

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 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 Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives 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 DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning, Transportation and Regeneration**

Address 19 PEACHEY LANE COWLEY

Development: Change of use from a house in multiple occupation for up to 6 residents (Use Class C4) to a 7 bed, 7 person house in multiple occupation (Sui Generis)

LBH Ref Nos: **75488/APP/2020/4271**

Drawing Nos: HMO Register Nov 2020
 2020-19PL-SGFP-1 Rev. 1.0C
 HMO Management Supervision Plan
 Site Supervision Management Plan
 Transport Statement
 2020-19PL-SGFP-2 Rev. 1.0C
 2020-19PL-SGFP-3 Rev. 1.0C
 Design and Access Statement
 2020-19PL-SGFP-4 Rev. 1.0C

Date Plans received : 04/01/2021

Date(s) of Amendment(s):

Date Application Valid: 04/01/2021

1. **SUMMARY**

The application seeks planning permission for the change of Use from Class C4 house in multiple occupancy (HMO) to Sui Generis HMO (7 bed and 7 persons) with no external alterations.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 RES3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990

2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2020-19PL-SGFP-3 Rev. 1.0C and 2020-19PL-SGFP-4 Rev. 1.0C and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2016).

3 RES5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

HMO Management Supervision Plan

Site Supervision Management Plan

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure that the development complies with the objectives of Policies. [Specify]

4 RES9 Landscaping (car parking & refuse/cycle storage)

Prior to any occupation by more than six residents landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Refuse Storage

2.b Cycle Storage

2.c Means of enclosure/boundary treatments

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, and DMH5 of the Hillingdon Local Plan Part 2 (2020) .

5 NON2 Non Standard condition

There shall be no more than seven bedrooms with no more than seven residents in the property.

REASON

To ensure that the amenity of the occupiers of the adjoining property is not adversely affected in accordance with policy DMH5 and DMHB11 of the Hillingdon Local Plan - Part Two (2020).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act

incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMH 5 Houses in Multiple Occupation

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP 3.5 (2016) Quality and design of housing developments

3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

3. CONSIDERATIONS

3.1 Site and Locality

The application property comprises a two storey semi-detached property located at the southern end of Peachey Lane, backing onto an open green area. The agent confirms that the property has been in C4 small HMO for more than 10 years, occupied by up to 4 tenants. The property has been recently extended by way of single storey side and rear extensions.

3.2 Proposed Scheme

The application seeks planning permission for the change of Use from Class C4 house in multiple occupancy (HMO) to Sui Generis HMO (7 bed and 7 persons) with no external alterations.

The accommodation would comprise:

- 1 communal kitchen & dining area with 2 sets of cooking facilities of 15.7m²
(Note: the current Local Planning Policies do not specify the minimum shared communal floor space for HMO use).
- 7 en-suite bedrooms all will be restricted to single occupancy for the purpose of this application.
- 3 x cycle storage units for up to 9 cycles
- 2 x refuse storage bins with enclosures
- 185m² rear garden as amenity space

3.3 Relevant Planning History

75488/APP/2020/1089 19 Peachey Lane Cowley

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3.25 metres, and for which the height of the eaves would be 2.9 metres

Decision: 12-05-2020 PRN

75488/APP/2020/963 19 Peachey Lane Cowley

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3.25 metres, and for which the height of the eaves would be 2.9 metres, and a single storey side/rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3.25 metres, and the height of the eaves would be 2.9 metres

Decision: 30-04-2020 Approved

75488/APP/2020/970 19 Peachey Lane Cowley

Single storey side/rear extension

Decision: 14-05-2020 Approved

Comment on Planning History

The relevant planning history is listed above. It is noted that the extensions have been built

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

23 neighbouring properties were consulted by letter dated 7.1.21. 17 letters of objection have been received raising the following concerns:

1. No parking provided and demand for parking will increase
2. Too many students in the area
3. Out of character for this residential area
4. increase noise and disturbance.

Highways Officer:

The submitted TS states the following: The site is located on the south side of Peachey Lane and approximately 80m west of Abbotts Close. The site currently comprises one half of a pair of semi-detached houses. There is no vehicular access or parking. On-street parking in the vicinity of the site is restricted through double yellow lines and Parking Management Zone (Zone C1). The proposed development comprises the extension and conversion of the existing dwelling to provide a 7 room House in Multiple Occupation. According to the TfL PTAL website the site has a PTAL rating of 1b which is "poor". The proposed HMO will not provide any car parking. The existing dwelling has a parking permit for use in Zone C1 of the Controlled Parking Zone. It is critical to the consideration of the proposals that due regard is given to the Permitted Development rights that allow the existing dwelling to be converted to a 6 room HMO without the need for a formal planning submission. As such, the consideration of the car parking requirements for the current scheme can only relate to the creation of a seventh room. On-street parking in the vicinity

of the site is regulated through double yellow lines and a Residents' Parking Permit scheme and therefore there is little risk of the proposals resulting in an unacceptable impact to highway safety (para 109 NPPF) from an increased demand for on-street parking that cannot be policed through the existing restrictions. The proposals include the provision of secure cycle parking with one space per room. Highways Comments: Whilst the site has a poor PTAL rating of 1b, given the site is located within a residents parking managements scheme with extensive double yellow lines, and that consideration relates to the extra room over and above the 6 permitted under PD, and the provision of secure and sheltered cycle parking, taking all these points into consideration the HA believes that the proposal is not likely to have any significant impact on the operation and demand of parking on the local highway network. Whilst the applicant has mentioned secure cycle parking however no provision has been shown on the deposited plan. RECOMMENDATION: No objection subject to the following condition Conditions: Cycle parking/storage in accordance with DMT 6 (adopted Jan 2020) shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be constructed and laid out in accordance with the agreed details and completed prior to occupation of the development hereby approved and shall thereafter be retained, maintained, and kept available for the occupants of the development at all times.

Landscape Officer:

This site is occupied by a two-storey semi-detached house located on the south side of Peachey Lane. The front garden is used for parking and there is a private garden to the rear. There are no TPO's or Conservation Area designations affecting the site.

COMMENT: No trees or landscape features will be affected by the proposal which involves no change to the external footprint of the building. The scheme proposes areas of soft landscape in the front garden which will go some way to mitigating the effect of the parking spaces. The private garden to the rear will accommodate bin and bike storage and should be laid out to provide attractive, usable shared space for the residents. The owner/management company will need to establish and maintain the external communal spaces and soft landscape.

RECOMMENDATION: No objection subject to conditions RES9 parts 1,2,4 and 5).

6. **Local Plan Designation and London Plan**

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMH 5 Houses in Multiple Occupation

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP 3.5 (2016) Quality and design of housing developments

In addition: Development Plan

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material

considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The West London Waste Plan (2015)

The London Plan (2021)

Material Considerations

The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance. Prepared and adoption is expected imminently.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

The application proposes no extensions to the building and is only for a change of use. Therefore, the development would cause no significant harm in terms of loss of light, loss of outlook or loss of privacy.

On balance given that the existing property operates with 4 occupants it is considered that the increase to 7 occupants would not be such a significant increase or result in any material impact on the neighbouring properties to merit a refusal on that basis alone.

7.2 Impact on Street Scene

The proposed development would not involve any external alterations and would therefore have no impact on the appearance of the building and would have an acceptable impact on the visual amenities of the surrounding area.

7.3 Traffic Impact/Pedestrian Safety

Policy DMT 2: Highways Impacts states:

Development proposals must ensure that:

- i) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- iii) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the design of highway and traffic management schemes;
- iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and
- v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.

Policy DMT 6: Vehicle Parking states:

A) 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.

The Council may agree to vary these requirements when:

- i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or
- ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations.

B) All car parks provided for new development will be required to contain conveniently located reserved spaces for wheelchair users and those with restricted mobility in accordance with the Council's Accessible Hillingdon SPD.

The site is located on the south side of Peachey Lane and approximately 80m west of Abbotts Close. The site currently comprises one half of a pair of semi-detached houses. There is no vehicular access or parking. On-street parking in the vicinity of the site is restricted through double yellow lines and Parking Management Zone (Zone C1). The proposed development comprises the conversion of the existing C4 dwelling to provide a 7 room House in Multiple Occupation. According to the TfL PTAL website the site has a PTAL rating of 1b which is "poor".

The proposed HMO will not provide any car parking. The existing property has a parking permit for use in Zone C1 of the Controlled Parking Zone. It is critical to the consideration of the proposals that due regard is given to the lawful use of the property as a C4 dwellinghouse (small HMO for up to 6 residents). As such, the consideration of the car parking requirements for the current scheme can only relate to the creation of a seventh room.

On-street parking in the vicinity of the site is regulated through double yellow lines and a Residents' Parking Permit scheme and therefore there is little risk of the proposals resulting in an unacceptable impact to highway safety (para 109 NPPF) from an increased demand for on-street parking that cannot be policed through the existing restrictions.

The proposals include the provision of secure cycle parking with one space per room.

Whilst the site has a poor PTAL rating of 1b, given the site is located within a residents parking managements scheme with extensive double yellow lines, and that consideration relates to the extra room over and above the 6 permitted and the provision of secure and sheltered cycle parking, taking all these points into consideration the Highway Authority considers that the proposal is not likely to have any significant impact on the operation and demand of parking on the local highway network. Whilst the applicant has mentioned secure cycle parking however no provision has been shown on the deposited plan. This could be secured by way of condition.

7.4 Carparking & Layout

See above.

7.5 Urban Design, Access and Security Considerations

The proposal involves the provision of 7 en-suite bedrooms with a communal kitchen/dining room at ground floor level and communal living room within the loft space. The rear garden would be for communal use at an area of 185 square metres. It is considered that the future occupants of the HMO would enjoy a satisfactory level of amenity in accordance with the requirements of Policies DMH5, DMHB11 and DMHB18 of

the Hillingdon Local plan - Part Two (2020).

Landscaping

It was noted throughout the course of the application, that the rear garden has been laid to hardstanding. This provides a poor quality of external amenity space for the future occupants. The proposal would be required to demonstrate some additional soft landscaping and it is considered appropriate to impose a landscaping condition to secure an improvement to the external amenity space provision.

7.6 Other Issues

Policy DMH5 states:

A) In all parts of the Borough 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.

B) In wards covered by an Article 4 Direction for HMOs

Planning applications for the change of use from dwelling house (Use Class C3) to HMO (Use Class C4 and Sui Generis) will only be permitted:

- i) where it is in a neighbourhood area where less than 20% of properties are or would be exempt from paying council tax (or in the case of Conservation Areas 10%) because they are entirely occupied by full time students, recorded on the Council's database as a licensed HMO, benefit from C4/Sui Generis HMO planning consent and are known to the Council to be HMOs;
- ii) in Conservation Areas where less than 10% of properties are exempt from paying council tax because they are entirely occupied by full time students, recorded on the Council's database as a licensed HMO, benefit from C4/Sui Generis HMO planning consent and are known to the Council to be HMOs and the change of use does not form a consecutive HMO use in a street frontage;
- iii) where less than 15% of properties within 100 metres of a street length either side of an application property are exempt from paying council tax because they are entirely occupied by full time students, recorded on the Council's database as a licensed HMO, benefit from C4/Sui Generis HMO planning consent and are known to the Council to be HMOs; and
- iv) where the accommodation complies with all other planning standards relating to car

parking,
waste storage, retention of amenity space and garages and will not have a detrimental impact upon
the residential amenity of adjoining properties.

The applicant has confirmed that the concentration of HMO's is less than 20% within the neighbourhood area (12.8%) and less than 15% within 100m of a street length (7.1%).

The applicant has submitted both an HMO management plan and Site Supervision Management Plan to ensure the development would not have detrimental impact upon the residential amenity of adjoining properties and living conditions of adjoining occupants.

8. Reference Documents

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)

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