



Appeal Decision

Site visit made on 5 June 2026

by Timothy Parton BA(Hons) MPLAN MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2026

Appeal Ref: 6005866

11 Maygoods View, High Road, Uxbridge UB8 2HG

- 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 A Arora against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref is 77266/APP/2025/2557.
 - The development proposed is change of use from Class C3 to Class C4 HMO for 6 persons.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i. the effect of the proposal in meeting local housing need;
 - ii. the effect of the proposal on the character of the area and the living conditions of nearby residents, with particular regard to noise and disturbance;
 - iii. the effect of the living accommodation on the living conditions of future occupants of the proposed dwelling, with particular regard to internal and private external space; and
 - iv. whether the proposal would make adequate provision for parking.

Reasons

Meeting local housing need

3. The proposal would replace a Class C3 dwelling with a Class C4 house in multiple occupation (HMO). Policy DMH 1 of the London Borough of Hillingdon Local Plan Part 2: Development Management Policies (2020) (the Part 2 Plan) states that the net loss of existing self-contained housing will be resisted unless it is replaced by at least an equivalent amount of residential floorspace. A HMO does not constitute self-contained housing, as the accommodation would not be occupied as a single household with exclusive use of all facilities behind a single access.
4. Furthermore, I note the evidence indicating a substantial Borough-wide need for larger private market dwellings. The proposal would result in the loss of a five-bedroom dwelling from the existing housing stock, thereby further exacerbating this need.

5. While the proposal would not result in an overconcentration of HMOs within the area and would therefore accord with this requirement of Policy DMH 5 of the Plan, it would lead to the loss of an existing self-contained Class C3 dwelling. Consequently, the proposal would conflict with Policy DMH 1 of the Part 2 Plan, for the reasons set out above.

Character of the area

6. The existing property is a five-bedroom dwelling situated among similarly sized family homes. While the appeal site fronts onto a busy main road, the surrounding area, including Benbow Way and adjoining streets, is characterised by a relatively quiet suburban residential environment.
7. The proposal would result in a material change in the use of the property. A Class C3 dwelling typically accommodates a single household, whereas the proposed HMO would accommodate multiple separate households. Although a Class C3 dwelling could be occupied by a large family, the proposal would nevertheless represent an intensification of use, with occupiers likely to have differing patterns of movement, social interaction, and daily activity. As a result, the proposal would have the potential to generate increased levels of noise and disturbance, both within and outside the property, compared with a Class C3 dwelling. This would harm the character of the area and the living conditions of neighbouring residents.
8. While it is suggested that soundproofing could be implemented, the proposal before me does not include details of such mitigation, and my assessment must therefore be based on the scheme as submitted. Accordingly, the proposal would conflict with Policy D13 of the London Plan (2021) which, amongst other things, requires that where noise-generating development is proposed in proximity to residential uses, appropriate measures should be secured to mitigate and manage potential impacts.
9. Furthermore, the proposal would also conflict with Policies DMH 5 and DMHB 11 of the Part 2 Plan and Policy D3 of the London Plan which, amongst other things and taken together, require proposals to demonstrate that there will be no adverse impact on the amenity of neighbouring properties or the character of the area.
10. I have considered the suggestion that any resulting noise and disturbance could also affect the living conditions of future occupiers of the proposal. However, future residents would be those seeking HMO-type accommodation, where a degree of activity, noise, and disturbance associated with multiple households living in close proximity is an inherent characteristic. In addition, I have no evidence to indicate that the level of noise and disturbance arising from this proposal would exceed that typically associated with such accommodation.

Living conditions of future occupiers

11. While Policy DMHB 18 of the Part 2 Plan does not prescribe an external space standard for HMOs, I note the suggestion that provision equivalent to that required for a four-bedroom or larger dwelling should be achieved. The property benefits from both a front and rear garden, although the parties dispute whether the front garden should be regarded as private space. Based on my observations on site and the evidence before me, front gardens in the area are commonly used for amenity purposes, particularly where garages and driveways are located to the rear. Furthermore, the sunken nature of the front garden relative to the adjacent

footway and road, together with existing boundary fencing, would allow it to function as external private space.

12. Taking both the front and rear gardens into account, the proposal would provide a level of external private space in excess of that typically expected for a four-bedroom or larger dwelling. Accordingly, the proposal would comply with Policy DMHB 18 of the Part 2 Plan which, amongst other things, requires all new residential development to provide good quality and useable external private amenity space in accordance with prescribed standards.
13. In relation to internal space, the evidence before me demonstrates that the proposed bedrooms would meet the internal space standards set out in Policy DMHB 16 of the Part 2 Plan and Policy D6 of the London Plan. However, I note concerns that the shared facilities, including the kitchen / dining area, bathrooms, and playroom, would be of insufficient size to meet the needs of future occupiers.
14. In particular, the Council have stated that the recent rear extension, forming a kitchen and dining area, is unauthorised. Whilst this is disputed by the appellant, no definitive evidence has been provided to confirm that planning permission has been granted. As such, it remains possible that enforcement action could be pursued, which could result in the removal of these works and so the loss of the proposed kitchen and dining area.
15. Given this, the proposal would fail to provide satisfactory living conditions for future occupiers. It would therefore conflict with Policy DMH 5 of the Part 2 Plan and Policy D3 of the London Plan which, amongst other things, require proposals to provide satisfactory living conditions for the intended occupiers and to achieve indoor environments that are comfortable and inviting for people to use.
16. The proposal would also conflict with paragraph 135 of the National Planning Policy Framework (the Framework) which, amongst other things, seeks to ensure that new development creates a high standard of amenity for future occupiers.
17. I have also considered Policy DMHB 11 of the Part 2 Plan in relation to the living conditions of future occupiers. I have no reason to conclude that, even in the absence of the rear extension, the proposal would fail to make adequate provision for the storage and collection of general, recyclable, and organic waste bins. Accordingly, I find no conflict with Policy DMHB 11 in this regard.

Parking

18. The proposal makes no provision for off-street parking. Although it is presented as a 'car-free' development, no mechanism is provided to secure this arrangement. Furthermore, whilst it is stated that space may be available within the site to accommodate a single vehicle, including electric vehicle charging, the submitted plans do not identify the location of such provision or demonstrate how it could be delivered.
19. Although the appeal site benefits from access to local amenities and nearby bus services, it lies within an area with a Public Transport Accessibility Level (PTAL) of 1b, indicating very poor access to public transport. In these circumstances, the site is not well suited to a car-free form of development and it is likely that future occupiers would own vehicles and require parking provision in the vicinity.

20. In the absence of off-street parking provision, the proposal would fail to comply with the parking standards set out in Policy DMT 6 of the Part 2 Plan. Although there are no parking restrictions on the surrounding roads, I observed on site that on-street parking demand is already high. As a result, the development would likely increase parking demand in the area, to the detriment of the free flow of traffic. Furthermore, vehicles slowing or stopping while searching for parking spaces, inappropriate parking, including in the vicinity of junctions, and the difficulties associated with passing oncoming vehicles where roads are constrained by parked cars, would be likely to harm highway safety.
21. Accordingly, the proposal would conflict with Policies DMT 1, DMT 2, and DMT 6 of the Part 2 Plan and Policy T4 of the London Plan which, amongst other things and taken together, set out local parking standards and require proposals to have no significant adverse transport impacts on the local environment and the safety of all road users. The reason for refusal also includes Policy T6 of the London Plan. However, in the absence of specific standards for HMO development, I agree with the Council that the local standards set out in the Part 2 Plan are more relevant in this instance. Policy T6 is therefore not determinative of the matter before me.
22. The proposal would also conflict with paragraph 116 of the Framework which, amongst other things, states that development should be refused where it would result in an unacceptable impact on highway safety.
23. The proposal includes provision for cycle parking, and I am satisfied there is sufficient space to ensure that the requirements of Policy DMT 5 of the Part 2 Plan and Policy T5 of the London Plan can be achieved. While concerns have been raised regarding the use of the front garden for this purpose, I observed on site that it is common within the area for front gardens to accommodate a range of uses, including cycle storage. The front garden is enclosed by existing boundary fencing and accessible via a gate and from the front entrance, providing a secure and usable area. Accordingly, the proposal would comply with Policy DMT 5 of the Part 2 Plan, Policy T5 of the London Plan, the London Cycling Design Standards (2016), and Local Transport Note 1/20: Cycle Infrastructure Design (2020), which, amongst other things, set out requirements for cycle parking and the provision of high-quality cycling infrastructure.

Other Matters

24. I acknowledge that only one objection was raised by neighbouring residents. However, the lack or absence of objections does not in itself render a proposal acceptable, as representations are only one factor in the determination of planning applications and appeals.

Conclusion

25. Although there would be compliance with some aspects of the development plan, I give greater weight to the identified harms relating to meeting local housing needs, the effect on the character of the area, the living conditions of future occupiers, and parking. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations that would outweigh that conflict. Therefore, the appeal should be dismissed.

Timothy Parton

INSPECTOR