

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, Building Control, Sport & Green Spaces**

Address 734-736 UXBRIDGE ROAD HAYES

Development: Change of use of first and second floors from offices (Use Class B1) to a 9 bedroom House in Multiple Occupancy (Sui Generis), involving installation of roof lanterns to first floor roof and installation of metal gates to side

LBH Ref Nos: **18920/APP/2015/3521**

Drawing Nos: sd00738/PL08 Rev. C
Daylight Assessment
Design and Access Statement
Travel Plan Details
Location Plan (1:1250)
sd00738/PL07 Rev. B
sd00738/PL09 Rev. D
sd00738/PL010 Rev. A
sd00738/PL011
sd00738/PL01
sd00738/PL02
sd00738/PL03
sd00738/PL04
sd00738/PL05
sd00738/PL06

Date Plans received : 29/09/2015 **Date(s) of Amendment(s):** 21/09/2015

Date Application Valid: 29/09/2015

1. SUMMARY

The application seeks planning permission for the change of use of first and second floors from offices (Use Class B1) to a 9 bedroom House in Multiple Occupancy, involving installation of roof lanterns to first floor roof and installation of metal gates to side.

The application differs from that most recently refused in that the number of rooms has been reduced to 9, with the previously proposed common room and kitchen being shown as non habitable rooms (with WC's), the kitchen is located to the front and the common room is proposed to be located at second floor level. The revised layout is considered to have overcome the previous concerns in relation to the poor quality living environment resulting from a poor outlook from the communal kitchen and common room. As such the application is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 HO1 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 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers sd00738/PL07 Rev. B, sd00738/PL08 Rev. C, sd00738/PL09 Rev. D and sd00738/PL010 Rev. A.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

3 NONSC Non Standard Condition

The rooms labelled as 'store - non habitable room' shall not be occupied as habitable rooms.

REASON

To ensure the development provides accommodation of an acceptable standard and complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

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 Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- H8 Change of use from non-residential to residential
- LPP 3.5 (2011) 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 saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

4 I47 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises of a three storey building within Uxbridge Road Town Centre on the northern side of Uxbridge Road. The ground floor of the property is currently occupied by Tesco Express with the first and second floors converted into 3 x studio flats, 3 x 1 bed flats and 3 x 2 bed flats without consent. The rear storage area and entrance has been enclosed by metal secure entrance gates with post boxes for the flats inserted within it. There is no allocated off street parking within the site.

3.2 Proposed Scheme

The application seeks planning permission for the change of use of first and second floors from offices (Use Class B1) to a 9 bedroom House in Multiple Occupancy, involving installation of roof lanterns to first floor roof and installation of metal gates to side. The application differs from that most recently refused in that the number of rooms has been reduced to 9, with the previously proposed common room and kitchen being shown as non habitable rooms (with WC's), the kitchen is located to the front and the common room is proposed to be located at second floor level.

3.3 Relevant Planning History

18920/A/87/3005 Fw Woolworth (736) Belmore Parade Uxbridge Road Hayes
Installation of an externally illuminated shop fascia sign.

Decision: 20-02-1987 Approved

18920/APP/2002/2085 Woolworths, Belmore Parade 736 Uxbridge Road Hayes
INSTALLATION OF SECURITY ROLLER SHUTTERS TO FRONTAGE

Decision: 15-10-2002 Approved

18920/APP/2011/3012 736 Uxbridge Road Hayes

Change of use from retail storage to residential

Decision: 30-01-2012 NFA

18920/APP/2012/283 736 Uxbridge Road Hayes

Change of use of first and second floors from Use Class B1(Business) to Use Class C3 (Dwelling Houses) for the creation of 3 x 1-bed self contained flats, 3 x 2-bed self contained flats and 3x 1-bed bedsits involving alterations to rear and installation of external staircase to rear (Retrospective)

Decision: 05-04-2012 WD

18920/APP/2013/2146 736 Uxbridge Road Hayes

Change of use of first and second floors from Use Class B1(Business) to Use Class C3 (Dwelling Houses) for the creation of 3 x 1-bed self contained flats, 3 x 2-bed self contained flats and 3 x 1-bed bedsits involving alterations to rear and installation of external staircase to rear (Retrospective)

Decision: 14-10-2013 Refused

18920/APP/2013/3847 736 Uxbridge Road Hayes

Change of use of first and second floors from business (Use Class B1) to 4 x 1-bed, 1 x 2-bed and 3 x studio self contained flats, involving alterations to rear and installation of external staircase to rear (Part Retrospective)

Decision: 26-02-2014 Refused

18920/APP/2014/1747 734-736 Uxbridge Road Hayes

Change of use from Use Class B1 (Offices) to Sui Generis for use as a 10-bed House of Multiple Occupancy involving installation of roof lanterns to first floor roof and installation of metal gates to side.

Decision: 22-07-2014 Refused

Appeal: 25-03-2015 Dismissed

18920/APP/2015/2042 734-736 Uxbridge Road Hayes

Change of use of first and second floors from offices (Use Class B1) to a 10 bedroom House in Multiple Occupancy, involving installation of roof lanterns to first floor roof and installation of metal gates to side (Sui Generis)

Decision: 14-08-2015 Refused

Comment on Planning History

There is a lengthy planning history at this property. Most notably an appeal was recently dismissed under application reference 18920/APP/2014/1747 for the Change of use from Use Class B1 (Offices) to Sui Generis for use as a 10-bed House of Multiple Occupancy involving installation of roof lanterns to first floor roof and installation of metal gates to side.

Following the dismissal at appeal, a revised application under reference 18920/APP/2015/2042

for the change of use from Use Class B1 (Offices) to Sui Generis for use as a 10-bed House of Multiple Occupancy involving installation of roof lanterns to first floor roof and installation of metal gates to side. This application was refused for the following reason:

The proposal would fail to provide a satisfactory residential environment for future

occupiers of the property by way of unacceptable outlook to the communal common room and kitchen contrary to Policies BE19 and BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policies 3.5 and 5.3 of the London Plan (2015).

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

1 anonymous letter of objection has been received raising concerns about the quality of the internal building work, the behaviour of the tenants including the dumping of rubbish to the rear which attracts rats and inadequate parking in the area.

Council's Senior Housing Surveyor:

No Objection subject to following concerns being addressed:-

1) There is a lack of detailed information on how many set of cooking facilities would be provided in the communal kitchen in order to meet our prescribed standard of 1 (kitchen set): 5 (people), it appears that the all the bedrooms are capable of accommodating 2+ people, and assuming there are 2 people in each room, there would be 18, hence a minimum of 4 set of cooking facilities would be required and to be demonstrated. I would suggest to request the applicant to provide such information. FYI, a set of cooking facility includes 1 x 4 rings cooker, a 1.5m length worktop and a sink with drainer.

2) I have concern regarding fire separating between the proposed bedrooms 8 & 9 as the bathroom of room 9 would be constructed long a 2-3 sets of windows with stud partitions perpendicular to them and this would create a bridged area for smoke and fire to pass through the window internally. Suggest applicant to revise drawing to indicate windows perpendicular to the stud partitions are to be bricked up or internally protected to achieve 30mins fire resistance.

Officer comment: Amended plans have been submitted to address the above points.

6. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
H8	Change of use from non-residential to residential
LPP 3.5	(2011) Quality and design of housing developments

In addition:

7. MAIN PLANNING ISSUES

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

There are no privacy or overlooking impacts posed to neighbours pursuant to Hillingdon UDP saved Policies BE21 and BE24. There are no 21m window-to-window relationships proposed between the residential flats and any neighbouring residential property.

7.2 Impact on Street Scene

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The proposal does not include any external alterations to the main building and the installation of the gates, measuring 2m in height are considered to respect the character and appearance of the rear of the site. As a result it is considered that it would not have a negative impact upon the visual amenity of the site or the surrounding area in compliance with Local Plan policies BE13 and BE15.

7.3 Traffic Impact/Pedestrian Safety

The site has a PTAL value of 2 bordering on to 3. The development does not provide any car parking and has failed to demonstrate that there would be no detrimental impact on the available on street parking. The Council will require the provision of up to 1 off-street parking space for every 2 habitable rooms, excluding those used for communal living purposes. The adopted car parking standards require the provision of 5 off-street parking space for a 10-bed HMO.

No off street parking is provided on the submitted plans but ten cycle spaces are required to serve the 10-bed HMO. Despite the highway officers objection to the lack of on street parking, the Inspector in the recent appeal decision concluded that:

"there is currently no on-site parking to serve the retail uses at ground floor level or the previously permitted B1 use of the upper floors. The site is within a sustainable location close to local shops and other facilities. It is also on a main road that is served by three 'bus routes, with good access to railway and underground stations..... therefore, these matters do not provide a sufficient reason to withhold planning permission."

As such it is considered that in view of the Inspectors conclusions in relation to the previous scheme, a refusal reason relating to the lack of on-street parking cannot be justified.

7.4 Carparking & Layout

see above

7.5 Urban Design, Access and Security Considerations

London Plan Policy 3.5 seeks to ensure that all housing developments are of the highest quality, both internally and externally, and in relation to their context.

The general arrangement and room layouts are consistent with the Council guidance on HMO's, including the provision of a relatively large 49sq.m communal living space (with front outlook) and a kitchen area with front outlook and rear obscure glazed windows measuring 35m². The scheme has been revised since the former refusal to provide a daylighting assessment. The Inspector's comments in relation to the issue of the adequacy of the living condition of the occupants of the HMO is a material consideration which states:

"Concerns have rightly been raised regarding the standard of accommodation which would be provided by the alterations; in particular, the adequacy of the daylighting arrangements for Units 6/7 and the kitchen and common room.

A daylighting Assessment has been submitted to demonstrate that the levels of daylight are acceptable to the occupants of rooms 6 and 7. The re-arrangement of the internal layout to locate the kitchen and common room with front facing windows, overcomes the previous concerns in relation to the refusal of the previous application on the grounds of poor outlook. In summary therefore, the occupants of the property would enjoy acceptable living conditions in accordance with London Plan Policy 3.5.

7.6 Other Issues

The principle of residential above the secondary frontage of the Uxbridge Road Town Centre in accordance with Hillingdon Local Plan Policy H4.

There is no unreasonable impact to the retail frontage or town centre in general pursuant to Hillingdon Local Plan Policy BE26 which variously seeks to promote, protect and reinforce the retail uses of the town centres.

8. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).

Hillingdon Local Plan Part 2 - UDP Saved Policies

The London Plan (2015)

Supplementary Planning Document HDAS: Accessible Hillingdon

National Planning Policy Framework.

Hillingdon Supplementary Planning Guidance on Houses in Multiple Occupation and other non-self contained housing (2004).

Houses in Multiple Occupation in the Uxbridge South and Brunel Wards - Interim Planning Policy Document may 2013

Mayor's Housing Supplementary Planning Guidance

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