs, they do provide minimum requirements for different sizes of dwelling, ranging from 40sqm for a one-bedroom house to 100sqm for a dwelling of four bedrooms or more.
23. According to the parties, the available amenity space within the appeal site would extend to around 43-45sqm. That is only just over the Council's standard for a one-bedroom dwelling, whereas the existing dwelling provides three bedrooms

and the proposed HMO would accommodate 7-8 occupants; a level of occupation which would be more clearly comparable to a dwelling of four bedrooms or more. That being the case, the Council's 100sqm standard is of some relevance in the absence of more specific standards for HMOs.

24. Nevertheless, the private amenity space already exists, so there is already a shortfall against the above standards, which would persist even if the property remained in C3 use. The proposed outdoor space would be adequate to provide a convenient, private area for occupiers to sit out, hang washing and grow plants at a modest scale, should they choose to do so. Any prospective occupiers would be aware of the layout when choosing whether to rent a room, and it would cater for those who do not seek a larger area of garden.
25. Since occupants of an HMO tend to keep their own independent hours, there may be less demand for a space which can routinely accommodate all household members than is the case for a family dwelling. The garden would be conveniently located just outside the communal kitchen, living and dining area. It is not proposed that it would be used for cycle storage, or any other form of storage facilities. When considered together with the rest of the proposed accommodation, the rear garden would provide a limited but adequate level of outdoor space to support the proposed use.
26. Nevertheless, due to the poor outlook from Bedroom 3, I conclude that the proposal as a whole would not provide suitable living conditions for all future occupiers. That would conflict with the requirement in Policy DMH5 of the Part Two Local Plan that large HMOs provide satisfactory living conditions for the intended occupiers. However, the proposed living environment would otherwise generally accord with relevant design requirements in Policies DMHB11 and DMHB16, and the technical conflict with the outdoor amenity space standards in Policy DMHB18 is outweighed by other material considerations.

Living conditions – neighbouring occupiers

27. The Noise Impact Assessment (NIA)⁶ describes and quantifies levels of background noise at the appeal site, due mainly to traffic on Willow Tree Lane and to a lesser extent from nearby commercial uses. It proposes mitigation measures for the benefit of HMO occupiers. However, it does not consider the effect of noise and disturbance arising from the proposed use on living conditions for neighbouring occupiers.
28. Both the adjacent properties also front the road at fairly close quarters, and they both have their own vehicular access and parking areas at the front. Therefore, occupiers of those properties will already experience background noise and disturbance associated with traffic along Willow Tree Lane and they are likely to be conscious of the arrival and departure of vehicles on neighbouring driveways. Since the driveway at the appeal site is of a fixed size and already in use, the number of vehicles at any one time would not increase. Nevertheless, for the reasons previously given, the overall number of vehicle trips, and the frequency of arrivals and departures is likely to increase.
29. To one side, the appeal site adjoins the driveway and front door of 12 Willow Tree Lane. The main front windows of that property are on the other side of the front

⁶ Dice Environmental Noise Impact Assessment dated October 2025

door, which offers some physical separation from vehicle movements within the appeal site. That being the case, any additional disruption from increased vehicle movements would be very limited and not materially harmful to living conditions for the occupiers.

30. However, some of the main front windows of the attached dwelling at no. 16 are directly adjacent to the shared boundary, overlooking the proposed parking spaces at close quarters. For the reasons previously given, the increased arrivals and departures within that area would in all probability include shunting back and forward of vehicles as they manoeuvre in and out of the rather constrained spaces. Loud conversations and other interactions between occupiers arriving and departing on foot or by cycle would also be in very close proximity to the front windows of no. 16. As such, the more intensive use of the driveway would materially and harmfully increase noise and disturbance affecting those neighbouring occupiers.
31. There is no specific evidence that sound insulation between the appeal site and its attached neighbour is inadequate, although it appears an earlier application was refused on that basis. In any case, the appellant refers to intended improvements to insulation of the party wall, and details of those measures could be obtained and secured by condition. A condition could also reasonably be imposed to prevent the property being occupied by more than 8 people and would to my mind be enforceable, through co-ordination with the HMO licensing regime and/or monitoring of HMO occupation records. With those safeguards, there is no objective evidence that this alternative residential use would harmfully increase internal noise and disturbance.
32. Externally, while I have concluded that that the private amenity space would be adequate, it is nevertheless a relatively confined space where interactions between occupiers and any larger social activities would be close to the neighbouring gardens and rear windows. However, that is the existing layout, and some noise and disturbance could also be expected when the garden is used by a single household in C3 use. The size of the rear garden would to some degree limit the scope for large gatherings outdoors. When the relatively independent lifestyles of HMO occupiers is also taken into account, I am not persuaded that the risk of larger and/or noisier gatherings would be inherently greater than if the property remained as a single dwelling.
33. Nevertheless, for the reasons given above, there would be some increased noise and disturbance from use of the driveway, which would particularly affect occupiers of the attached dwelling. That is not something which could realistically be addressed by conditions and/or the proposed HMO Management Plan.
34. I conclude that the proposed change of use would have a limited but adverse effect on living conditions for occupiers of the neighbouring property at 16 Willow Tree Lane. That would conflict with relevant requirements in Policies DMH 5 and DMHB 11 of the Part Two Local Plan that development, including HMO uses, does not adversely impact on the amenity of neighbouring properties.

Cycle storage

35. Storage for eight cycles is proposed, which would accord with the minimum numerical standards in London Plan Policy T5 and Policy DMT5/Appendix C of the Part Two Local Plan. The proposed Block and Location Plan drawing includes

details of the proposed cycle shelter, to be sited within the front driveway. It would be open fronted, but covered for weather protection, and would be conveniently located close to the front door in an easily monitored position, where there is street lighting nearby.

36. As previously noted, the cycle store would be only just clear of the swept path for vehicles arriving and departing and that is a factor in the highway safety concerns. Linked to that, there is some risk that users of the cycle store would be inconvenienced by the arrival and departure of motor vehicles, and that would be at odds with the requirements in the London Cycle Design Standards (LCDS) that cycle storage is fit for purpose and well-located for use by the occupants. However, any such interactions would be at low speed and there would be space for cyclists to stand clear of arriving and departing vehicles. Based on the evidence before me, despite the relatively constrained layout, it appears that these two uses could co-exist with a reasonably foreseeable level of care and consideration between occupiers.
37. Neither the Council nor the Highways Authority have clearly explained their view that the cycle storage as illustrated on the drawings would fail to meet qualitative requirements in the LCDS and London Plan. Based on the evidence before me, for the reasons given above, I conclude that suitable provision would be made for cycle storage and there is no demonstrable conflict with Policies T5, DMT5 or the associated guidance.

Character and appearance

38. As previously described, there would be increased use of the driveway, and the cycle storage would be at the front, along with refuse and recycling bins. There would, therefore, be some external signs of the proposed HMO use. However, a residential use would be maintained, within an immediate context where fully hard surfaced driveways and parked cars are already typical of the street frontage. The additional comings and goings would take place against a background of the traffic along Willow Tree Lane and other activity associated with the assorted residential and commercial uses nearby. When considered within that context, the different pattern of activity likely to be associated with the proposed HMO use could be absorbed into the other activity and uses surrounding the site, without material harm to the character and appearance of the area.
39. When considering the effect on the character and appearance of the area, the Council's Officer Report suggested that the cycle store could be at the rear, but that is not the layout shown on the plans. Sited as proposed, the cycle store would be clearly visible from the street and a facility of the scale and nature proposed would not typically be found at a family dwelling. Nevertheless, no specific objection has been articulated by the Council to the design, siting or appearance of the cycle store. It would be a relatively modest structure, backing on to the projecting flank wall of the neighbouring property, which would provide some screening. The immediate surroundings also include commercial uses and a variety of street furniture and within that context it would not be an unduly prominent or alien feature in the street scene.
40. For the above reasons, I conclude that the proposal would not have an adverse impact on the character and appearance of the area. That aspect of the proposed change of use accords with relevant requirements in Policies DMH 5 and DMHB

11 of the Part Two Local Plan, which include that development should harmonise with the local context and that new HMO uses should have no adverse impact on the character of the area.

Supply of family dwellings

41. In the Part Two Local Plan, Policy DMH2 states that the Council will require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. The supporting text refers to a substantial borough-wide requirement for larger affordable and private market units, particularly three-bedroom properties.
42. However, the focus of Policy DMH2 is on proposed residential schemes, whereas retention of existing housing is covered in Policy DMH1. That policy states that the net loss of existing self-contained housing will be resisted unless the housing is replaced with at least equivalent residential floorspace. In this case, there would not be any loss of residential floorspace, since the proposed HMO would be a residential use, which the supporting text describes as falling within the range of existing residential accommodation that is to be retained.
43. Policy DMH5 of the Part Two Local Plan sets out criteria for larger HMOs and the supporting text recognises their role in contributing to the overall supply of cheaper accommodation, particularly for students, young people and those on low income. As such, while the criteria in Policy DMH5 are relevant to the other issues considered above, the policy is broadly supportive of the use in principle.
44. I conclude that the modest effect of the proposed change of use on the supply of larger dwellings would be acceptable. When Policies DMH1, DMH2 and DMH5 are read together, that particular aspect of the proposal would accord with the development plan as a whole.

Other Considerations

45. The appeals at Victoria Lane⁷ and Harlington Road⁸ were both considered on the basis that the existing building was in use as a small HMO. For reasons previously explained, that is not the basis on which I have considered this appeal. Furthermore, the consequences of any particular HMO proposal for highway safety or living conditions are highly dependent on the site layout and other site-specific circumstances. I have reviewed the other decisions provided by both parties, but in each case the site-specific circumstances differ, and none of them outweighs the conclusions reached on those main issues in this particular case.
46. Based on monitoring data published in April 2026, the Council has confirmed that it can no longer demonstrate a five year housing land supply. The most recent published position confirms a 2.5 year supply, which is a significant shortfall. That being the case, paragraph 11d of the National Planning Policy Framework (the Framework) is applicable.
47. A different form of housing would be provided on the site, which may cater for an increased number of occupants and would contribute to the supply of generally lower cost, shared housing of this nature. Reference has been made to increasing rental costs and affordability issues for single renters in the Borough, along with

⁷ Appeal Ref: APP/R5510/W/23/3318771

⁸ Appeal Ref: APP/R5510/W/23/3321861

evidence that demand expressed online for rooms in shared housing exceeds supply within the postcode area. That is a snapshot in time based on data from a single website, but nevertheless the proposal would respond in a small way to that latent demand.

48. The proposal would also utilise a small, previously developed site. Nevertheless, since the site is already in residential use, any benefit to the housing land supply or efficient use of land would be very modest indeed.
49. The property currently appears well decorated, the communal facilities have been improved from a previous application, supporting social interaction between tenants, and proposed planting has been introduced to improve privacy in some of the ground floor bedrooms. The rooms would be en-suite, and there would be facilities for EV charging and home working. The Council has not alleged that there would be any shortfall in internal space standards or other relevant standards for HMOs. However, while the accommodation would, on the whole, be of good quality, Bedroom 3 would be a notable exception.

Planning Balance

50. The access and parking arrangements would prejudice safety both for the occupiers of the site and for other highway users including pedestrians, which could have serious consequences for affected individuals. The Framework recognises that development proposals may be refused where there would be an unacceptable impact on highway safety and paragraph 135 makes clear that the approach to creating well-designed places includes safety considerations. The development plan policies most relevant to that issue are broadly consistent with those requirements and therefore the harm to highway safety, and associated conflict with those policies, carries significant weight.
51. The harm to living conditions would have more localised impact, as it would primarily affect occupiers of one particular neighbouring property and one bedroom in the proposed HMO. Nevertheless, that would also be inconsistent with the approach in paragraph 135 to achieving well-designed places, which includes that a high standard of amenity should be provided for existing and future users. That adds additional weight to the overall harm arising from the proposal.
52. The benefits of the proposal are very modest, taking into account that the site is already in residential use and any additional net benefit to the supply of housing land would be inherently very small. Even in the context of a significant housing land supply shortfall, the adverse impacts of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to policies for securing well-designed places. Therefore, the development does not benefit from the presumption in favour of sustainable development as set out in paragraph 11d.
53. A range of other issues were raised by interested parties but did not feature in the Council's reasons for refusal. However, since I have concluded that the development would be unacceptable for the reasons given above, there is no need for me to address those matters any further.

Conclusion

54. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

Jane Smith

INSPECTOR