

Report of the Head of Development Management and Building Control Committee Report

Case Officer: Rhian Thomas	35665/APP/2024/3154
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Date Application Valid:	02.12.24	Statutory / Agreed Determination Deadline:	19.03.25
Application Type:	Full	Ward:	Charville

Applicant: **Blum**

Site Address: **105 Hayes End Road, Hayes**

Proposal: **Conversion of dwelling house into two flats, including the conversion of garage to habitable space, erection of a single storey rear extension, rear dormer with front-facing roof lights, amendments to fenestrations and associated parking**

Summary of Recommendation: **GRANT planning permission subject to conditions**

Reason Reported to Committee: **Required under Part 3 of the Planning Scheme of Delegation (Petition received)**



Summary of Recommendation:

GRANT planning permission subject to the conditions set out in Appendix 1.

1 Executive Summary

- 1.1 Planning permission is sought for the 'Conversion of dwelling house into two flats, including the conversion of garage to habitable space, erection of a single storey rear extension, rear dormer with front-facing roof lights, amendments to fenestrations and associated parking'.
- 1.2 The application is a resubmission of a previously refused scheme under reference 35665/APP/2024/2087 dated 08-10-24 for the 'Erection of a part single, part double storey rear extension, conversion of garage to habitable space, alterations to roof form including a hip to gable extension, rear dormer and rooflights to facilitate the conversion of dwelling to 2 flats (1x2 bed and 1x3 bed).' The application was refused for three reasons, these can be seen within section 4 of this Committee Report
- 1.3 During the process of the application, a petition in objection to the development was received. Having reviewed the petition Officers can confirm that it does not specifically state the concerns which have led to signatures in objection to the proposal.
- 1.4 However, an attachment was appended to the petition setting out various concerns, plus written objections have been received separately from the petition. Concerns raised include the loss of a family dwelling, lack of affordable housing, potential conversion to a HMO property and environmental/biodiversity issues.
- 1.5 A more detailed response is set out within this report, however in summary the proposal is for 1 x 3 bed and 1 x 2 bed flats, as such the application would not result in a net loss of family sized housing. The proposal would contribute towards local housing stock by adding an addition 2 bed flat and would result in the optimisation of a brownfield site which is supported by the Development Plan. Adequate levels of on-site parking are provided and whilst the upper floor flat would not have direct access to private amenity space the internal living spaces exceed the minimum space standards. In addition future residents would have access to parks and open spaces within a 10-minute walking distance. As such on balance the standards of living accommodation are acceptable. Finally, the proposal is not for a HMO as demonstrated on the plans that are before Committee for determination.
- 1.6 The Committee Report seeks to provide a comprehensive assessment of the full application and supporting documentation. All material planning considerations have been considered.

- 1.7 It is recommended that planning permission is granted subject to conditions (Appendix 1) by virtue that the development would not have a significant impact on the amenities of neighbouring properties, nor would it harm the character and appearance of the Area of Special Local Character, and it would not have a harmful impact on the highway network.

2 The Site and Locality

- 2.1 The application site comprises a two-storey semi-detached property located on the western side of Hayes End Road, Hayes. The site benefits from a double storey side extension with integral garage and rear conservatory structure. To the front of the site is a garden area with driveway leading to the garage and to the rear is an enclosed garden which acts as private amenity space.
- 2.2 The surrounding area is residential in character comprising mainly two storey semi-detached properties. To the north of the site is Hayes Park. The site has a PTAL ranking of 2.

Figure 1: Location Plan (application site edged red)



Figure 2: Street View Images of the Application Property

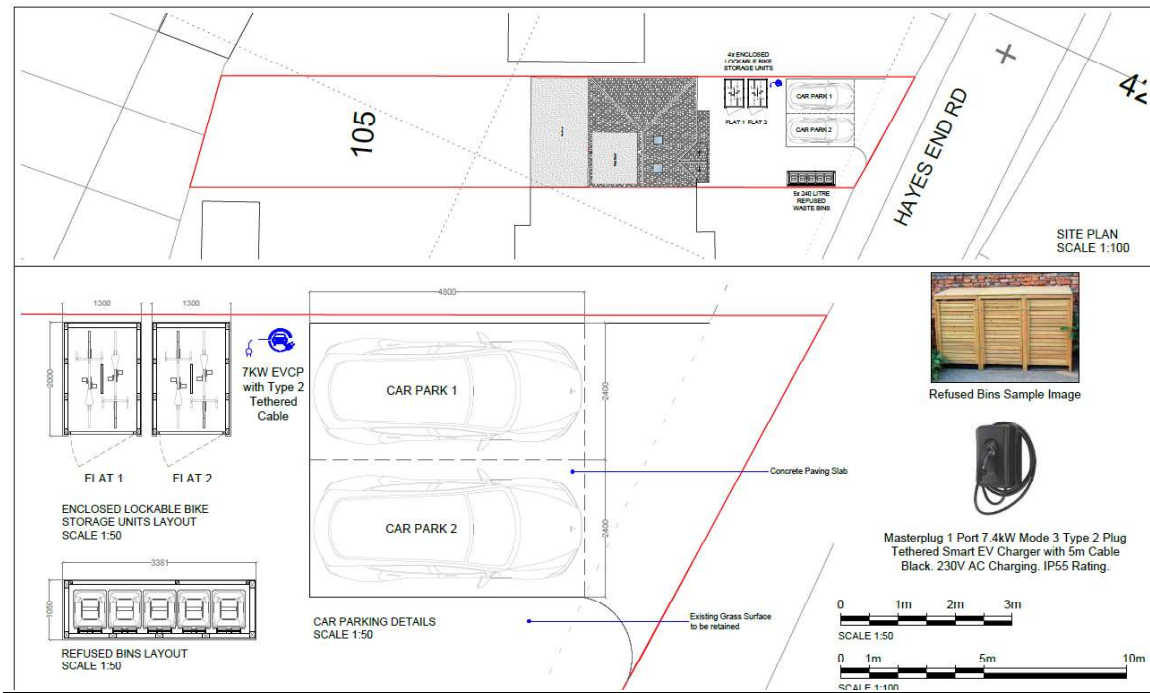


3 Proposal

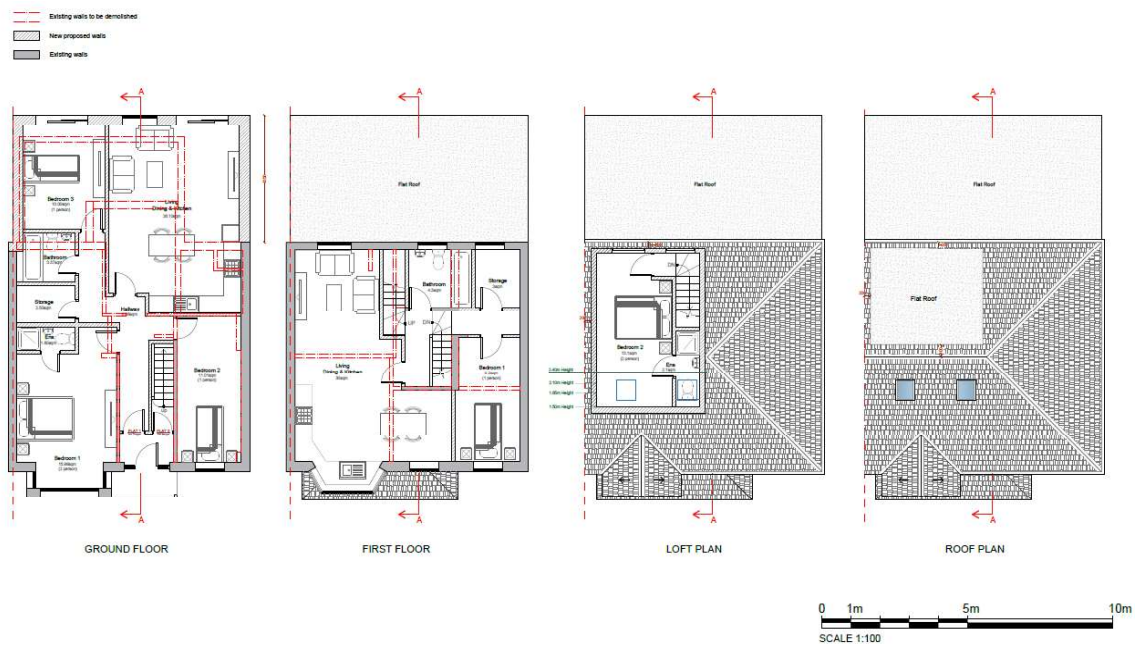
- 3.1 Planning permission is sought for the conversion of dwelling house into two flats, including the conversion of garage to habitable space, erection of a single storey rear extension, rear dormer with front-facing roof lights, amendments to fenestrations and associated parking

Figure 3: Proposed Plan (please note – larger version of plan can be found in the Committee Plan Pack)

Proposed site plan



Proposed floor plans



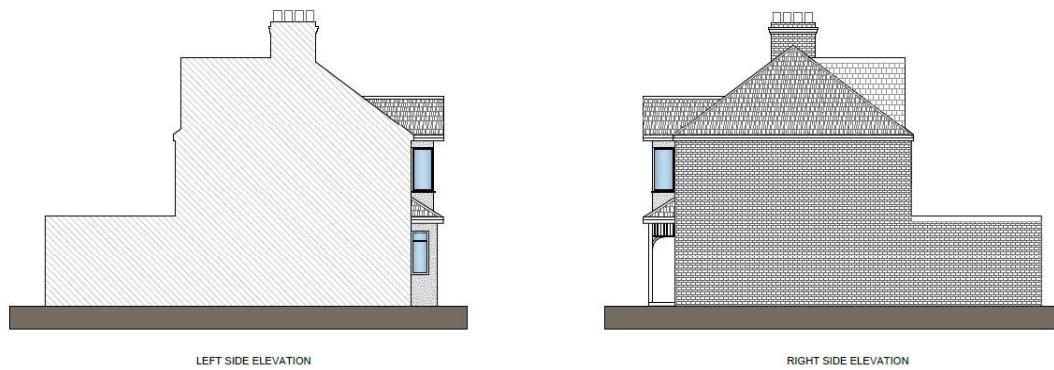
Proposed front and rear elevations

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Proposed side elevations



Proposed sections



4 Relevant Planning History

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- 4.1 A list of the relevant planning history related to the property can be found in Appendix 2. However, of relevance to this application are the two applications set out below.
- 4.2 A certificate of Lawfulness was recently approved under reference 35665/APP/2024/3155 dated 30-01-25 for the 'Conversion of roof space to habitable use to include a rear dormer, to include 2 x front roof lights'. It is important for members to note that this CLD application results in an established fall-back position for the construction of the dormer.
- 4.3 Planning permission was recently refused under reference 35665/APP/2024/2087 dated 08-10-24 for the 'Erection of a part single, part double storey rear extension, conversion of garage to habitable space, alterations to roof form including a hip to gable extension, rear dormer and rooflights to facilitate the conversion of dwelling to 2 flats (1x2 bed and 1x3 bed).' The application was refused for the following reasons:
- 4.4 1. The combination of the existing and proposed extensions by reason of their size, bulk, design and scale, would cumulatively result in an insubordinate and visually incongruous form of development that would be detrimental to the character and appearance of the original property and surrounding area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2021), Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management (2020), Policy D3 of the London Plan (2021) and Chapter 12 of the National Planning Policy Framework (2023).
- 4.5 2. The proposed parking arrangement by reason of its tandem layout would require 1no. vehicle to be removed to allow access for the other vehicle which would increase the risk of collision to the detriment of highway safety. As such, the proposed development is contrary to Policies DMT 1, DMT 2, and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), as well as policies T2, T4 and T6 of the London Plan (2021) and paragraph 115 of the NPPF (2023).
- 4.6 3. The proposed development in terms of its design and intensification of use and shortfall in on site private amenity space to serve the proposed units would result in an overdevelopment of the site. The applicant has failed to demonstrate significant public benefits to outweigh the harm identified. As such the proposed development is contrary to paragraph 11 of the NPPF (2023).
- 4.7 The main issue for the current application is whether these reasons for refusal have been satisfactorily overcome.
- 4.8 The applicant has undertaken design changes including the removal of hip to gable roof extension resulting a smaller and modest scaled dormer located on the rear elevation only and first floor rear extension, and amendments to the proposed parking arrangement.

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- 4.9 Overall, as discussed within the relevant sections of this Committee Report, the proposed development is considered to have overcome all the previous reasons for refusal.

5 Planning Policy

- 5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

6 Consultations and Representations

- 6.1 6 neighbouring properties were initially consulted on the application by letter dated 10-12-24. During the process of the application the description was amended and as such neighbouring properties plus residents who have commented on the application were re-consulted for 14 days. The consultation period expired 28-02-25.
- 6.2 Representations received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below). Full copies of the responses have also separately been made available to Members.

Table 1: Summary of Representations Received

Representations	Summary of Issues Raised	Planning Officer Response
A petition of 54 signatures has been received against the application	1. Flats are not necessary as it reduces housing supply and the majority of new builds across Hayes are now flats.	Discussed within paragraphs 7.3 & 7.4
	2. This application is turning a four-bedroom house into dwellings that only offer an extra bedroom whilst losing loft storage space which does not make financial sense.	This is not a material planning consideration.
	3. The planning applications in Hayes End Road appear to be from the same company who are	This is not a material planning consideration.

	property developer and have submitted other planning applications.	
	4. The application does not offer affordable housing or any provision for the elderly, disabled people and does not keep the housing stock for buyers who do not wish to purchase a flat.	Due to the small scale of the development (conversion into 2 flats), there is no requirement for the provision of affordable housing. Other matters relating to accessibility have been discussed at paragraph 7.48.
	5. There are no environmental benefits such as solar panels or heat pumps.	The application can only be assessed within its current form. It should be noted that there is no specific policy requirement for provisions of solar panels or heat pumps. The extensions would be subject to building regulations which would require to be constructed to the current sustainable standards.
	6. The application has not considered impacts on Biodiversity and Wildlife.	This has been discussed at paragraph 7.54
	7. There is no Energy Performance Certificate (EPC) suggesting the property is still subject to sale and not owned by the proposed developer. There is no new gas or water supplied suggested on the application.	This is not a material planning consideration.

	8. What are the proposed materials as they are not stated in the application.	Discussed at paragraph 7.16
	9. There are inaccuracies in the planning statement such as the times from 105 Hayes End Road to the nearest bus stop and the bus times to the Elizabeth Line. This shows lack of knowledge by the developer and leads to questions as what else in the application could be inaccurate.	A full assessment of the application has been made within the main body of this Committee Report. The Councils Highway Officer has also been consulted on the application.
	10. The property will eventually become another HMO.	The proposed application is for the conversion of the existing dwelling into 2 self-contained flats. The proposal is not for a HMO.
8 individual letters of objection have been received from a total of 7 households. (Please note that where multiple letters of objection have been received from the same person during different consultation periods; this has been counted as one representation. All representations have been taken	I. The developer has claimed ownership of the property by ticking Certificate A within the application form, despite the property still being owned by the estates executors and contract not being exchanged.	This is not considered material to the determination of this planning application.
	II. Loss of parking and highway safety concerns.	Discussed at paragraph 7.40

into consideration.)		
	III. The bins storage and cycle storage is out of character within the surrounding area	It is not uncommon for bin and cycle storage to be located to the front for new developments. Further design details are to be secured by condition.
	IV. The plans lack detail on its construction and management	The extensions are domestically scaled. A Construction Management Plan would not be required for an application proposing domestic extensions.
	V. Concerns regarding protected species	Discussed at paragraph 7.54
	VI. Concerns over lack of outdoor amenity space for future occupiers	Discussed at paragraph 7.34 to 7.37
	VII. Concerns over gas, water and electricity supply	This is not a material planning consideration.
	III. The development will set a precedent for further conversions	Each planning application is determined on its own merits.
	IX. Noise and privacy concerns.	Discussed at paragraph 7.26
	X. Concerns regarding odour and pests caused by bin storage	This is not a material planning consideration.
	XI. Concerns over potential scaffolding, trespassing, damage to neighbouring property during construction work.	This is not a material planning.
	XII. Air quality concerns	Discussed at paragraph 7.46

	III. Drainage concerns	Discussed at paragraph 7.57
	IV. Concerns over property values and undesirable tenants	This is not a material planning consideration.
	V. Concerns over substandard accommodation	Discussed in paragraphs 7.29 to 7.37
	XVI. Concerns regarding cycle storage and bin storage to front of dwelling	As stated above this is not uncommon for new developments and further design details are to be secured by condition.
	XVII. Concerns over parking arrangement	Discussed in paragraph 7.40
	XVIII. Absence of information of screened patio area	Although mentioned within the Planning statement, the proposed plans do not include the provision of a front screened patio area and as such this would not form part of this planning application.

Table 2: Summary of Consultee Responses

Consultee and Summary of Comments	Planning Officer Response
Access Officer: This proposal has been reviewed against the requirements of the 2021 London Plan policy D7 which should not be applied to the conversion of this existing dwelling constructed prior to the application of accessible housing standards. There would be no loss of accessible housing stock as a result of this conversion if approved. Conclusion: no objections raised from an accessibility perspective.	This has been noted
Highways Officer: The previous proposal was refused for reasons relating to design, parking arrangements, and overdevelopment. This revised submission addresses the highway reason for refusal comprehensively and demonstrates compliance with	The applicant has submitted a revised plan providing the car parking layout details. A condition requiring further cycle storage

the relevant policies of the Hillingdon Local Plan, The London Plan (2021), and the National Planning Policy Framework (2024) (NPPF).	and EVCP details is to be added to the decision notice.
No objection subject to conditions pertaining to car and cycle parking details and the provision of 1 EVCP charging point.	

7 Planning Assessment

Principle of Development

- 7.1 The Development Plan recognises the need for new housing and provides support for the optimisation of brownfield sites for residential intensification. At local level Policy DMH 1 seeks to safeguard existing housing, in particular family sized housing (3-bed and above). This is supported at regional level by Policy H10 of the London Plan which also recognises the need to provide a broad mix of residential properties in order to meet demand.
- 7.2 As the application proposes the conversion of a single family dwellinghouse to two flats, the proposal will need to demonstrate compliance with Policy DMH 4 of the Local Plan (2020).
- 7.3 From the Council's Planning Records and Council Tax data, the proposed conversion would not result in more than 10% of properties within the street to be converted to flats. The existing property would have an internal floor area over 120sqm, and a 3-bed family unit is to be re-provided. It is noted that flat 2 is spread over two floors but given that it would be for the exclusive use of the flat and the duplex arrangement is overall providing good quality spaces, it is considered that the proposal would accord with the principal requirements of Policy DMH 4.
- 7.4 The development would provide an additional 2-bedroom unit, which would result in the net increase of one residential unit. There is an identified need for a mix of dwellings within the borough and a need to optimise the potential for development and intensification of the residential use of brownfield sites, such as this site, which weighs in favour of the scheme.
- 7.5 It is acknowledged that the first floor flat would not have access to any private external amenity space, which is regrettable. However, the Hayes End Recreational Ground and Knights Gardens are located within a 12-14 minute walk of the site and the standard of internal living accommodation is above the minimum standard which offsets the harm. The applicant has provided an example of where the local planning authority has accepted a site's access to local parks as offsetting the lack of private amenity space on site. Whilst each application needs to be assessed on its own merits, the need to ensure the Local Planning Authority demonstrates consistency in its decision making is important. Furthermore, members should note that the site could provide access to private amenity space

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for the upper floor, however this would require an internal or external staircase to be provided. An internal staircase would result in a loss of floor space for the family sized unit which would not be supported. An external staircase would like result in significant overlooking issues as would a rear facing balcony. A balanced approach needs to be taken, in light of the fact that external amenity space to serve the upper floor unit could be provided but would result in a less desirable and policy compliant scheme, the sites access to local parks and open spaces as well as the 3-bed family sized units access to a large amount of private rear garden space, it is unlikely that the LPA could successfully defend an appeal against the refusal of the application on private amenity grounds only. As such on-balance the proposal is considered to comply with the relevant development plan policies.

- 7.6 The principle of converting the property into self-contained flats is therefore supported by officers.

Design / Impact on the Character and Appearance of the Area

- 7.7 Paragraph 135 of the NPPF (2024) states 'Planning policies and decisions should ensure that developments are designed to their function whilst contributing to the overall quality of the area. Furthermore, it states that development proposals should demonstrate a design led approach, respond to local character, establish a strong sense of place whilst optimising the sites potential for development.
- 7.8 Policies D1, D3 and D4 of the London Plan (2021) require development proposals to be of high quality and to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness.
- 7.9 Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place.
- 7.10 Local Plan Policy DMHB 11 states that all development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including harmonising with the local context and considering the height, mass and bulk of adjacent structures. They should also ensure the use of high-quality building materials and finishes, plus ensure that the internal design and layout of development maximises sustainability and is adaptable to different activities.
- 7.11 Policy DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) re-emphasises the need for new development to be well integrated with the surrounding area and provides design criteria as to how this would be achieved.
- 7.12 The proposed development involves the erection of a single storey rear extension, conversion of garage to habitable space, rear dormer extension, front rooflights and the conversion of property into two self-contained flats, with associated parking.

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- 7.13 The proposal differs to the previously refused scheme in that it has removed the hip to gable roof extension, reduced the size of the rear dormer, removed the first-floor rear extension and it has amended the front parking arrangement.
- 7.14 The existing property has a large two storey side extension with an integral garage at ground floor level. The existing side extension is sited directly along the shared boundary line with No.107 Hayes End Road.
- 7.15 The proposed rear extension would measure 4.3m in depth, span the full width of the rear of the property and measure 3m in height characterised with a flat roof. It would replace an existing conservatory structure at the property. The extension is modest, would appear a subordinate addition and domestically scaled extension to a domestic property. Furthermore, in reviewing the local character it is clear that the established pattern of development, particularly the rear building lines, has been distorted by rear extensions with a similar if not larger depth. As such, it would not appear out of character within the surrounding area. As the extensions is sited solely to the rear of the property, it would not be visible from the street scene and as such would have no harmful impact on the character and appearance of the area.
- 7.16 The proposed conversion of garage to habitable space is considered acceptable from a design perspective as it would include the removal of garage door and replacement with one window. A condition has been added to ensure all the proposed materials match the existing property to ensure the development integrates with the architectural composition of the dwelling.
- 7.17 The proposed development also includes the erection of a rear dormer extension and front rooflights. It should be noted that a Certificate of Lawfulness has been recently granted at the site for the 'Conversion of roof space to habitable use to include a rear dormer, to include 2 x front roof lights' under reference 35665/APP/2024/3155. The approved dormer under the Certificate application was larger than that proposed within this current application. The proposed dormer would measure approx. 3.9m in width, 2.43m in height characterised with a flat roof and 3.2m in depth. The dormer would fit comfortably on the rear roof slope, set in from the side margins, set up from the eaves and set down from the ridgeline. It would not be visible from the street scene and as such would not cause harm to the character and appearance of the surrounding area. It is also noted that the dormer could be built out under permitted development given its modest size (see below figures) which results in an established fall-back position that is given significant weight in the assessment of the application. There are two front rooflights proposed, these are not considered to harm the appearance of the property nor surrounding area.

Figure 1 (proposed rear dormer extension):



Figure 2 (recently approved rear dormer as approved under application reference [35665/APP/2024/3155](#)):



- 7.18 The proposal also includes the provision of front parking, cycle storage and refuse storage. The front of the property is characterised with part soft landscaping and part hard surfacing for off street parking. Many properties along Hayes End Road benefit from off street parking. The proposed site layout plan indicates that the existing grassed area is to be retained with new concrete paving slabs for the new side by side parking arrangement. This is considered acceptable, and a landscaping condition has been added to ensure the development integrates well with the surrounding area. The cycle storage and refuse storage, although not a common characteristic of the surrounding area, is not considered to be significantly harmful given they are minor in scale, the set back from the road and the screening from car parking spaces.
- 7.19 Overall, the proposed development has sufficiently overcome refusal reason 1 of the previously refused scheme under reference 35665/APP/2024/2087. The development would respect the character and appearance of the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies and Policies DMHD 1, DMHB 11, DMHB 12 and DMHB 14 of the Local Plan: Part Two - Development Management Policies (2020), as well as relevant design guidance contained within the London Plan (2021) and NPPF (2024).

Heritage

- 7.20 The site is not located within a designated area and as such this section is not applicable to the assessment of this application.

Impact on the Green Belt

- 7.21 The site is not located within the Green Belt and as such this section is not applicable to the assessment of this application.

Residential Amenity

- 7.22 Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that planning applications relating to alterations and extensions of dwellings will be required to ensure, amongst other matters, that: ii) a satisfactory relationship with adjacent dwellings is achieved; and v) there is no unacceptable loss of outlook to neighbouring occupiers.
- 7.23 Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- 7.24 Number 103 Hayes End Road is located south of the application site and forms the other half of the semi-detached properties. This neighbouring property benefits from a single storey rear extension. The proposed extension would not extend beyond the rear elevation of this neighbour and coupled with a height of 3m it would not create any harmful loss of light, loss of outlook, overshadowing, nor

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would it be overbearing. The proposed rear dormer extension would not include any side facing windows and the rear window would provide similar views as the existing first floor rear windows and as such no overlooking or loss of privacy would be created.

- 7.25 Number 107 Hayes End Road is located north of the site and is separated from the host. The proposed extension would be sited along the shared boundary with this neighbouring property. This neighbour also benefits from a single storey rear extension. The proposed development would not extend beyond the rear building line of this neighbour, and as such would not cause any loss of light, loss of outlook, overshadowing nor would it be overbearing. The proposed dormer extension would be set away from this neighbour and would not include any side facing windows, as such there would be no overlooking or loss of privacy created. An informative note has been added regarding encroachment onto neighbouring land.
- 7.26 In terms of additional noise, the proposal is for the conversion of the existing dwelling into 2 self-contained flats. It is recognised that the conversion of 2 flats is a different type of occupation to use of the property as a single dwelling house. However, it is considered that the level of activity involved that would be associated with the proposed conversion, would not be so substantially different to the trip patterns of individuals in one large household. It is therefore considered (on balance) that any noise and disturbance that might result from the proposed conversion into 2 flats is unlikely to be significantly different to that from one large household that could occupy the property.
- 7.27 It is therefore considered that any increase in noise and its transmission to the adjoining property is unlikely to be significant or noticeable than if the property were to be used as a large family dwelling so that there would be no requirement for sound insulation.
- 7.28 Overall, the proposed development complies with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Quality of Residential Accommodation (Internal and External)

Internal

- 7.29 Regarding internal accommodation, Policy D6 of the London Plan (2021) sets out the requirements for the gross internal floor area of new dwellings at a defined level of occupancy. Table 3.1 of the London Plan (2021) set outs the same gross internal area space standards set out in the technical housing standards - nationally described space standard (2015). Policy DMHB 16 of the Local Plan (2020) Aligns with this policy.
- 7.30 The proposed development seeks to convert the existing dwelling into two self-contained flats. Flat 1 on the ground floor would be a 3 bed, 4 person dwelling with a GIA of approx. 85sqm. Flat 2 on first and second floor would be a 2 bed, 3

person dwelling with a GIA of approx. 77sqm. Both flats exceed the minimum internal floor space standards set within Policy D6 of the London Plan (2021) which require 3 bed 4 person dwellings to have a minimum of 74sqm of GIA and 2 bed 3 person dwellings (over two floors) to have 70sqm of GIA.

- 7.31 It is noted that there are cycle storage units proposed located approx. 2.4m away from a ground floor bedroom window. Although not ideally located, it is considered if these were located elsewhere within the front garden it would restrict outlook and potentially create a loss of light to the double occupancy bedroom within this flat. As such on balance the cycle storage location is accepted in front of the single occupancy bedroom. It is not considered so harmful as to warrant a recommendation for refusal.
- 7.32 As such, the internal living standards would comply with Policy D6 of the London Plan (2021) and Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

External

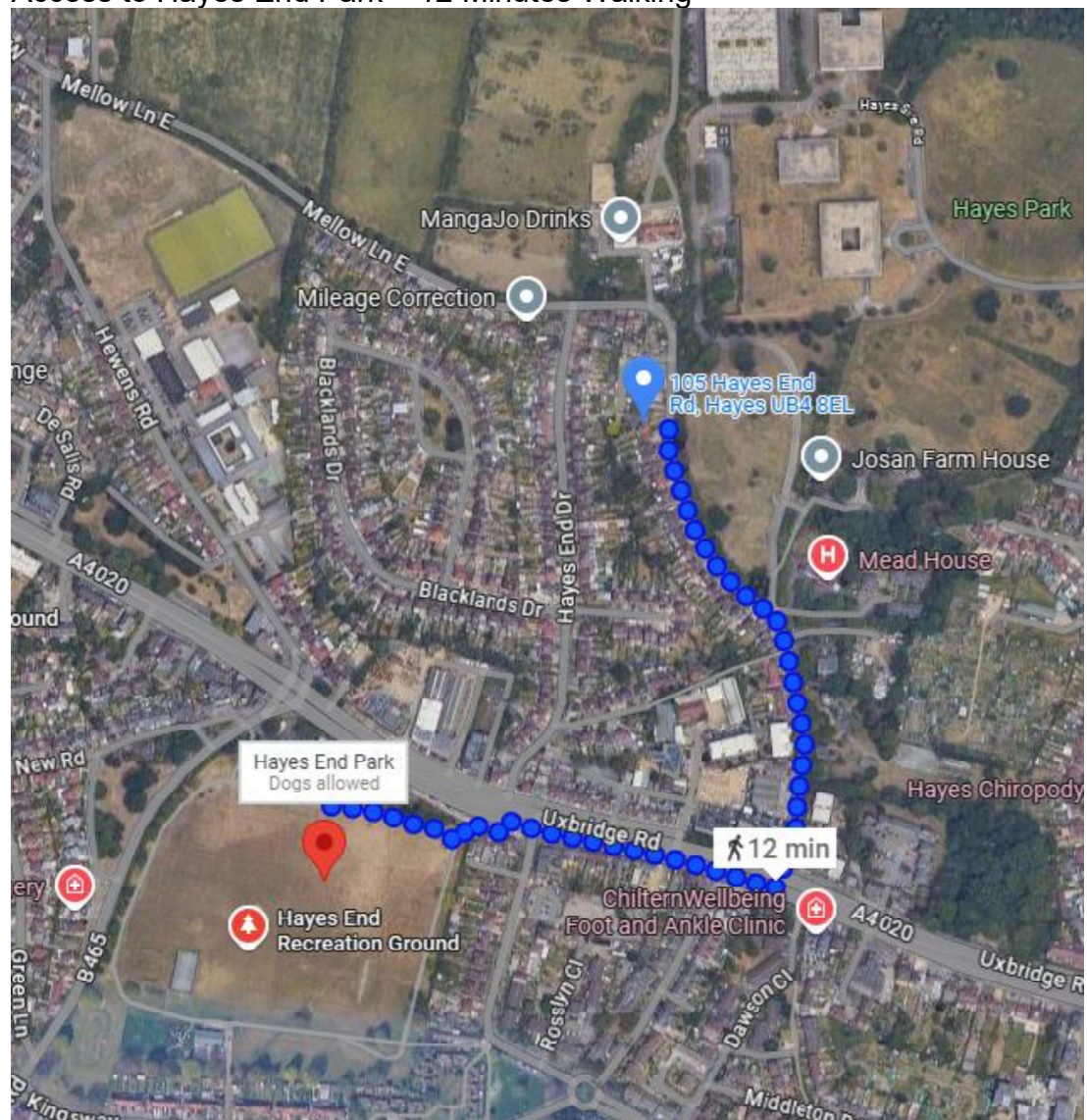
- 7.33 Policy DMHB 18 of the Hillingdon Local Plan - Part 2: Development Management Policies (2020) requires a minimum of 100sqm of outdoor amenity space for a dwelling house with 4 or more bedrooms and that 60sqm be provided for 2-bedroom dwellings.
- 7.34 The proposal would result in only the ground floor flat having access to the large rear garden, leaving no private amenity space for Flat 2. It is acknowledged that this formed a refusal reason in the previous application reference 35665/APP/2024/2087. However, as discussed in the other relevant sections of this Committee Report, the proposed development within this current application has overcome all other previous refusal reasons, and it is not considered that refusal for lack of external amenity space alone would be defensible at appeal for the current application.
- 7.35 The planning statement submitted has reference to a front patio area for the use of Flat 2, however this is not shown on the proposed drawings. It is not considered this would be well located or useable and as such even in the event it were to be illustrated on the proposed drawings it would not meet the policy definition of private amenity space.
- 7.36 Whilst Flat 2 would not have access to private external amenity space, which is regrettable, it is acknowledged that the internal amenity space provided is above the minimum standard by approx. 7sqm and it should be noted that Hayes End Recreation Ground and Knights Gardens are a 10–12-minute walk away approx. 0.5 miles. As such the harm of no on site provision of private external amenity space is offset by the high level of internal accommodation and proximity to outdoor recreational space.
- 7.37 Furthermore, when assessing a planning application officers must consider the shortfalls in policy compliance and the benefits of the proposal. In this case the

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applicant could provide access to private amenity space, however this would likely require some form of internal access to be constructed as the property extends across the entire width of the plot. An internal access would reduce the internal floor space of the ground floor unit resulting in a 2-bed unit rather than 3. The council has an identified need for 3 bed units, and this outweighs the policy conflict derived from the lack of access to private amenity space to serve the upper floor unit. In addition, the upper floor unit is not a family sized unit which further limits the harm. The applicant in the submission refers to a scheme determined in 2022 whereby the Council took an on-balance view to the subdivision of a dwelling into 2 flats of which one did not have direct access to private amenity space as there was sufficient access to public open space within 12 minutes walking distance. Based on all these factors Officers consider the benefits of the scheme to outweigh the policy departure and that overall, the standard of living accommodation is acceptable. Furthermore, in the event of a refusal it would be unlikely that a single reason for refusal relating to the lack of private amenity space in these unique circumstances, could be robustly defended at appeal.

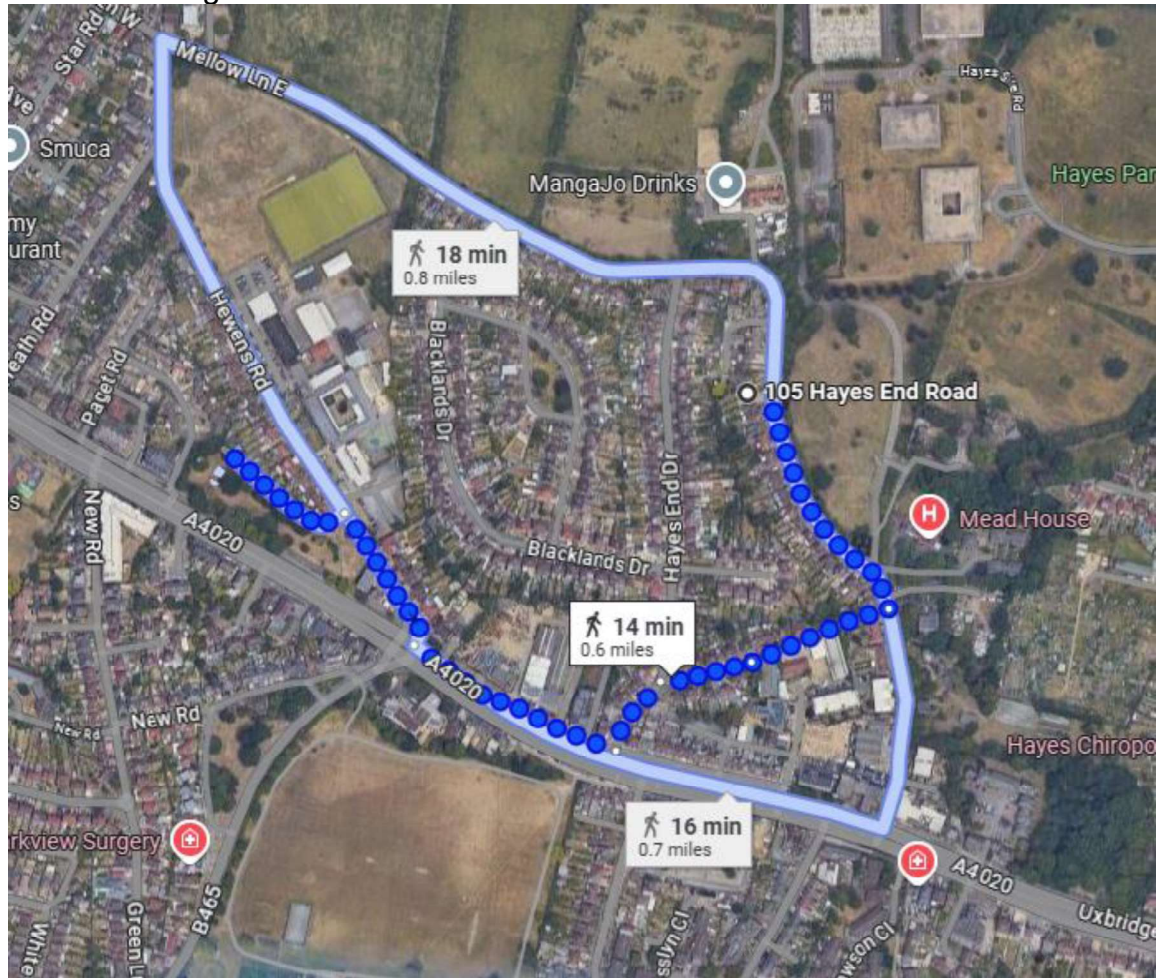
Access to Hayes End Park – 12 Minutes Walking



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Access to Knights Gardens – 14 Minutes Walk



- 7.38 As such, on balance, the proposed development would comply with the purpose Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the development has sufficiently overcome refusal reason 3 of the previous application.

Highways and Parking

Access and Parking:

- 7.39 The application proposes to convert the existing dwelling to provide 1no. three-bedroom flat and 1no. 2-bedroom flat. Vehicular access to the application site is currently gained over a vehicle crossover providing access to the forecourt of the application site.
- 7.40 A highway reason for refusal was attached to the previous application, which identified safety concerns with the tandem parking layout, that was considered unsafe due to the need to remove one vehicle to access the other, increasing the risk of collision.

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- 7.41 The London Plan (2021) Table 10.3 - Maximum Residential Parking Standards allows all dwellings in Outer London PTAL 0-1 to have a maximum 1.5no. spaces. The site is within a PTAL rated area of 2 meaning that there is a moderate to low level of access to public transports and everyday services. Drawing P006 Rev A shows the provision of two parking spaces, one allocated to each flat which would be an acceptable level of parking. The layout has been amended from the previous application to allow the car parking spaces to be sited next to each other. The spaces would each measure 4.80m x 2.4m which would comply with Appendix C of the Local Plan Part 2 (2020). The site benefits from an existing vehicle crossover which would need extending to allow the second vehicle to safely enter/exit the site. The applicant should be advised that prior to undertaking works on the adopted highway, they will likely require a Section 184 license from the Highway Authority.
- 7.42 The development also involves the conversion of an integral garage, the existing garage has internal dimensions of 2.2m x 5.1m which would not meet the minimum space standard for garages as set out within Appendix C of the Local Plan Part 2 (2020) which requires garages to measure at least 3m x 6m internally. As such, the development would not lead to a loss of parking.
- 7.43 It is not considered that the development would lead to a harmful overspill of parking on the adjacent roads and as such is considered acceptable. Moreover, the revised proposal is considered to resolve the highway concerns which formed a reason for refusal attached to the previous application. One of the points raised within the objections received is regarding the statements reference to a bus stop being located within 3 minutes' walk. This is a general statement made by the applicant, officers have reviewed the distance to the nearest bus stop which is located on the Uxbridge Road and is 400 metres from the site. Officers consider this to be an average walking time of 5-6 minutes which would not be significantly different to the 3 minutes stated by the applicant. The level of difference is de-minimus.

Electric Vehicle Charging Points (EVCP's):

- 7.44 The London Plan (2021) requires that 20% car parking spaces have active EVCPs and 80% of spaces have passive EVCPs. 1no 7kW active EVCP would be required for each parking space. Drawing P006 Rev A shows the provision 1 7kW EVCP. A condition has been added to ensure 2 Active EVCP's are provided, one for each parking space.

Cycle Parking:

- 7.45 The London Plan (2021) Table 10.2 - Minimum Cycle Parking Standards requires dwellings with 2-3no. bedrooms to have a minimum of 2no. cycle parking spaces each. Drawing P006 Rev A shows the provision of 2 enclosed lockable cycle storage units within the front garden with space for 2 cycles per unit which is an acceptable level of parking. It is proposed to attach a condition to the decision notice to secure final cycle storage details including design.

Conclusion:

- 7.46 The proposed development has sufficiently overcome refusal reason 2 of the previously refused application reference 35665/APP/2024/2087. The highway authority has been consulted on the application and have concluded there are no highways objections to the proposed development. As such, the development complies with Policies DMT 1, DMT 2, and DMT 6 of the Hillingdon Local Plan Part 2 (2020).

Air Quality

- 7.47 The application site is not located within an Air Quality Focus Area; however, it is located within an Air Quality Management Area. Given the proposed development is for minor extensions to the property and the conversion into flats it is not considered that the proposal would cause unacceptable levels of dust and disturbance during the construction phase. It is not considered necessary to include a Construction Logistics Plan Condition due to the modest nature of the development. The relevant informative note has been added.

Accessibility

- 7.48 Policy D7 of the London Plan (2021) states that at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) must meet Building Regulation requirement M4(3) 'wheelchair user dwellings'. All other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) must meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.
- 7.49 This proposal has been reviewed against the requirements of the 2021 London Plan policy D7 which should not be applied to the extension and conversion of this existing dwelling. The Council's Access Officer has been consulted on the application and has no objection to the proposed development.

Trees and Landscaping

- 7.50 The application site is not located within an area covered by a tree preservation order, nor is it within a Conservation Area. It is not considered that there would be any trees that would be impacted by the proposed development. As such, a tree report and arboricultural impact assessment is not required.

Biodiversity Net Gain

- 7.51 Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.
- 7.52 In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as

'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

- 7.53 Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.
- 7.54 The framework sets out a series of exemptions for which the provision for an on-site net gain would not be required.
- 7.55 The proposed development would fall under the de-minimis exemption, as the proposed scheme would not impact 25sqm of on-site habitat, nor would it impact 5m of on-site linear habitat. The proposed single storey rear extension would largely replace an existing conservatory structure on hard surfacing and the majority of the front soft landscaped garden would remain in place. As such, the development does not need to provide a 10% increase in biodiversity on site.
- 7.56 As mentioned within other sections of this Committee Report, a landscape condition will be added to ensure the development integrates well with the surrounding area.
- 7.57 In addition to this, the development is minor in scale and as such is not considered to cause harm to any wildlife or protected species, as such it is not considered necessary for further assessment to be undertaken.

Flooding and Drainage

- 7.58 The proposed development site is not located in Flood Zones 2 or 3. Nor is it located within a critical drainage area, or an area known for surface water flooding. As such it is not considered necessary or reasonable to add a condition relating to a drainage scheme.

Waste Management

- 7.59 Drawing P006 Rev A shows the provision of refuse storage within the front garden. The storage is covered and would be well located for the occupiers of the flats and is considered an acceptable arrangement as occupiers would drag the bins to the kerbside on collection days. The storage would be sited away from the front of neighbouring properties and as such would not have a harmful impact.

8 Other Matters

Human Rights

- 8.1 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself.

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This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality

- 8.2 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

Local Finance Considerations and CIL

- 8.3 The Council adopted its own Community Infrastructure Levy (CIL) on 1st August 2014. The Hillingdon CIL charge for residential developments is £95 per square metre of additional floor space. This is in addition to the Mayoral CIL charge of £60 per square metre. CIL rates are index linked.

9 Conclusion / Planning Balance

- 9.1 The proposed development has sufficiently overcome the refusal reasons from the previously refused application reference 35665/APP/2024/2087. The development would not impact the character and appearance of the original dwelling, nor the surrounding area; it would not impact the residential amenities of the neighbouring properties, nor would it harm the local highway network. Additionally, the development would retain a family sized dwelling and provide adequate living accommodation for future residents.
- 9.2 The proposal is considered to comply with the Development Plan and no material considerations indicate that a contrary decision should be taken. Consequently, the application is recommended for approval subject to the conditions set out in Appendix 1.

10 Background Papers

- 10.1 Relevant published policies and documents taken into account in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the [Council's website here](#), by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at planning@hillingsdon.gov.uk.

APPENDICES

Planning Application

35665/APP/2024/3154

Appendix 1: Recommended Conditions and Informatives

Conditions

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:

Location Plan

PBP01 Rev B

P001 Rev B

P002 Rev B

P003 Rev B

P004 Rev B

P005 Rev B

Parking Design and Management Plan Dated February 2025

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 (2021).

3. RES9 Landscaping (car parking & refuse/cycle storage)

No development shall take place until a 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 Cycle Storage (2 no. per unit)

- 2.b Means of enclosure/boundary treatments
- 2.c Car Parking Layouts (including the provision of 1 active 7kW electrical charging points per unit)
- 2.d Hard Surfacing Materials
- 2.e External Lighting
- 2.f Other structures (such as play equipment and furniture)

4. Details of Landscape Maintenance

- 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

5. 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, DMEI 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policy G5 of the London Plan (2021).

4. HO4 **Materials**

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

5. HO7 **No roof gardens**

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

REASON

To prevent overlooking to adjoining properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

6. HO5 **No additional windows or doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing Numbers 103 and 107 Hayes End Road.

REASON

To prevent overlooking to adjoining properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

Informatives

1.

The development hereby approved includes the carrying out of alterations to a vehicular access. Prior to undertaking work on the adopted highway you will require a Section 184 licence from the Highway Authority. The works shall be to the specification and constructed to the satisfaction of the Highway Authority. Fees are payable for the approval of the highway details, and inspection of the works. Further information and an application form are available on the London Borough of Hillingdon website <https://www.hillingdon.gov.uk/dropped-kerb-form>

2. I2 **Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

3. I15 **Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

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).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

5. 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).

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 (2021) and national guidance.

DMH 1	Safeguarding Existing Housing
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D14	(2021) Noise
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF12 -24	NPPF12 2024 - Achieving well-designed places

Appendix 2: Relevant Planning History

35665/A/84/2018 105 Hayes End Road Hayes

Householder dev. (small extension,garage etc) (P)

Decision: 25-01-1985 Approved

35665/APP/2024/2087 105 Hayes End Road Hayes

Erection of a part single, part double storey rear extension, conversion of garage to habitable space, alterations to roof form including a hip to gable extension, rear dormer and rooflights to facilitate the conversion of dwelling to 2 flats (1x2 bed and 1x3 bed). (amended description)

Decision: 08-10-2024 Refused

35665/APP/2024/3155 105 Hayes End Road Hayes

Conversion of roof space to habitable use to include a rear dormer, to include 2 x front roof lights (Application for a Certificate of Lawful Development for a Proposed Development)

Decision: 30-01-2025 Approved

35665/C/86/0944 105 Hayes End Road Hayes

Householder development - residential extension(P)

Decision: 23-06-1986 Approved

Appendix 3: List of Relevant Planning Policies

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

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.H1	(2012) Housing Growth

Part 2 Policies:

DMH 1	Safeguarding Existing Housing
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
LPP D14	(2021) Noise
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking

NPPF12 -24 NPPF12 2024 - Achieving well-designed places