

London Borough of Hillingdon Council Planning Division
Civic Centre, High Street
Uxbridge
UB8 1UW

Tel: 07904 330 691

14th January 2024

via Planning Portal

PLANNING STATEMENT

RE: 7 Old Farm road, West Drayton, London, UB7 7LE

INTRODUCTION:

This planning statement is submitted on behalf of Mr Kamlesh & Mrs Nehali Patel the owners of 7 Old Farm Road, West Drayton, UB7 7LE. The proposal involves a conversion of an existing dwelling into a 5-bedroom HMO & internal re-configuration. This is an end of terrace property located within the West region of London, with neighbouring properties of similar age and construction. A number of properties have been constructed at close proximity, which share the same appearance and character.

SITE DISCRIPTION:

The well-presented four-bedroom end of terrace dwelling has plenty of potential and located within 0.4miles to West Drayton train station along with local shops at close proximity. This property is a family dwelling (Class C3).



**Birds eye view
of 7 Old Farm
Road**

The application site is a rectangular shape with a spacious driveway to comfortably park two vehicles at the front of the property. There is direct access to the main road at the front of the property onto Old Farm Road. The three-storey end of terrace property is located and accessed from the North East of Old Farm Road. The property lies within the West Drayton Green Conservation Area. The application site is not located within, World Heritage Site or AONB and permitted development rights in relation to such extension have not been restricted, nor is there an Article 4 direction in place that removes such rights for this type of proposal.

The property is constructed and finished in brickwork to the front, with red hanging tiles and the same to the rear. The existing large windows are PVC double glazed throughout.

PROPOSAL:

This proposal is to obtain a Certificate of Lawfulness approval for the conversion of an existing dwelling house into a 5-bedroom HMO and internal re-configuration. The applicant seeks for a Certificate of Lawfulness proposed development to be Granted for the existing dwelling (use Class C3) to be converted into a House in Multiple Occupation (use Class C4). This conversion will fall under PD rights meeting the requirement of a small HMO (5-bedrooms) below the 6-bedroom (6 X unrelated individual) threshold.

The proposal relates to a three storey end-of-terrace house located on the Southern side of Old Farm Road. The application property proposes internal alterations seeking to create 5-bedrooms, a utility/storage room, 2 X en-suite rooms, shared kitchen facility and communal bathroom / WC with shower. No elevation changes are proposed. The front driveway is hardstanding forecourt car parking space for occupiers (however not a mandatory requirement).

The proposed conversion from a single dwelling house to a HMO for 5 people should be considered as it would fall within the Permitted Development of Class L of the GPDO.

Class L of the GPDO stipulates that development is not permitted by Class L if it would result in the use;

- i. As two or more separate dwelling houses falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order of any building previously used as a single dwelling house falling within Class C4 (houses in multiple occupation) of that Schedule.
- ii. As two or more separate dwelling houses falling within Class C4 (houses in multiple occupation) of that Schedule of any building previously used as a single dwelling house falling within Class C3 (dwelling houses) of that Schedule.

Primary Legislation

The Town and Country Planning Act 1990 Section 55 (1) of the Town and Country Planning Act 1990 defines the term development and makes clear that it includes the making of any change in the use of any buildings. **Section 55(2)(f)** explains that, in the case of buildings used for a purpose of any class specified by the Secretary of State, the use of any building for any other purpose within the same class shall not be taken for the purpose of the Act as amounting to development. **Section 57(1)** of the Act provides that planning permission is required for the carrying out of any development of land and **section 336(1)** defines land as including a building. **D6 Section 92** of the Act (as amended by Section

10 of the Planning and Compensation Act 1991) makes provision for an application to be made to the local planning authority by anyone who wishes to ascertain whether any proposed use of a building would be lawful. This is to be done by making an application for the purpose to local planning authority specifying the land and describing the use in question.

Secondary Legislation

Town and Country Planning (Use Classes) Order 1987 (as amended). The Use Class Order (UCO) sets out classes of uses for the purpose of s.55(2)(f) of the 1990 Act. A change of use where both existing and proposed uses are within the same Use Class is not "development" and therefore does not require planning permission.

Class C3 of the Order provides as follows:

Use as a dwelling-house (whether or not as a sole or main residence) by

- (a) A single person or by people to be regarded as forming a single household;
- (b) Not more than six residents living together as a single household where care is provided for residents; or
- (c) Not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).

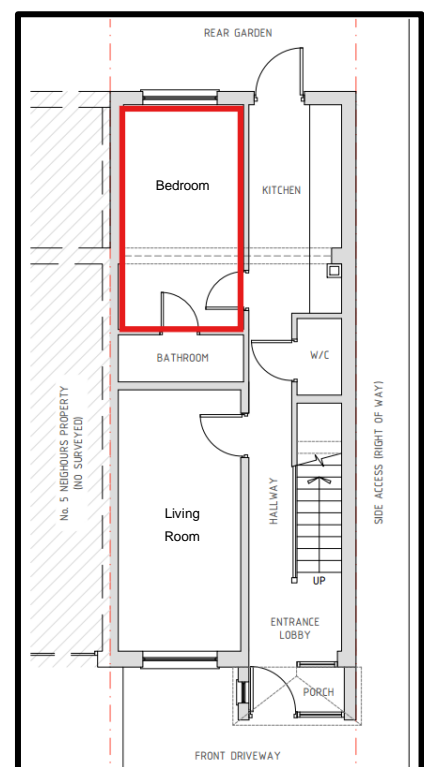
CLG Circular 05/2010: Changes to planning regulations for dwelling houses and houses in Multiple Occupation (came into force on 6 April 2010). This Circular provides the most up-to-date guidance relating to the change in the law on Class C uses that came into effect on 6 April 2010. This change introduced a new Class C4 for houses in multiple occupation.

The proposed scheme will not affect any neighbouring properties, nor will it take away any character to the existing property. Visually this will not have any major impact to the streetscape.

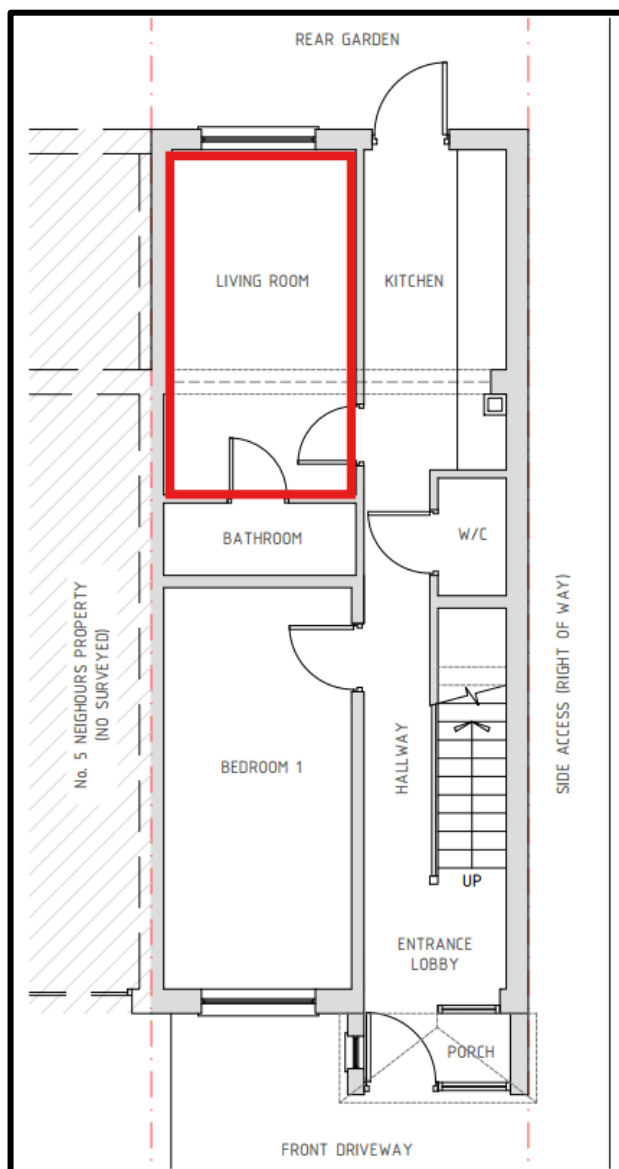
EVIDENCE OF THE PRE-EXISTING & EXISTING PROPERTY USE:

Prior to submitting the application the applicant has provided a set of photos taken from early **July 2019**, early **February 2020**, mid-**August 2021** and **Jan 2025** of the ground floor spaces:

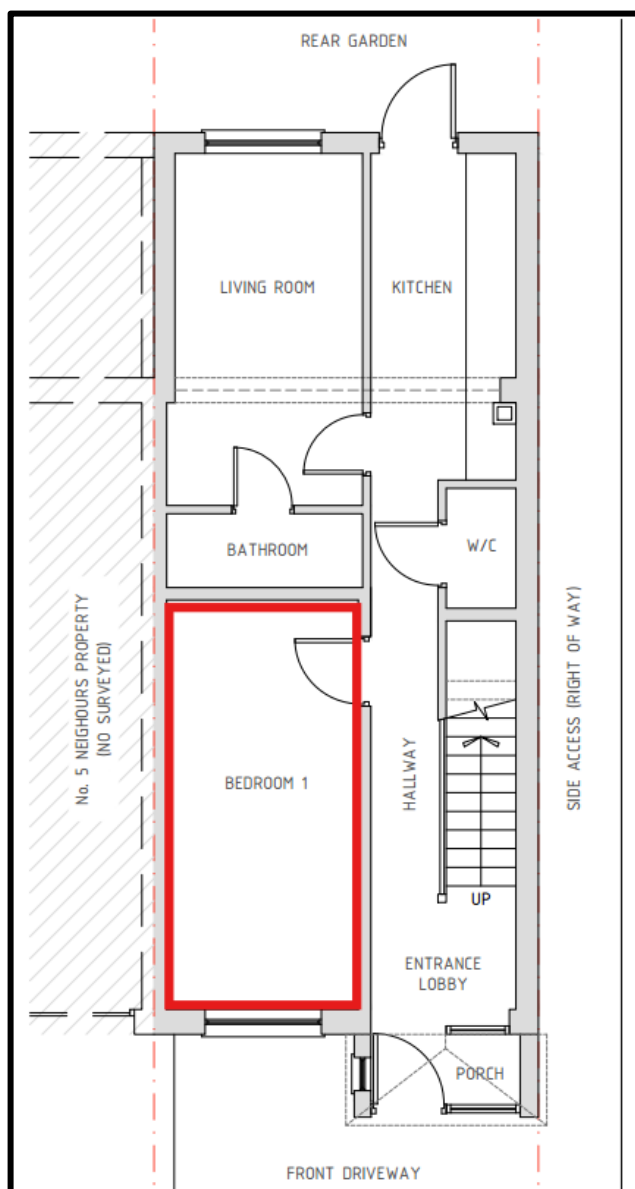
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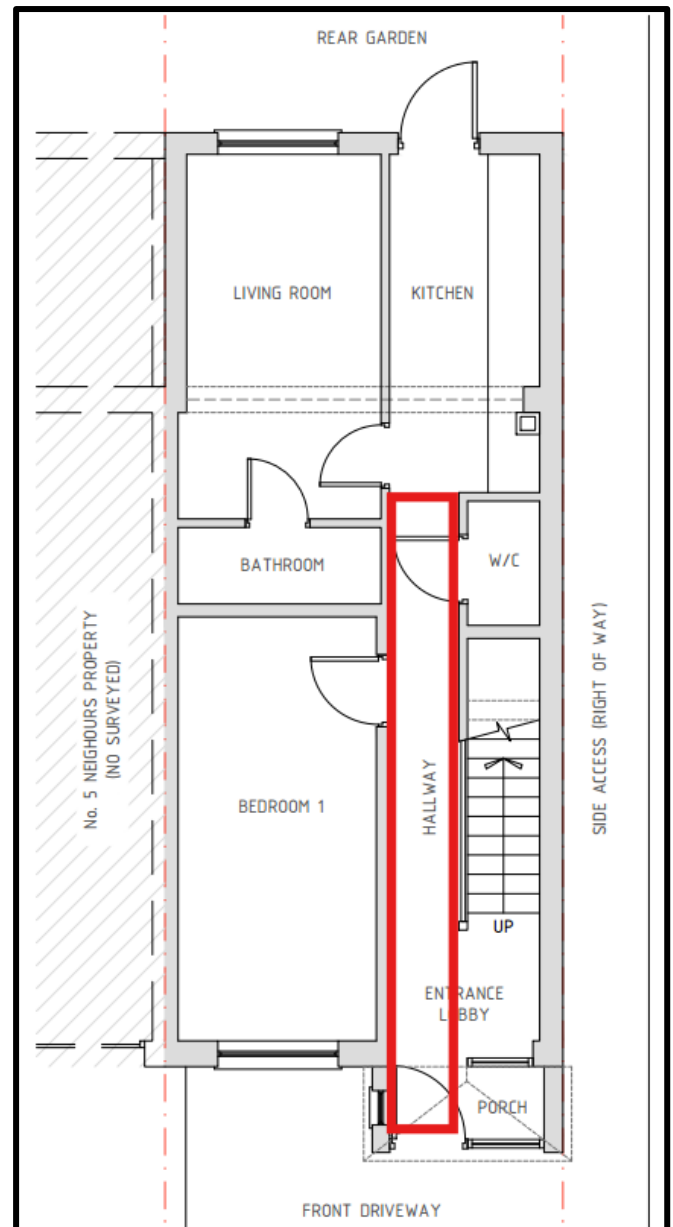
February 2020:



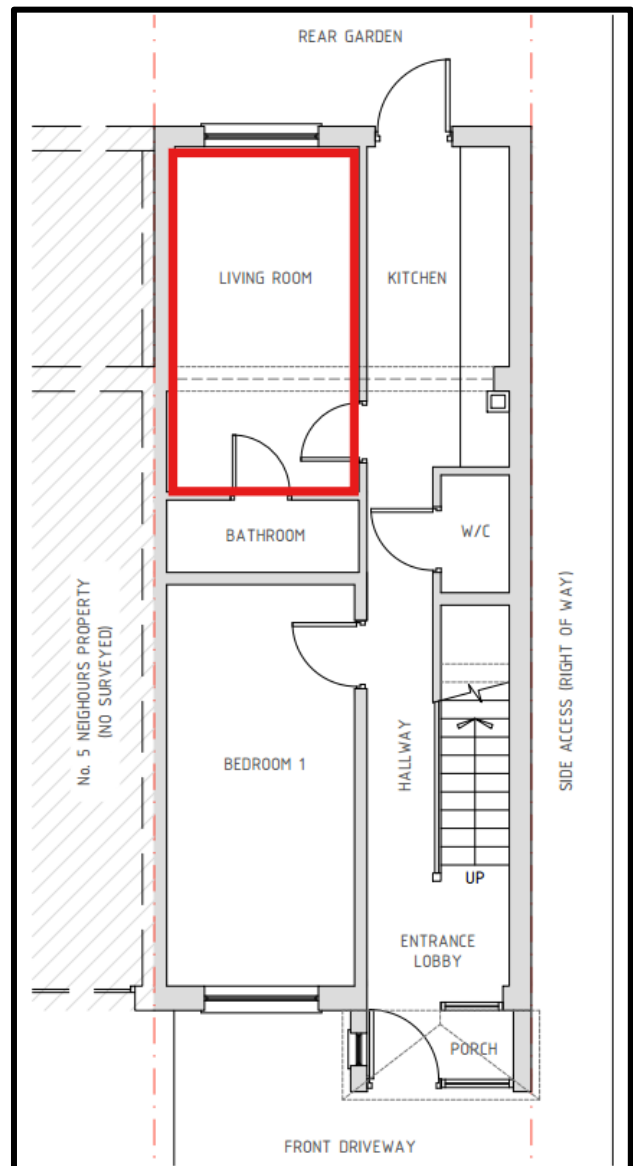
February 2020:



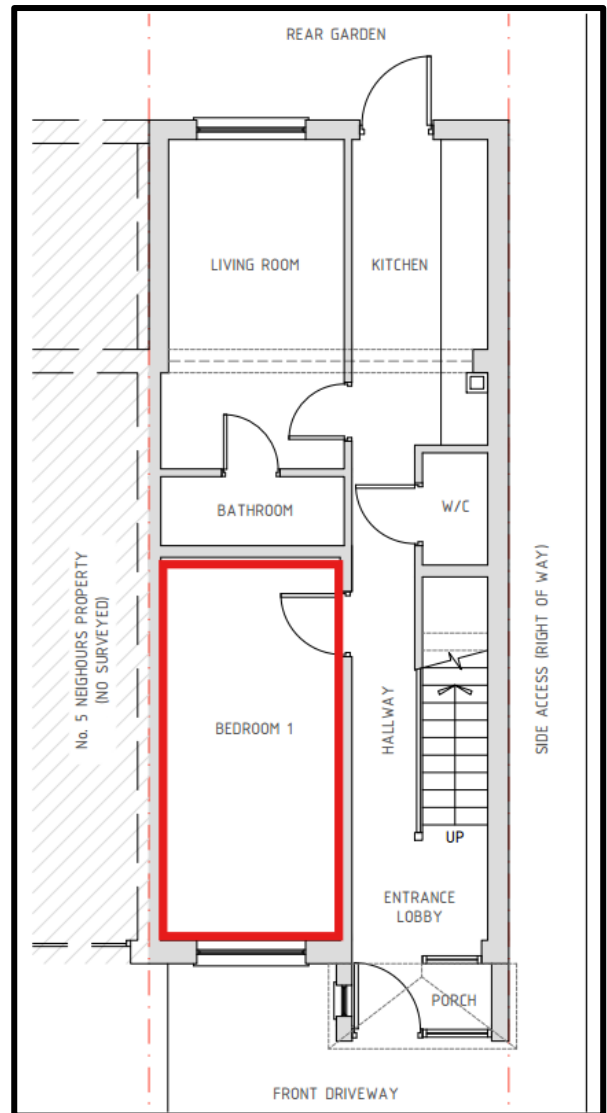
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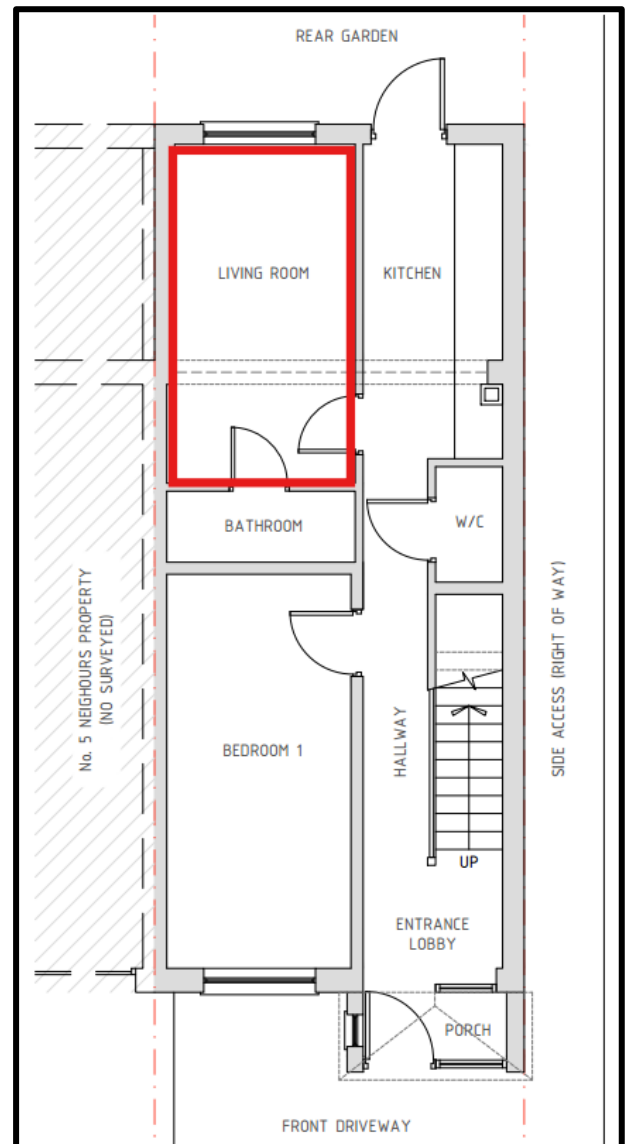
August 2021:



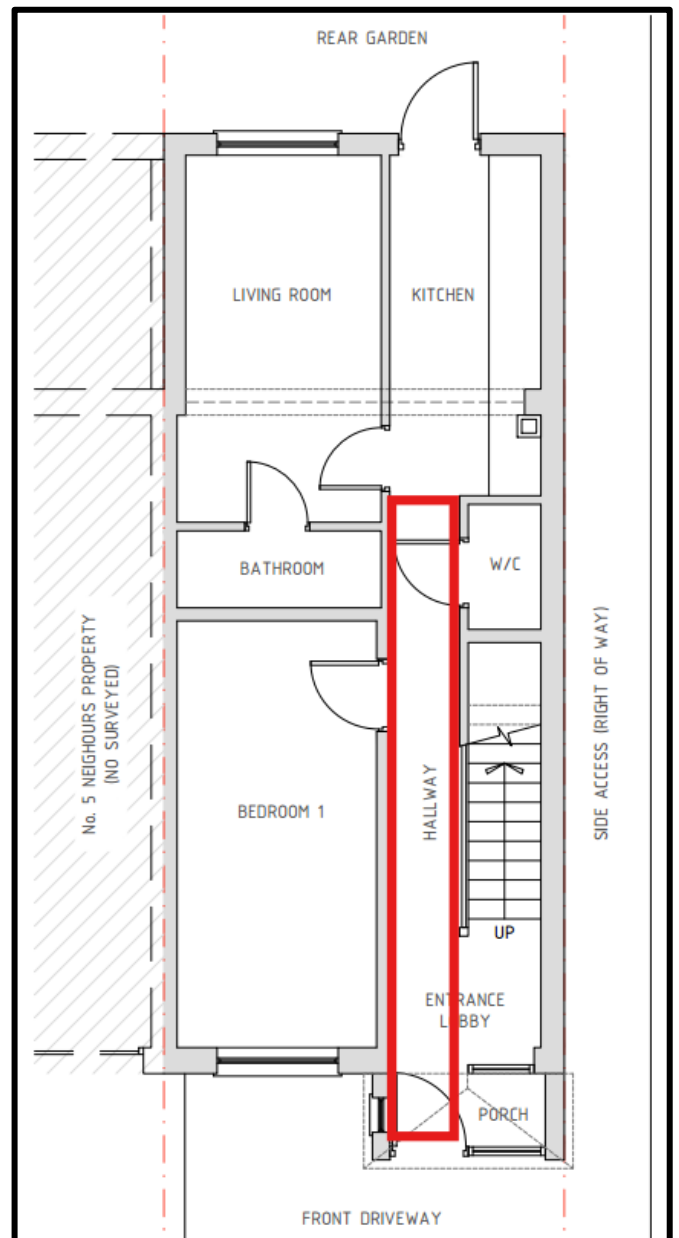
August 2021:



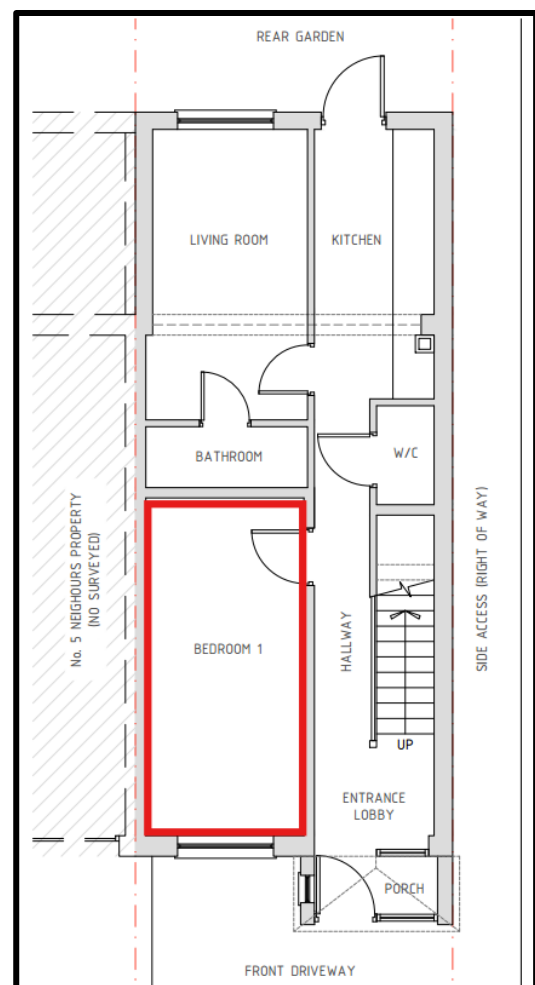
Recent photos till date **January 2025**:



Recent photos till date **January 2025**:



Recent photos till date **January 2025**:



UK GOVERNMENT'S SPACE STANDARDS:

In accordance to the UK Government's Space Standards for HMO's in England.

*Space standards have been put in place to ensure HMO tenants can enjoy sufficient comfortable living space when residing in a shared property. These space standards dictate minimum bedroom sizes as well as ratios for toilets and bathrooms, so to remain compliant with the law, as a HMO landlord in **England** you need to know those requirements and adhere to them*

- *The minimum legal bedroom size for a HMO property in England, for a single person, is **6.51m²**.*

[The proposed application demonstrates the minimum bedroom size achieved would be 8.8m². Exceeding the minimum Government requirements]

- *You must provide at least one bathroom for every five HMO tenants. It should contain a hand basin, toilet, and shower or bath.*

[The proposed application demonstrates the both bathroom and en-suites are achieved. Exceeding the minimum Government requirements]

- *HMOs must have a kitchen measuring a minimum of **7m²** for 5 or fewer occupants.*

[The proposed application demonstrates the minimum kitchen size achieved would be 9.3m². Exceeding the minimum Government requirements]

- *HMO landlords in **England** aren't legally required to provide tenants with a separate living room if the kitchen is big enough to meet the government's space requirements.*

[The proposed application demonstrates that the minimum kitchen size exceeds the government's space requirements which would result to not having to provide a living room. Both the bedrooms and kitchen exceeds the space requirements making the HMO a comfortable to share]

SUMMARY:

The proposal would be beneficial for the high demand of affordable single room accommodation in a shared house, within the area.

Throughout the years the property has swapped from C3 to C4 use within Permitted Development rights. It is clear to say from the existing plans and photos that there are no signs of any other use, primarily to say the existing layout does not show any areas of self-containment. The use for this dwelling is clear and can be confirmed that it is a (Class C3 – family dwelling) use. The applicant has drawn my attention to the wrongly charged council tax stating the property is in 3 flats. This is wrongly charged for to the property owner as there is no self-containment from the photos provided & planning database (when writing this planning statement).

The proposed scheme does not visually harm the surroundings, nor does it impact on the character or form of the original dwelling house.

To take into account, the adjoining neighbour has been granted, a lawfulness use, of a 6-bedroom HMO with no living room provided within the property. Based on this set precedence it would be fair to say that a proposed lawfulness certificate should be granted for this application relating to number 7 Old Farm Road.

I trust you will find the above planning statement entirely satisfactory, however, should you have any further questions or queries please do not hesitate to contact me. In the meantime, I look forward to hearing from you soon.

Kind regards,

A handwritten signature in blue ink, appearing to read 'Anish .B. Patel', with a stylized, sweeping flourish extending to the right.

Anish .B. Patel

ABP Architectural Services Ltd