

DESIGN AND ACCESS STATEMENT

14 DEVON WAY, HILLINGDON, UB10 0JS

PROPOSAL: RETROSPECTIVE APPLICATION FOR CHANGE OF USE FROM C4 HOUSE IN MULTIPLE OCCUPANCY (HMO) TO SUI GENERIS HMO (7 BED & 7 PERSONS) WITH NO EXTERNAL ALTERATIONS.

APPLICANT: MR SANJAY KUMAR

Date: 12th December 2025 (Rev.1.0)

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

- I) APPLICATION DRAWINGS
- ii) HMO MANAGEMENT SUPERVISION PLAN
- III) SITE SUPERVISION MANAGEMENT PLAN
- VI) TRANSPORT STATEMENT

1.0 SITE:

- 1.01 The proposed property comprises a two storey detached property located at the western end of Devon Way. The site lies within the Developed Area as identified within the Hillingdon Local Plan-Development Management Policies (2020).
- 1.02 The proposed property has been in C4 small HMO for more than 10 years, occupied by up to 6 tenants.
- 1.03 The surrounding area is residential in character and is made up of a mix of detached and semi-detached dwellings.
- 1.04 The proposed site is not within a conservation area or a listed.
- 1.05 The parking provision would remain unaffected by the proposal. The site is within a controlled parking zone (CPZ) within single yellow line and permit holders only bays near the property. The site is well connected to public transport and facilities. There are regular bus services along Hillingdon Hill and Uxbridge Road to the nearest Uxbridge Town Centre and Tube Station within walking distance. A separate Highway and Transportation Assessment (Statement) Report has been prepared to support the application.

2.0 PLANNING

- 2.01 An application for the following was refused on 08/02/2023:

Change of use from C4 house in multiple occupancy (HMO) to sui generis HMO for 7 bed and 7 persons with no external alterations.

- 2.02 An appeal was allowed and permission was granted on 24/01/2024 for:

the change of use from Class C4 house in multiple occupation (HMO) to sui generis HMO for 7 beds and 7 persons with no external alterations at 14 Devon Way, Uxbridge UB10 0JS in accordance with the terms of the application, Ref 27994/APP/2021/3581, dated 21 September 2021, subject to the following conditions:

1) The development hereby permitted shall be carried out in accordance with the following approved plans: 2020-14DV-BC-1 rev 1.0B, 2020 14DV-BC-2 rev 1.0B, 2020-14DV-BC-3 rev 1.0B, 2020-14DV-BC-4 rev 1.0B and 2020-14DV-BC-5 rev 1.0B.

2) The use of the site hereby permitted, as a sui generis HMO, shall cease within 2 months of the date of failure to meet any one of the requirements set out in i) to iv) below:

i) Within 2 months of the date of this decision a scheme for bicycle parking together with waste and refuse storage shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

ii) If within 6 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

iv) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

2.03 Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be retained.

2.04 Two separate applications were made to discharge condition 2, however these were refused on grounds of the submission being later than 2 months from the date of decision.

3.0 PROPOSAL

3.01 Planning permission is sought for the change of use from the existing Class C4 HMO (for up to 6 people) into 7 bedroom 7 people Sui Generis HMO with the following facilities proposed:

- 1 large communal kitchen & dining area with 2 sets of cooking facilities of 24.0m² (Note: the current Local Planning Policies do not specify the minimum shared communal floor space for HMO use).
- 7 en-suite bedrooms all are restricted to single occupancy for the purpose of this application.
- 2 x cycle storage units for up to 8 cycles to be located to the front of the site as required by Highways.
- Internal refuse storage area which will be emptied to the front of the site on bin collection day or to the rear garden at other times. This is similar to other properties in the area.
- 133m² rear garden as shared amenity space.

4.0 THE RELEVANT PLANNING POLICIES:

4.0 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 **(THIS PART IS NOT APPLICABLE)***

4.1 *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.

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

4.3 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 are concerns (under parg. 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.

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

- i) there will be no change in parking arrangement (please see the Transportation Statement for further details) and 2 new cycle storage units located to the front of the site for up to 8 bicycles are proposed to meet the London Plan and Local Policy;

4.5 In the Officer's report for the application reference: 27994/APP/2024/1080, the Council's Highway authority has provided the following comments:

The applicant has submitted Drawing 1528-P-002 titled Block Plans which shows 2no. cycle stores accommodating 4no. cycles each, a total of 8no. cycles which would be an acceptable level of cycle parking, however, the location would not be acceptable. Cycle parking must concur with The London Plan (2021) Policy T5 cycling which requires cycle parking to concur with LCDS 8.5.3 Residential Cycle Parking which requires cycle parking spaces to be well located: close to the entrance of the property and avoiding obstacles such as stairs, multiple doors, narrow doorways (less than 1.2 metres wide) and tight corners.

4.6 It is considered that the above steps would address this issue and ensure compliance with this requirement.

- ii) retaining same front garden space as landscaped space.
- 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 internal storage are for bins to improve the refuse storage situation for the proposed HMO use, this would meet both the planning policy and HMO regulations.

4.7 In the Officer's report for the application reference: 27994/APP/2024/1080, the Council's waste officer has provided the following comments:

Hillingdon Council is not a wheeled bin borough, so adequate internal storage space should be designed for each resident to store a weeks refuse and recycling before placing sacks out on collection day at front boundary of property.

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

5.0 DEVELOPMENT DENSITY AND AMENITY PROVISION:

5.1 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. Considering the remaining space of 5.7sqm will be retained for kitchen use, the overall combined space of 24.0sqm would be considered suitable for 7 people where 6 out of the 7 bedrooms would have a floor space of more than 10.2sqm.

5.2 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. (Outdoor space required under the saved SGP is 105sqm). The latest Policy DMH paragraphs 5.68-5.69 suggest that there should be sufficient private outdoor amenity space for the occupants.

5.3 The proposal would provide 7 bedrooms and 133sq.m of private amenity space.

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</u>	<u>PROPOSAL</u>	<u>COMP.</u>
Amenity space	100sqm for 4+bedrooms house	>133sqm	✓
Bedroom space	6.51sqm Single 10.22sqm Double	12.4/11.4/18.137.95./20.5/1 11.2 (m2) (All to be in single room use)	✓

6.0 LIVING CONDITIONS FOR FUTURE OCCUPIERS

6.1 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

6.2 Also attached with this application is a similar appeal application for the Change of Use from C3 to SG HMO for 7 beds 7people with similar facilities and location. The address is 49 Central Avenue, Hayes, UB3 2BW.

6.3 In the appeal decision, the inspector concluded the living conditions of the occupiers would not be adversely affected by the proposal although no separate living room and sufficient amenity space were proposed. Similarly, the current proposal would provide adequate living and amenity space to host the 7 future occupiers.

6.4 The current house is capable of housing up to 7+ people under the current housing and space standards and the current proposal would restrict the total number occupiers to 7. 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.

7.1 IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA:

7.1 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.

7.2 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.

7.3 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.

7.4 It would therefore be considered to be in accordance with Policy BE13 and BE19 of the Hillingdon Local Plan: part Two – saved UDP Policies (November 2012).

7.5 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.

7.6 The proposed building is already a 6 bedrooms house with potential for more than 12 people to reside in (if it was occupied by a single family). The old 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 7 people this would not exceed any of the policies or guideline adopted by the authority.

7.7 The current proposal comprises a communal kitchen & dining space 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 or local policy for any HMO use to have combined kitchen / dining area. The current proposal would meet the HMO amenity requirement ratio of 2 (shower-room/bathroom) to 6-10 (persons) and 1 kitchen with 2 set of cooking facilities to 6-10 people.

8.0 TRANSPORTATION & PARKING

8.1 The current property does have up to 2 off-street parking but the property is entitled to 1 resident's parking permit, however a separate transport appraisal has been carried out to support the application and it is concluded that the current parking provision and arrangement are suitable for the proposed use. In order to promote sustainable transportation cycle storage units are proposed to provide storage space for up to 8 cycles and to meet the Local Plan Part 2 requirements. (Table on page 152).

9.0 REFUSE STORAGE

9.1 In the Officer's report for the application reference: 27994/APP/2024/1080, the Council's waste officer provided the following comments:
Hillingdon Council is not a wheeled bin borough, so adequate internal storage space should be designed for each resident to store a weeks refuse and recycling before placing sacks out on collection day at front boundary of property.

9.2 An internal refuse area has been indicated on the plans and all1 refuse collection to be arranged based on the council's collection schedules.

10.0 CONCLUSION

10.1 The application was allowed at appeal: APP/R5510/W/23/3319240.

10.2 The Inspector noted the following:

The Council's decision notice contains 6 reasons for refusal. Of these, five relate solely to the outbuilding. The sixth refusal reason, which relates to both the bungalow and the outbuilding, raises concerns regarding highway safety with particular regard to on-street parking.

However, it is clear from the submitted plans that the outbuilding does not form part of the application. The description of development, together with information on the application form, further confirm the appellant's intention to exclude the outbuilding from the scheme. From my site visit observations, there was no indication the family occupying the outbuilding were responsible for the management of the bungalow as an HMO. Even if this were the case, the outbuilding is physically separate from the bungalow and the Council alleges that a separate planning unit has been created. As such, there is nothing before me which indicates that an independent assessment of the change of use to the bungalow cannot be undertaken.

The main issue in this case therefore is the effect of the intensified residential use of the bungalow on highway safety, with particular regard to on-street parking.

In the absence of any evidence of on-street parking capacity issues and given there are no restrictions on the existing occupiers from obtaining permits, there is insufficient justification for preventing the occupiers from applying for permits.

A draft, unsigned unilateral obligation has been submitted in support of the appeal, however, given the lack of justification for a planning obligation, there is no need to consider this further.

In conclusion, the intensified residential use is acceptable in terms of highway safety. The proposal therefore complies with Policy DMT 1, DMT 2 and DMT 6 of the London Borough of Hillingdon Local Plan Part 2 Development Management Policies, as well as Policies T4, T6 and T6.1 of the LP (2021) and paragraph 115 of the National Planning Policy Framework. These policies and national guidance, require development, amongst other matters, to avoid any significant adverse transport impacts, be accessible by non-car modes, and avoid a deleterious impact on street parking provision.

- 10.3 This application is being resubmitted as the conditions have not been discharged and the original application has lapsed. The applicant has provided the necessary information to address the conditions in response to the previous refusals and therefore consent should be granted.

