

# DESIGN AND ACCESS STATEMENT

## 93 HARLINGTON ROAD, UXBRIDGE, UB8 3HZ

**PROPOSAL: CONVERSION OF EXISTING C3 DWELLING TO 6 PEOPLE C4 HOUSE IN MULTIPLE OCCUPATION (HMO)**

**APPLICANT: MR & MRS JEROME & PRIYA LINDER**



Date: JULY 2023 (Rev.1.0)

Mr & Mrs Jerome & Priya Linder

93 Harlington Road, Uxbridge, Middlesex, UB8 3HZ

This Design and Access Statement should be read in conjunction with the following submissions:

- I) APPLICATION DRAWINGS
- II) HILLINGDON HMO REGISTER (JUNE 2023 VERSION)
- iii) HMO MANAGEMENT SUPERVISION PLAN
- IV) SITE SUPERVISION MANAGEMENT PLAN
- v) APPEAL DECISION 49 CENTRAL AVENUE, HAYES REF: 38444/APP/2016/744
- vi) DECISION NOTICE FOR NEIGHBOUR APPLICATION REF: 5199/APP/2022/1985
- vii) OFFICER REPORT FOR NEIGHBOUR APPLICATION REF: 5199/APP/2022/1985
- viii) APPROVED GARAGE/OUTBUILDING PLANS APP REF: 26105/APP/2023/1520
- ix) DECISION NOTICE FOR GARAGE APPLICATION REF: 26105/APP/2023/1520
- x) OFFICER REPORT FOR GARAGE APPLICATION REF: 26105/APP/2023/1520
- xi) ACCEPTED BUILDING CONTROL NOTICE REF: 26105/BN/2023/169
- xii) PHOTOS OF EXISTING REAR ACCESS ROAD
- xiii) REGISTERED PROOF OF RIGHT OF WAY OVER REAR ACCESS ROAD

#### **SITE:**

The application site comprises of an extended 3 storey semi-detached dwelling situated on the North-East side of Harlington Road, Uxbridge. It benefits from an existing front drive which can accommodate up to 2 cars together with a detached garage at the rear; accessed via the private rear service road via the side of Nicholls Avenue. The garage has the capacity of 2 parked vehicles. However, due to prior discussion with Highways we will only be allowing 1 car parking space to the rear garage as per their requirements/guidance. This can be changed to allow 2 at any time if the planning officer so wishes.

The surrounding area is residential in character and is made up of a mix of detached and semi-detached dwellings that are set back from the adjacent highway.

The application site lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012).

The proposed site is not within a conservation area or a listed but inside an Article 4 Direction Area restricting the conversion of C3 Dwellinghouse to Sui Generis HMOs.

The site is within a controlled parking zone (CPZ) within single yellow line restricting parkin hours between 7-10am and 4-7pm Monday to Friday. The site is well connected to public transport and facilities. There are regular bus services along Harlington Road to the nearest Uxbridge Town Centre of every 30 minutes and a travel time of 8 mins.

#### **PROPOSAL:**

Planning permission is sought for the change of use from the existing Class C3 use single family dwellinghouse into 5-bedroom 6-people C4 HMO with the following facilities proposed:

- approx. 110sqm shared amenity space area
- 1 large communal kitchen living & dining room,
- 5 bedrooms - 1 double and 4 singles

- 2 shared bathroom
- 1 shared WC with basin
- Max 4 parking spaces (limited to 3 at request of Hillingdon Highways)
- 6 cycle storage space to the rear of dwelling
- 4 refuse storage bins
- landscaped garden

#### **THE RELEVANT PLANNING POLICIES:**

The Local Plan Part 2: Development Management Policies (adopted version 16 Jan 2020) states that:-

*“4.13 Large homes in multiple occupation (HMOs) and hostels can contribute to the overall supply of cheaper accommodation, particularly for students, young people and those on low income.*

*4.14 Intensive occupation of former family dwellings such as those used for student accommodation or as a HMO can have negative impacts on residential amenity within an area through increases in on-street and off-street parking, loss of front gardens, reductions in levels of privacy, alterations to exterior of buildings and increased generation of refuse. There are significant concentrations of HMOs in the Uxbridge South and Brunel Ward, where an Article 4 Direction has been imposed removing permitted development rights for HMO accommodation.”*

And under Policy DMH 5: HMO and Student Accommodation, the policy suggests that:-

*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 following sections will discuss the proposal and demonstrate the proposal would meet the required policies, with evidence provided.

It is recognised paragraph 4.12 above that HMOs can contribute to the overall supply of cheaper accommodation, particularly for students, young people and those on low income. At the same time there may be concerns (under paragraph 4.12) regarding the conversion of dwellinghouse into HMO to the negative impact on residential amenity within an area through increases in:-

- i) on-street and off-street parking
- ii) loss of front gardens,
- iii) reductions in levels of privacy,
- iv) alterations to exterior of buildings and
- v) increased generation of refuse.

The proposal has been designed with care to mitigate the impact on the residential amenity within the area by:

- i) providing 3-4 off street parking spaces in the rear garage and secure storage for 6 bicycles in the rear garden, to meet the London Plan and Local Policy;
- ii) retaining over 25.2% of the front garden space as landscaped space, which has exceeded the policy required amount of 25%;
- iii) maintaining the existing boundary treatment to the rear garden to keep high level of privacy as before;
- iv) retaining the exterior of the building in the same condition without external alterations and
- v) providing 4 new refuse storage bins to improve the refuse storage situation for the proposed HMO use, this would meet both the planning policy and HMO regulations.

It is considered that the above steps would mitigate the impact on proposed HMO use through reasonable and responsible measurements and approaches.

#### **DEVELOPMENT DENSITY AND AMENITY PROVISION:**

Although the previous SGP for HMO 2004 has been replaced by the latest Local Plan Part 2 and there is no suggestion of living space requirement for HMO conversion within the latest Local Plan. In terms of intensification of the property, paragraph 3.9 of the SPG HMO 2004 suggests that proposals for conversions from a semi-detached house to a HMO will be required to retain at least one ground floor habitable room over 10sq.m, other than a kitchen, for communal living purposes.

In relation to private amenity space, the previous SPG HMO advises that a minimum of 15sq.m of private usable amenity space per habitable room (excluding those used for communal living purposes) is required.

The latest Policy DMH paragraphs 5.68 - 5.69 suggest that there should be sufficient private outdoor amenity space for the occupants.

The proposal would provide 5 bedrooms with 110sq.m of private amenity space. This combination would provide excellent living condition & amenity space for the future occupants.

The following table provides a comparison between the proposed figures and those set out by council's local plan part 2:

<u>LOCAL PLAN / SPG REQUIREMENT</u>	<u>MIN. REQUIREMENT (HMO ROOM STNADARDS)</u>	<u>PROPOSAL</u>	<u>COMP.</u>
Communal living space (SPG) HMO kitchen space standard	10sqm 6.5sqm	Combined Area 44sqm	✓
Amenity space	100sqm for 4+bedrooms house	110sqm	✓
Bedroom space	6.51sqm (1P) 10.22sqm (2P)	9.5/10.2/11/ 12.5 – 4 x Single Person Use 13.4 (2 Person) (BED 1) (all in sqm)	✓
Table 1(b) - HMO Car parking Cycle	1 space per 2 occupants 1 per occupant	Policy limited to 3-4 spaces 6 per 6 occupants	✓ ✓
Concentration of HMO in the area. (*) DMH 5(B)(i): Less than 20% within the neighbourhood DMH 5(B)(ii): Less than 10% within a conservation area DMH 5(B)(iii): Less than 15% within 100m of a street length	20% Not in C.A., hence not applicable. 15%	1.9% registered HMO within the neighbourhood or within 100m of a street length. (Data source: from Hillingdon HMO Register)	✓

\*Research Data:

<u>ROAD NAME (within 100M)</u>	<u>NO. OF HOUSES</u>	<u>NO. OF HMOS</u>	<u>(%)</u>
Harlington Road	162	3	1.9
Southfield	-	0	0
Nicholls Avenue	-	0	0
Clayton Road	-	0	0

In connection with Policy DMH 5(B)(iv) relating to car parking, waste storage, retention of amenity space and garages, the above paragraphs together proposed drawings have demonstrated that the proposal would meet these planning standards.

Please note, there are 2 properties within close proximity to the applicant property that have also recently applied for planning permission for change of use from C3 to HMO Use. These properties

are as follows: 95 Harlington Road, Uxbridge, UB8 3HZ. This property has approved planning permission for change of use from C3 to C4 6-bedroom 6-person HMO. The plans and approval can be seen under planning application reference no.: 5199/APP/2022/1985. However, this property has not yet begun to be used as a HMO and one cannot assume it will be used as a HMO until it officially has (the change of use must be begun within 3 years of approval decision date). We have checked with Hillingdon HMO Team who confirms the property/its owners/manager have not applied for a HMO Licence at all and the property has never had a HMO Licence or any type of conditioning. This information was provided to us on 06 July 2023 and at the time of submission of this application the same applies.

The other property that has applied for a change of use from C3 to 8 person HMO (Sui Generis) is 172 Harlington Road, Uxbridge, UB8 3HA. The application for this can be viewed under planning application reference no.: 52114APP/2023/499. This application has not yet been approved and is still pending. The property is still currently being used as C3 residential dwelling by a family. Hillingdon HMO Team have also confirmed that this property has never applied for a HMO licence (nor has one been issued) either on 06 July 2023 and at the time of submission of this application the same applies.

Therefore, at the time of this current application submission, the figures used for researching other HMO's within the local vicinity (shown on the page beforehand) *exclude* these 2 properties and rightly so. In any case, if they were to be included; this would result in the current number of HMO's changing from 3 to 5 – resulting in a total of 3.17% concentration of HMO's within the neighbourhood and still way below the 20% maximum. Therefore, any eventual or potential use of the 2 mentioned properties as HMO's does not have any effect on the maximum allowed but we stress, those two properties are *NOT* being used as HMO's at the time of this application and should be treated as C3 residential dwellings.

#### **LIVING CONDITIONS FOR FUTURE OCCUPIERS**

The proposal development would incorporate two supervision plans to ensure the proposal development would not have detrimental impact upon the residential amenity of adjoining properties and living conditions of adjoining occupants:-

- 1) HMO Management Supervision Plan
- 2) Site Supervision Management Plan

Although the current house is capable of housing more than 10 people under the current housing and space standards; whereas the proposal would further reduce the number down to 6. Upon the implementation of the HMO Management Supervision Plan & Site Supervision Management Plan with strict rules to ensure the HMO is being operated in full compliance of all the regulations including separate regulation under the Housing Act 2004: Mandatory HMO Licensing law. The above steps would ensure there should be no impact on neighbourhood.

Also attached with this application is an appeal application for the Change of Use from 6B6P C4 HMO to a 7B8P C4 HMO in similar situation where some of the bedrooms are more than capable of being used as a double bedroom for 2 people. The inspector confirmed that through the use of planning condition restricting the total number of occupants would be acceptable.

Further attached are the decision notice & officer report for application no.: 5199/APP/2022/1985. This is a recently granted planning permission at a neighbouring property for conversion from C3 dwelling house to 6 bedroom + 6 person HMO. The planning officer did not find any cause or reason to refuse that application. The applicant property is of exact similar size, dimensions and layout to this example. Please note, although that property has had permission granted for use as C4 HMO, the owner has not yet implemented the change of use as a HMO so currently still stands as C3 residential dwelling.

#### **IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA:**

The proposal will not have a negative impact on the character and appearance of the area, as there would be no external alteration to the building. The current proposal will maintain the existing garden space with a significant increase in the amount of soft landscaping to site.

Local plan policy BE13 states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the Local Authority considers it desirable to retain or enhance. Policy BE19 seeks to ensure that development will complement the amenity and character of the residential area in which it is situated. In assessing planning applications for HMO's, the Council will seek to ensure that the change of use will not be detrimental to the residential amenity of the area.

The Supplementary Planning Guidance on House in Multiple Occupation and other non-self containing housing (August 2004) states that established residential streets derive part of their character from having enclosed and planted front gardens.

In assessing applications for HMO's, the Council will seek to ensure that the change of use will not be detrimental to the residential amenity of the area, including whether the dwelling is large enough and that any increase in the number of residents will not have an adverse impact on noise levels and the level of amenity neighbouring residents can reasonably be expected to enjoy.

The proposed building is already a 4/5 bedrooms house with potential for up to 10+ people to reside in. The SPG HMO 2004 suggests that for semi-detached properties, the maximum HMO occupancy is 9 people; although the newly adopted Local Plan Part 2 has not specified the maximum number of people. As the current proposal is for up to a maximum of 6 people this would not exceed any of the policies or guideline adopted by the authority.

The current proposal comprises a large communal living & dining room which is an added benefit to house and occupiers whereas most of the Class C4 HMO do not have such facility because it is not a legal requirement for HMO set up to have large open plan kitchen, living and dining rooms. The current proposal would meet the HMO sanitary requirement ratio of 2 (shower/bath) +1 (wc) for up to 10 persons.

#### **TRANSPORTATION & PARKING**

The proposal has include up to 3 off street parking and 6 secure cycle spaces to meet the Local Plan Part 2 requirements. (Table on page 9 extracted from LP Pt2 – page 152)

The applicant property is currently in the process of building a garage/outbuilding to the rear of the property. This new garage/outbuilding was approved after a planning application was submitted, with planning reference no.: 26105/APP/2023/1520. The actual building of the garage has commenced after a building notice was served to and accepted by Hillingdon Council Building Control. They issued the Building Notice No.: 26105/BN/2023/169. The demolition and construction have started, with the 1st building control inspection undertaken by Hillingdon officer Mr Peter Hackley on 19 June 2023.

**\*\*NB\*\*** Please note, we have spoken to Hillingdon Highways and also taken into account their comments on a similar application made by a neighbouring property (Application reference: 5199/APP/2022/1985). They stated that the car parking spaces be limited to just 3. They also suggested the cycle storage be in the back garden and not in the rear garage/outbuilding (making the distance between the front of the house and cycle-storage location much shorter). Due to their previous comments (and the exact same dimensions/layout of this property) we have also implemented these requests. Please note, if the planning officer requires us to have a fourth parking space then we will happily do this as the garage/outbuilding can easily accommodate this. Similarly, if the planning officer wants us to locate the cycle storage in a different position then we are happy to accommodate this.

<b>DWELLINGS WITH CURTILAGE</b>	
<b>2 spaces per dwelling</b>	(a) 1 per 1 or 2 bed unit.  (b) 2 per 3 or more bed unit
<b>FLATS</b>	
3 - 4 or more bedrooms - 2 spaces per unit  1 – 2 bedrooms - 1.5 - 1 spaces per unit  Studio - 1 space per 2 units  (a) Proposals must also accommodate visitor's car parking on-site additional to the above  (b) Car parks must be allocated to dwellings.	(a) 1 per studio, 1 or 2 bed unit.  (b) 2 per 3 or more bed unit.
<b>HOSTELS</b>	
1 space per manager plus 1 space per 20 resident bed spaces.  Variance to this may be permitted, subject to a transport appraisal and travel plan.	Level of provision subject to appraisal.
<b>HOUSES IN MULTIPLE OCCUPATION</b>	
For a HMO with up to 6 occupants:  1 space per 2 occupants.  For HMOs over 6 occupants, car parking requirements will be assessed through a transport appraisal and travel plan.	1 per occupant

## **REFUSE STORAGE**

The proposal would provide 4 x 240L wheelie bins with permanent enclosure, located to the front of the property. All refuse collection to be arranged based on the council's collection schedules.

## **CONCLUSION**

The government encourages local planning authorities to help maintain balanced communities. A balanced community is defined as one that is not dominated by one particular household type, size or tenure. There is no possibility of a sustainable community without an appropriate balance between settled residents and a transient population. The key issue with imbalance in neighbourhoods, which the government has recognised, is that it leads to rising problems and declining community, and potentially to unsustainability.

It should be recognised that HMOs are an important element of the borough's housing stock and it is not the aim of the policy to reduce their overall numbers. Shared and/or rented housing fulfils a need for students and residents other than students, especially at the lower cost end of the housing market.

It is clear from the comparison table above that the site is not located in a high HMO concentration area and the proposal has adopted the council's current policy and HMO standards to meet the strict requirements for both planning and housing purpose, the conversion should therefore be considered acceptable to the LPA based on the above information provided.

- END OF STATEMENT -