

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	☐
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	☐
3.	There is no Committee resolution for the enforcement action	☐
4.	There is no effect on listed buildings or their settings	☐
5.	The site is not in the Green Belt (but see 11 below)	☐

REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	☐
7.	No petition of 20 or more signatures has been received	☐
8.	Application has not been supported independently by a person/s	☐
9.	The site is not in Green Belt (but see 11 below)	☐

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	☐
11.	Householder application in the Green Belt	☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	☐
13.	Refusal of change of use from retail class A1 to any other use	☐
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	☐

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	☐
16.	Certificate of Lawfulness (for existing use or Development)	☐
17.	Certificate of Appropriate Alternative Development	☐

CERTIFICATE OF LAWFULNESS

18.	ADVERTISEMENT CONSENT (excluding Hoardings)	☐
19.	PRIOR APPROVAL APPLICATION	☐
20.	OUT-OF-BOROUGH OBSERVATIONS	☐
21.	CIRCULAR 18/84 APPLICATION	☐
22.	CORPSEWOOD COVENANT APPLICATION	☐
23.	APPROVAL OF DETAILS	☐
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	☐
25.	WORKS TO TREES	☐
26.	OTHER (please specify)	☐

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Report of the Head of Development Management and Building Control

Address: 14 WILLOW TREE LANE HAYES

Development: Change of use from a 6-person House in Multiple Occupation (Class C4) to a 7-person House in Multiple Occupation (Sui Generis) (Application for a Certificate of Lawful Development for a Proposed Use).

LBH Ref Nos: 5516/APP/2025/3218

Drawing Nos: Location plan
HD00257 - PL01
HD00257 - PL02
HD00257 - PL03
HD00257 - PL04
Planning Statement

Date Plans received: 19-12-25 **Date(s) of Amendments(s):**

Date Application valid 11-02-26

1. RECOMMENDATIONS

1.1 Recommendations

That a certificate of lawful use or development be **REFUSED** for the proposed development described above in respect of the land edged red on the attached plans for the following reasons:

The proposed development does not constitute permitted development as the use of No.14 Willow Tree Lane, Hayes as described in the submission as the occupation of the property by up to 7 unrelated individuals sharing facilities, falls outside the ambit of Use Class C4 of the Schedule to the Town & Country Planning (Use Classes) Order 1987. The proposal is considered to constitute a material change of use within the definition of development under Section 55 of the Town and Country Planning Act 1990.

This determination is based on your submitted plans. All measurements are taken from existing ground level.

INFORMATIVES

2.0 Planning Considerations

The application seeks a certificate of lawful development for the Change of use from a 6 person House in Multiple Occupation (Class C4) to a 7 person House in Multiple Occupation. The application is submitted with a supporting planning statement which argues that the proposed Change of use from a 6 person House in Multiple Occupation (Class C4) to a 7 person House in Multiple Occupation does not amount to development requiring planning permission.

The application site comprises a two-storey semi-detached building with a side addition and loft conversion providing accommodation over 2 storeys with a room in the roof. The site was lawfully converted to a C4 HMO prior to the implementation of an immediate article 4 and confirmed by certificate 5516/APP/2025/2218. The internal layout comprises:

Ground floor: Two en-suite bedrooms, kitchen/lounge and office/study room

First floor: Four en-suite bedrooms and kitchenette

The proposal

The submitted plans indicate the proposed use of the storage room and utility room as a 7th single occupancy bedroom with en-suite bathroom. The proposed bedroom measures 11.5m² with an en-suite bathroom (3.4m²).

Officers note the discrepancy with the submitted planning statement which states:

"The property has lawful use following the aforementioned certificate and is being used as a 6-person HMO (C4). This proposal is to use two of the bedrooms to provide double occupancy and therefore there is no physical internal or external development involved."

Officers confirm that the application is assessed on the submitted plans and description of development.

Planning History

Officers note that application reference 5516/APP/2025/2441 for the Change of use from Class C3 dwelling house to 7-bedroom / maximum 8 person HMO Use Class Sui Generis was refused on 2.12.25 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 3-bedroom family dwellings. 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).
2. 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, detrimental to both the occupiers and neighbouring properties and the character and appearance of the area, all contrary to the requirements of Policies DMH 5 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 135 f) of the NPPF (2024).
3. The proposal, by virtue of it's failure to maintain an adequate amount of private usable external amenity space and adequate levels of outlook for the occupiers of the proposed development, would result in substandard living accommodation and an over-development of the site to the detriment of the residential amenity of existing and future occupiers. The proposal is therefore

contrary to the requirements of Policies DMH 5, DMHB 11, DMHB 16 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 135 f) of the NPPF (2024).

4. The applicant has failed to demonstrate that the proposal would provide an adequate quantum of off-street parking space and that those spaces proposed would be functional and capable of safe and independent access. The proposed parking provision is likely to result in roadside parking and create a more hazardous environment for road users, whilst also causing traffic build up and congestion as vehicles try to maneuver to enter and exit the site and stop to pass parked vehicles. The proposed development is therefore considered to be detrimental to pedestrian and highway safety, as well as the free movement of vehicles on the local highways network. The proposed development is therefore considered to be contrary to Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), as well as Policies T4 and T6 of the London Plan (2021) and paragraph 116 of the NPPF (2024).

5. The proposal fails to provide an adequate quantum of cycle parking spaces that would be easily accessible, in accordance with cycle parking standards and therefore fails to comply with Policy DMT 5 of the Hillingdon Local Plan (2020): Part Two - Development Management Policies (2020), Policy T5 of the London Plan (2021), the London Cycling Design Standards and LTN 1/20 Cycle Infrastructure Design and paragraph 117 of the NPPF (2024).

The application is the subject of a current planning appeal reference 6004329.

Assessment

Schedule 2, Part 3, Class L of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) outlines permitted development rights for the change of use of a C3 dwelling House to a C4 HMO. Class L states:

Class L - small HMOs to dwellinghouses and vice versa

L. Development consisting of a change of use of a building-

(a) from a use falling within Class C4 (houses in multiple occupation) of the schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that schedule;

(b) from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule.

The question to be addressed is whether the difference between a sixth and seventh resident would involve a

material change of use. The basic approach is that, for a material change of use to have occurred, there must be some significant difference in the character of the activities from what has gone on previously as a matter of fact and degree.

The applicant argues that whilst there is a use class system, it does not automatically follow that, as in the cases here, an additional resident/s would result in a material change of use given that the proposal would not result in a significant difference in the character of activity arising and thus not amount to development.

The Council would dispute that the proposal would not result in a significant difference in character or activity associated with the lawful C4 use of the property. As highlighted in the recent refusal of planning permission reference 5516/APP/2025/2441, there are significant concerns raised by the

Council for the occupation of the property by an additional resident. The intensification of use of the property would materially increase the activity at the site, result in additional noise and disturbance to neighbours, result in an increased demand for the already substandard external amenity space and place, would be detrimental to pedestrian and highway safety, as well as the free movement of vehicles on the local highways network and fails to provide sufficient secure cycle storage for its occupants. The Council therefore considers that the proposal would result in a significant difference in the character of activity arising and thus would amount to development.

The application is recommended for refusal.

3.0 Relevant Planning History

5516/APP/2025/2441 14 WILLOW TREE LANE HAYES

Change of use from Class C3 dwelling house to 7-bedroom / maximum 8 person HMO Use
Class Sui Generis

Decision Date: 02-12-25 Refused

5516/APP/2025/2218 14 WILLOW TREE LANE HAYES

Change of use from a Dwellinghouse (Class C3) to a House in Multiple Occupation (Class C4)
(Application for a Certificate of Lawful Development for a Proposed Use).

Decision Date: 05-11-25 Approved

5516/APP/2025/1725 14 WILLOW TREE LANE HAYES

Change of use from C3 dwelling house to 8 bedroom / maximum 8 person HMO Use Class Sui
Generis

Decision Date: 18-08-25 Refused

5516/APP/2025/686 14 WILLOW TREE LANE HAYES

Change of use from Class C3 (Dwelling) to an 8 bedroom Sui Generis (Large HMO).

Decision Date: 28-05-25 Refused

5516/APP/2025/3 14 WILLOW TREE LANE HAYES

Erection of a first floor side extension over existing garage. Conversion of integral garage to
habitable accommodation and amendments to fenestration.

Decision Date: 04-03-25 Approved

5516/K/96/0852 14 WILLOW TREE LANE HAYES

Erection of a first floor side extension

Decision Date: 15-07-96 Refused

5516/J/89/0980 14 WILLOW TREE LANE HAYES

Erection of a single storey rear extension

Decision Date: 15-06-89 **Approved**

5516/C/XX/13127

Decision Date:

5516/D/XX/14018

Decision Date:

Comment on Planning History

Contact Officer: Nicola Taplin **Telephone No:** 01895 250230