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Our Ref: CJD.LPC.5551

Julia Johnson
Director of Planning, Regeneration and Public Realm
Hillingdon Council
3 North
Civic Centre
High Street
Uxbridge
UB8 1UW

Dear Ms Johnson

SUPPORT PLANNING STATEMENT
59 Warley Road, Hayes, UB4 0QB
Erection of a two storey side extension and
conversion of dwelling into 5-bedroom HMO

This Support Planning Statement has been prepared by LPC (Trull) Ltd on behalf of the Applicant (Ms Nasrine Jondah). This Statement needs to be read in conjunction with the application documents that are being submitted by the Agent, (NOMA Architects), and which comprise:

- Design and Access Statement
- Package of Application Drawings:
 - 2334-0100-02_Location Plan
 - 2334-0101-01_Existing Plans
 - 2334-0102-01_Existing Block Plan
 - 2334-0200-01_Existing Elevations
 - 2334-1100-03_Proposed Site Plan
 - 2334-1101-01_Proposed Block Plan
 - 2334-1102-03_Proposed Floor Plans
 - 2334-1200-02_Proposed Elevations
 - 2334-1201-02_Proposed Perspective Elevations

This proposal relates to a two storey semi-detached dwelling situated on a corner of Warley Road at the junction with Gledwood Avenue and Chaucer Avenue. The present dwelling consists of red brick walls with a terracotta tiled roof. The existing windows and doors are white UPVC and the overall architectural composition of the property is very similar to other properties that are found elsewhere within this suburban locality.

There are no specific Development Plan designations relating either to this site, or the wider locality.

LPC (Trull) Ltd
Trull Tetbury
Gloucestershire
GL8 8SQ
Tel: 01285 841433
Fax: 01285 841489
www.lpctrull.com

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The scheme incorporates the following elements:

- The use of the as a 5 bedroom house in multiple occupation (Use Class C4). *(It should be noted that the change of use of a Use Class C3 dwelling to Use Class C4 house in multiple occupation for 5 occupiers is permitted development.).*
- The erection of a two storey side extension. *(It should be noted that this extension is identical to that previously proposed under application. 42959/APP/20222/187.)*

As part of the scheme three car parking spaces are provided within the front garden with access onto Warley Road, together with refuse / recycling facilities and cycle storage provision within the site.

In order to provide clarity about the nature of the use of the accommodation to be provided the Applicant has prepared the following commentary:

“The aim of the HMO is to provide accommodation for female adults suffering from mental illness following their discharge from in-patient psychiatric hospital. The accommodation will provide a safe and supportive environment which allows the occupiers the opportunity to develop skills for more independent living in the future. None of the bedrooms will be shared and each room will have only one tenant.”

Planning History

On 10th January 2022 Planning Permission (42959/APP/2021/2101) was refused for the following proposal, *“Erection of two storey side extension and conversion of dwelling (C3) into a seven bedroom HMO (sui generis)”*.

A subsequent Appeal (APP/R5510/W/22/3293089) was lodged which was dismissed on 27th May 2022. The Inspector’s decision focused on the following issues:

- *The living conditions of future occupiers, with particular regard to internal living accommodation and outdoor amenity space.*

The Inspector concluded:

- That two of the seven bedrooms proposed would fail to achieve the minimum space standard for a one-bedspace single bedroom as set out within the London Plan (Policy D6).

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- Turning to the issue of the outdoor amenity space the Inspector stated, *“At the rear, the heavily tapering private rear garden is restricted in its size. Whilst it would be reasonably private in the manner of other property’s rear gardens, this would be a particularly small rear garden area for occupants of a 7-bedroomed HMO. Together with the more utilitarian and functional nature of the area to the front, the proposal would fail to provide adequate usable private outdoor amenity space.”*
- The overarching conclusion on this issue was as follows, *“Coupled with the shortfall in internal floor area of two of the proposed bedrooms, the proposal would fail to provide the form of high-quality residential development that LP2 policies DMHB18 and DMH5 and London Plan policy D6 seek to secure.”*
- *The character and appearance of the host property and the surrounding area.*

The Inspector concluded:

- *“I am not therefore persuaded that this would be harmful to the character or appearance of the host property, or to the character of appearance of the surrounding area. For the reasons set out, in respect of the effect of the proposed development upon character and appearance, I conclude that there would be no conflict with the broad aims of LP2 policies DMHB11, DMHB12 or DMHD1.”*

Following the above Appeal decision, a further application for a modified scheme (42959/APP/20222/187) was submitted which proposed the following, *“Erection of a two storey side extension and conversion of dwelling into 6-bedroom HMO”*. This was refused on 21st September 2022 with the focus of the concern being the provision of the proposed outdoor amenity space. (NB the application was satisfactory with regard to the dimensions of the proposed bedrooms and the impact of the two storey side extension).

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Planning Policy Context

The Development Plan for the London Borough of Hillingdon consists of the following documents:

- The Local Plan: Part 1 - Strategic Policies (2012)
- The Local Plan Part 2 - Development Management Policies (2020)
- The Local Plan Part 2 - Site Allocations and Designations (2020)
- The London Plan - 2021

Hillingdon Local Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment

Part 2 Policies:

- LPP D5 (2021) Inclusive design
- LPP D6 (2021) Housing quality and standards
- LPP H9 (2021) Ensuring the best use of stock
- LPP T4 (2021) Assessing and mitigating transport impacts
- LPP T5 (2021) Cycling
- LPP T6 (2021) Car parking
- LPP T6.1 (2021) Residential parking
- DMH 1 Safeguarding Existing Housing
- DMH 5 Houses in Multiple Occupation
- DMHB 11 Design of New Development
- DMT 1 Managing Transport Impacts
- DMT 2 Highways Impacts
- DMT 5 Pedestrians and Cyclists
- DMT 6 Vehicle Parking
- DMHD 1 Alterations and Extensions to Residential Dwellings

The London Plan

The following Policy is considered relevant to the determination of the application:

- Policy D6 Housing quality and standards

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Planning Assessment

To aid your positive determination of this submission I would like to comment the key planning issues raised as follows.

Principle of Development

I would first of all like to recap that the use of the property for Use Class C4 accommodation does not require planning permission, and this is made clear in the following extract from the Delegated Report associated with the determination of application 42959/APP/20222/187:

“The application site does not lie within the area of the borough that is subject to a direction made under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (Article 4 Direction) (GPDO) which came into force on 24th March 2013 to remove permitted development rights relating to making a change of use of a dwelling house (Class C3) into an HMO (Class C4). It is also noted that a 6 person HMO could be created under permitted development.”

Notwithstanding that Use Class C4 accommodation does not require planning permission, the following extracts from the Delegated Report associated with the determination of application 42959/APP/20222/187 are also pertinent:

“It is considered that the level of activity involved in travelling to work and for leisure and shopping purposes that would be associated with the proposed HMO 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 HMO is unlikely to be significantly different to that from one large household (or permitted development HMO) that could occupy the property.”

The use of the property for Use Class C4 accommodation is therefore permitted development and a non-contentious element of this proposal.

Impact on the Street Scene

It is pertinent to note that with regard to the proposed two storey extension this was not an issue of concern for the Inspector when determining the recent Appeal APP/R5510/W/22/3293089. Furthermore, the two storey extension is identical to that previously proposed under application (42959/APP/20222/187) and the following commentary from the Delegated Report associated with this application is most apt:

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“The proposed side extension is similar to the form in the previously refused application, which was deemed acceptable to the Planning Inspector under ref: APP/R5510/W/22/3293089, due to its limited views from the public realm and the existing return building lines. Accordingly, it is considered that the two storey side extension is considered acceptable, giving substantial weight to the recent appeal decision.”

The proposed two storey extension is therefore a non-contentious element of this proposal.

Transport

With regard to car parking, three off street car parking spaces are proposed. In determining Appeal APP/R5510/W/22/3293089 the Inspector stated, *“Nor are there specific objections, based on the particular scheme before me, in relation to highways or parking matters.”* Three such parking spaces were proposed when application 42959/APP/20222/187 was determined and the relevant commentary in the Delegated Report stated:

“The applicant submits that three vehicles could be parked off the highway as shown on the submitted site layout drawing. The Council's Highways Officer has reviewed the application and has raised no objection in regard to parking and highway safety.”

It is noted in the Delegated Report the following is stated, *“There are no highway objections to this proposal subject to the following condition requiring the provision of one dual socket electric vehicle charging point to serve two of the front parking spaces.”* To avoid the necessity for such a condition the relevant electric vehicle charging details are included on the Proposed Site Plan.

It is further noted in the Delegated Report that with regard to cycle storage, *“1 bicycle space per occupant”* is required and *“The submitted drawings do not show on site cycle storage, however this could be conditioned to be submitted prior to commencement in the event of an approval.”* To avoid the necessity for such a condition the submitted drawings show appropriate provision for 5 cycle storage spaces.

To the rear of the proposed car parking spaces is a dedicated refuse and recycling store. In designing this facility full acknowledgement has been given to the dimensions and storage requirements of the Waste Strategy Officer as set out in the Delegated Report.

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Having regard to all the above commentary it's clear there are no prohibitive Transport issues associated with the scheme.

Living Conditions for Future Occupiers

With regard to the internal living accommodation for future occupiers the Delegated Report associated with application 42959/APP/20222/187 stated;

“The proposed bedrooms and the dining room and kitchen would have a principal window fitted in either the front or rear elevations of the property. As such, it is considered that future occupiers of the property would be afforded with a reasonable degree of outlook and natural light. When compared to the previous scheme, dismissed at appeal, all bedrooms would meet the minimum standard as set out in Policy D6 of the London Plan (2021).”

These internal configuration arrangements are the same in the current submission, and the Design and Access Statement explicitly confirms that all the bedrooms meet the minimum standards as set out in Policy D6 of the London Plan.

The standard of internal living accommodation is therefore a non-contentious element of the proposal.

I will now focus on the issue of outdoor amenity space. It is first of all acknowledged in the Appeal decision that the Inspector considered this to be a small rear garden area for occupants of a 7-bedroomed HMO. However, the scheme has evolved since the Appeal decision and it's highly material to note that the accommodation will now be for 5 individuals (with none of the rooms being shared). In the Delegated Report associated with application 42959/APP/20222/187 reference is made to Policy DMHB 18 and Table 5.3 of the Hillingdon Local Plan where there is reference to four bedroom and above dwellings having at least 100 square metres of private amenity space.

The position with the site (as indicated on the Proposed Site Plan) is that to the rear there is 55.8m². In addition, with the front garden there is some 74.8m² of amenity space. It is noted that the Inspector commented on the front garden not being as private as the rear space, however for the purposes of a rounded assessment of amenity space at the property it's relevant to note its presence.

What is highly material (and this is fully recognised in the Delegated Report associated with application 42959/APP/20222/187) is that the property does not currently meet the requirements of Table 5.3 of Policy DMHB 18. The present accommodation can easily accommodate 5 persons, which is the same number of occupiers as the proposed scheme. This means that there will be

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no undue over intensification of activity at the property where harm will be caused by the quality of private amenity space which is available. As is clearly apparent the number of occupiers proposed is now significantly less than involved with the appeal scheme (and indeed is of a scale that is permitted development). This coupled with the fact that the intensity of occupation will be the same, should the property be used for Use Class C3 accommodation, means that the level of private amenity space should not be a prohibitive factor to the grant of planning permission.

Conclusion

I trust the contents of this Statement will assist your favourable determination of this proposal and should there be any queries where I may be able to assist, please do not hesitate to make contact.

Yours sincerely



Chris Dance
LPC Ltd

cc Client
 NOMA Architects