

Report of the Head of Development Management and Building Control Committee Report Part 2 – Application Report

Case Officer: **Haydon Richardson**

57533/APP/2023/3146

Date Application Valid:	31.10.23	Statutory / Agreed Determination Deadline:	17.01.25
Application Type:	Full	Ward:	Belmore

Applicant: **Mr Hersch Sternlicht**

Site Address: **140 Fairholme Crescent**

Proposal: **Creation of an extra bedroom to a 6 unit HMO (Class C4) to create 7 bedrooms (Sui Generis).**

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 an existing 6 person (Use Class C4) house in multiple occupation (HMO) to a 7 person (Sui Generis) HMO.
- 1.2 The proposed development includes no alterations to the height, depth, width or design of the host dwelling. Furthermore, the sites layout, access and parking provisions would remain as existing. It is therefore considered that the proposal would have no adverse impact on the character and appearance of the area.
- 1.3 At present two parking spaces, exist at the site serving 6 occupants. The two parking spaces would be retained at the site to serve 7 occupants. Due to the minor increase in residential occupancy at the site and the fact that the London Plan encourages car free development, the provision of two car parking spaces is considered to be sufficient.
- 1.4 Furthermore, a Transport Assessment has been submitted in support of the development outlining how sustainable means of transport will be promoted at the site through the provision of cycle parking. The assessment also advises that like many surrounding roads, Fairholme Crescent has no parking restrictions in terms of double yellow lines. As such, if the development were to result in the need for an additional parking space, the vehicle could be parked at the roadside, like other vehicles.
- 1.5 The sites parking situation would remain as existing, as such it would be unreasonable to request that the dropped kerb to the front of the site be extended.
- 1.6 Taking into consideration these points, the development is considered to cause no harm to the local highways network or its users.
- 1.7 Residents of the HMO would be provided with acceptable internal and external living accommodation and would also be within a short distance of public open space, shops and services.
- 1.8 Further to the above, the existing dwelling is being used as a 6 person HMO lawfully (57533/APP/2024/2226). Taking into consideration that the proposed development would simply result in one additional person residing within an

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existing HMO. The development would not cause any harmful increases in noise, disturbance or activity at the site, which would harm the amenities of neighbours.

- 1.9 It is concluded that the proposal complies with the Development Plan and no material considerations indicate that a contrary decision should be taken. The planning application is therefore recommended for approval subject to the conditions set out in Appendix 1.

2 The Site and Locality

- 2.1 The development site is located on the north side of Fairholme Crescent. The site comprises a semi-detached bungalow finished in brick and pebble dash. The building is set back from the road and has a front garden providing off street parking space. The rear garden of the site is a mixture of soft and hard landscaping.
- 2.2 The surrounding area is predominantly residential comprising single and two storey semi-detached properties. Properties vary in external materials but predominantly have pitched roofs and are set back from the road with off street parking.
- 2.3 The development site has a Public Transport Accessibility Level (PTAL) rating of 2 (low).

Figure 1: Location Plan (application site edged red)



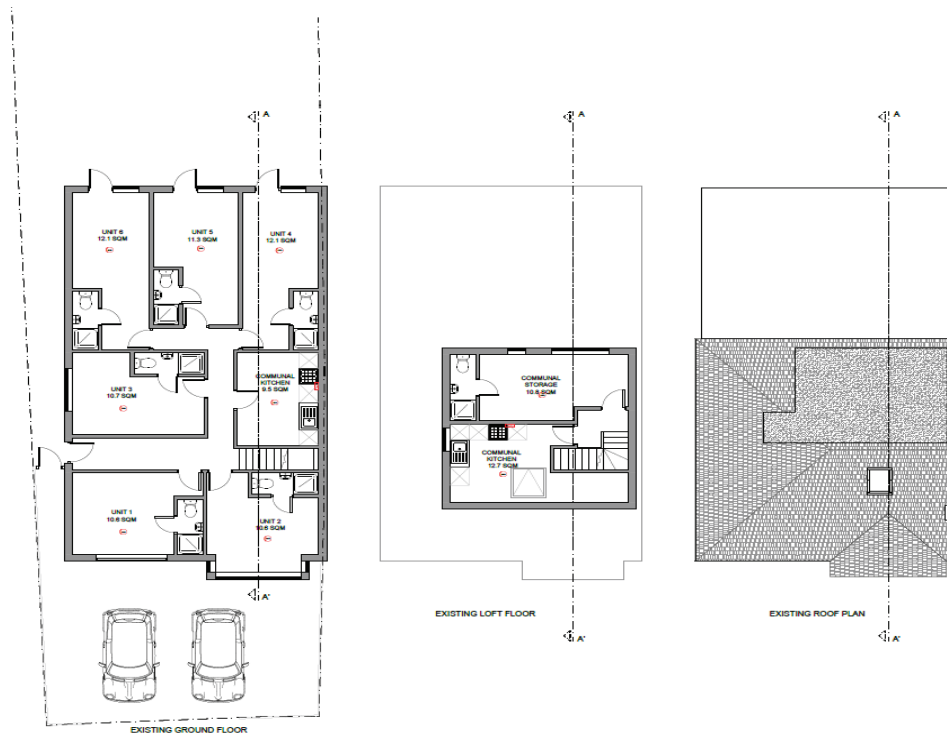
Figure 2: Street View Image of the Application Property



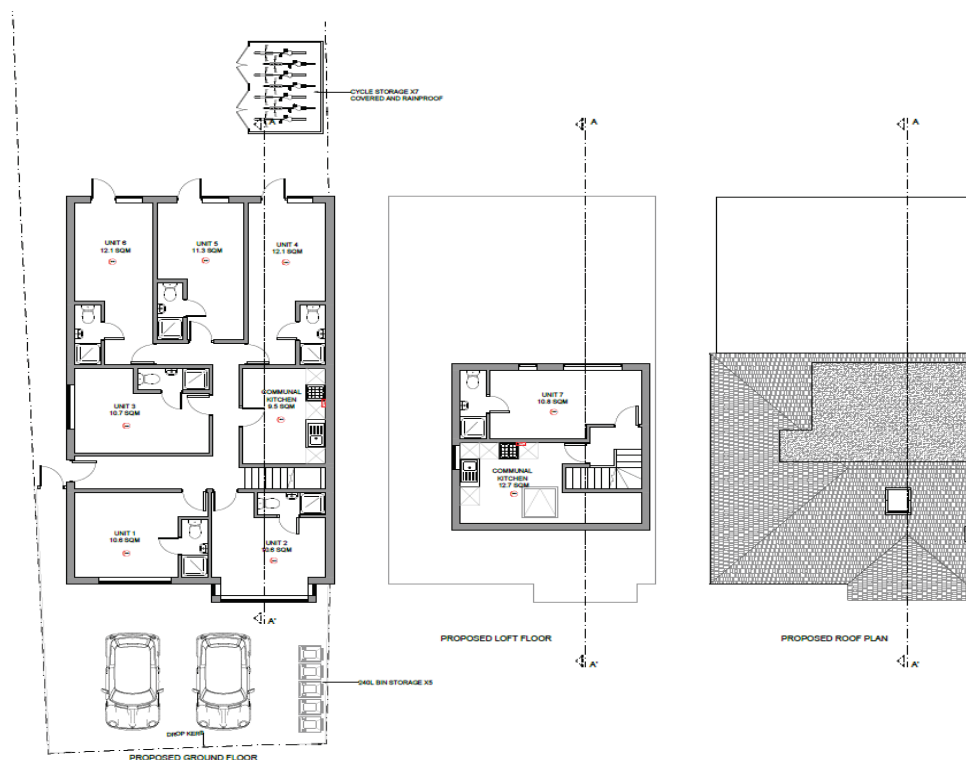
3 Proposal

- 3.1 Planning permission is sought for the conversion of an existing 6 person (Class C4) HMO to a 7 person (Sui Generis) HMO. This would be facilitated by the converting an existing first floor storage space into a bedroom and providing extra bins at the site.

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



Existing Floor Plan



Proposed Floor Plan

4 Relevant Planning History

- 4.1 A list of the relevant planning history related to the property can be found in Appendix 2.

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- 4.2 As noted in Appendix 2, the site was subject to an application (57533/APP/2023/1305) for the change of use of the dwelling house to a 7 bed HMO which was withdrawn. A subsequent certificate of lawfulness application 57533/APP/2024/2226 was submitted for the retention of an existing HMO which was approved dated 26/09/2024.

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 Four neighbouring properties were consulted on 7th November 2023. A notice was displayed at the site on 16th November 2023.
- 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 with 25 signatures was received on 05/12/23 objecting to the proposed development.	To oppose the creation of an extra unit (to make a 7 bedroom and 7 bathroom) in an existing 6 Bed HMO	The rationale behind why the application should be approved is set out within this report and its summary.
3 individual letters of objection have been received	Permission was recently refused at the site for a similar development on the grounds of over intensification.	No application has been refused at the site for a similar development. The site's planning history is set out in section 4 of this report.
	The site notice went up on 29/11/23.	The site notice was placed on 16/11/23.
	The existing HMO is under construction and does not yet exist.	The existing HMO is lawful and was in operation on the day of the Case Officer's visit in February 2024.

	Only neighbours nearest to the development site were consulted on the application.	The LPA's statutory consultation requirements were carried out for this application. Additionally, a site notice was placed at the site so statutory requirements have been exceeded. There is no statutory requirement to consult more broadly than actioned.
	7-14 people within the property and/or within its garden would cause excessive activity, noise pollution and disturbance harming neighbouring amenities.	Issues regarding the developments impact on neighbouring amenities have been discussed at paragraphs 7.13-7.20 of this report.
	Each tenant will have a friend resulting in 14 people at the property. It was not designed for this level of occupation.	The number of guests which may visit any property is not a material planning consideration. Furthermore, a condition has been recommended to restrict the permanent occupation of the building to 7 tenants.
	The proposed development is an overdevelopment of the site and is out of character.	Issues regarding the developments visual impact have been discussed at paragraphs 7.13-7.20 of this report.
	The presence of an upstairs kitchen is a fire hazard.	The fire safety of the kitchen is a building control matter and not a material planning consideration. Furthermore, the kitchen already exists at the site and does not form part of the proposed development.
	The level of amenity provided for future residents would be poor due to no communal	Issues regarding the standard of accommodation which

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	living area and a kitchen with no access to natural light	would be provided for future residents has been discussed at paragraphs 7.34-7.39 of this report.
	The existing area has parking issues, this would be exacerbated by the proposed development, which provides insufficient parking for 7-14 people.	Issues regarding the developments impact on parking and the local highways network have been discussed at paragraphs 7.26 -7.28 of this report.

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 is not applicable to this application for an extra unit within the existing HMO. Conclusion: no objections raised from an accessibility perspective.	Noted and included in the assessment of the application.
Highways Officer The site is located in a PTAL 2 rated area meaning that there would be some reliance on the car to travel to and from the site. The proposal would require an extension to the existing crossover to provide access to 2 parking spaces. On the provision that the applicant applies to the local highway authority to extend the existing crossover, the 2 parking spaces to be provided are considered acceptable to serve the development. 7 cycle spaces would be provided however their current location is not considered to be acceptable. As such a condition pertaining to the submission of revised cycle parking details and the provision of 1 EVCP should be added to the decision notice.	Noted, the relevant conditions are proposed to be added to the decision notice

7 Planning Assessment

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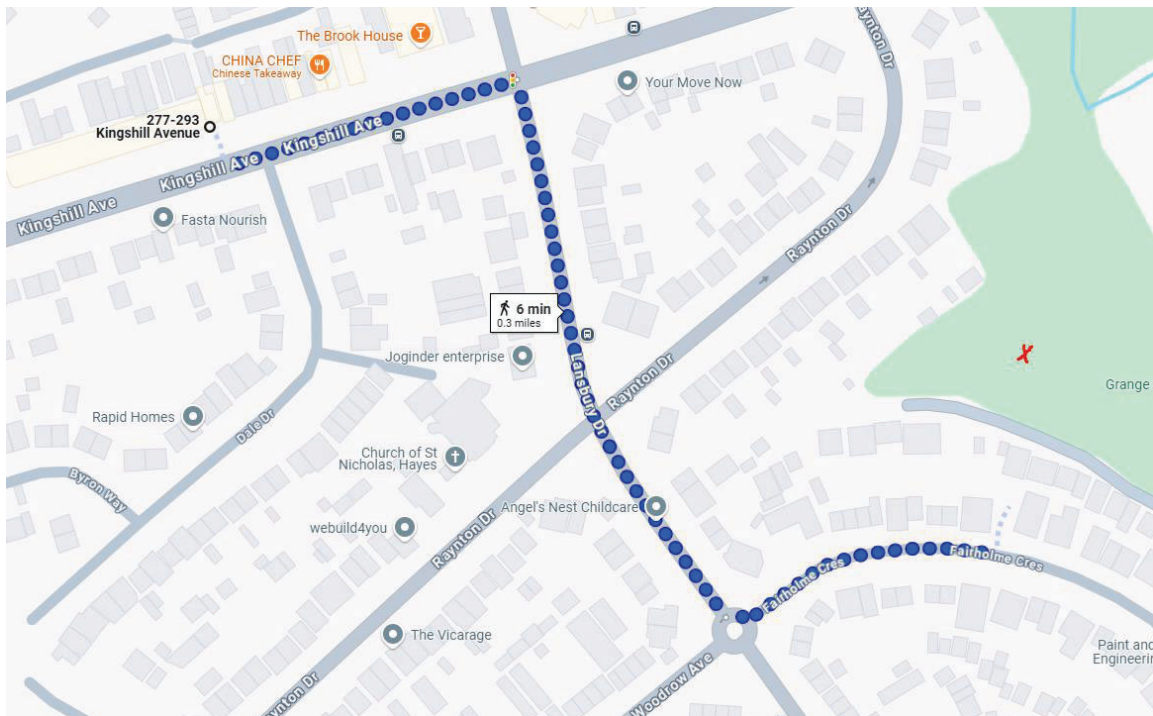
Principle of Development

- 7.1 Hillingdon Local Plan: Part 2 - Development Management Policies (2020) Policy DMH 1 seeks to safeguard existing housing stock including affordable housing and in particular family sized dwellings (3 bed dwellings and above). More specifically the policy states that the Council will grant planning permission for the subdivision of dwellings only where it would not result in detrimental harm to the local highway network, neighbour amenity and street scene and where adequate internal and external living standards can be achieved for future occupants.
- 7.2 The supporting text and specifically paragraph 4.3 of the Hillingdon Local Plan: Part 2 (2020) provides guidance for the implementation of Policy DMH 1 and recognises Houses in Multiple Occupation (HMOs), student accommodation and other uses falling into Use Classes C3 and C4 as providing a contribution towards local housing stock.
- 7.3 The site benefits from C4 use and therefore is an established HMO already. As the proposal involves the conversion of an existing HMO (up to 6 persons) to a larger HMO for up to 7 persons, there would be no net loss of the Borough's housing stock.
- 7.4 Policy DMH5 of the Local Plan Part Two includes 2 sets of criteria, for the purposes of this application only Part A is relevant as Part B refers to sites which are located within an area where the conversion to a HMO irrespective of whether they meet the definition of small or large, are restricted by an Article 4 Direction. The application site is not located in an area covered by an Article 4 Direction, therefore Part B is not relevant.
- 7.5 In relation to criterion A)(i) of Policy DMH 5, despite a relatively low PTAL rating of 2 the site is approximately 6 minutes walk from shops, services and bus routes on Kingshill Avenue. Additionally, Grange Park is located behind the site providing public open space for future residents (See Figure 4). Taking into consideration these points, the site is considered to have adequate accessibility to local amenities and public transport in the context of Policy DMH 5.
- 7.6 Furthermore, Officers and Members of the Committee need to consider the sites established use as an existing HMO which has been confirmed by Officers when visiting the site. As such it is only the one additional bedroom which is subject to the assessment of this application. The addition of 1 bedroom would not give rise to a significant increase in pressure on local services and occupiers will have access to the necessary infrastructure to meet every day living needs.
- 7.7 The detailed consideration in respect of criteria A)(ii) and A)(iii) is set out in relevant sections of this Committee Report (below). Subject to compliance with these matters, it is considered that the principle of the development can be supported.

Figure 4: Accessibility to Grange Park and Shops on Kingshill Avenue

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Design / Impact on the Character and Appearance of the Area

- 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, and 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 includes no alterations to the height, depth and width of 140 Fairholme Crescent. No alterations are proposed to the front or rear elevations of the property and minor changes are proposed to the rear fenestration of the property. In terms of site layout, two parking spaces currently exist at the

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front of the property. Two spaces, alongside bin storage, would be provided as part of the proposed development. Taking into consideration that there would be no alterations to the general size, scale and design of the host dwelling, that there would be no alterations to the site layout and that many properties store their bins close to the road, it is considered that the proposed development would cause no harm to the character and appearance of the host dwelling or surrounding area.

- 7.13 The proposal would therefore accord with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two- Development Management Policies (2020), Policy D3 of the London Plan and National Planning Policy Framework (2023).

Residential Amenity

- 7.14 Policies DMH 5, DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) seek to ensure a satisfactory relationship with adjacent dwellings with no unacceptable loss of outlook, amenity, daylight and sunlight to neighbouring occupiers.
- 7.15 Policy D14 of the London Plan (2021) requires that proposals minimise noise pollution and Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) promotes the maximum possible reduction in noise levels and seeks to ensure that noise impacts can be adequately controlled and mitigated.
- 7.16 As mentioned above, there are no major physical changes proposed to the existing building as part of this planning application. By their limited nature, the proposed landscaping changes would not give rise to concerns of overlooking, overbearing or loss of light.
- 7.17 When compared with the existing 6 person HMO, the proposal represents an increase of one resident. The intensification of the site will bring about limited additional comings and goings of people and associated impacts that arise with people living independently from one another. The increase of 1 additional person is considered to be modest and the total occupancy of seven residents is not too dissimilar to many of the large family dwelling houses in the area.
- 7.18 If planning permission is approved, a condition is recommended to ensure that no more than 7 occupants reside at the property.
- 7.19 For these reasons, it is considered that the addition of 1 additional occupant would not give rise to impacts upon neighbouring residential amenity that would warrant a refusal of the planning permission.
- 7.20 Therefore, given the proposal and site context, it is considered it would not unduly impact the residential amenity of the adjoining properties, in terms of daylight/sunlight, outlook and overbearing effect, in accordance with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Highways and Parking

- 7.21 Policy DMT 2 states that proposals must ensure that safe and efficient vehicular access to the highway network is provided; they do not contribute to the deterioration of air quality, noise or local amenity; have safe, secure and convenient access and facilities for cyclists and pedestrian; that impacts on local amenity and congestion are minimised; and there are suitable mitigation measures to address any traffic impacts.
- 7.22 Policy DMT 6 states 'Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity.'
- 7.23 For a HMO with up to 6 occupants, this would be 1 space per 2 occupants. For HMOs over 6 occupants, car parking requirements will be assessed through a transport appraisal.
- 7.24 There are no specific parking requirements for HMO's set out in the London Plan (2021).

Parking

- 7.25 At present two parking spaces, exist at the site serving 6 occupants. The parking spaces are accessed via an existing crossover and the site's parking forecourt is open. The two parking spaces would be retained at the site to serve 7 occupants, and the parking forecourt would remain open as existing. As the sites parking situation would be unaltered it is considered unreasonable to recommend a condition be added requiring that the drop kerb be extended at the front of the site.
- 7.26 Additionally, due to the minor increase in residential occupancy at the site (1 additional resident) and the fact that the London Plan encourages car free development, the provision of 2 car parking spaces is considered to be sufficient.
- 7.27 Furthermore, a Transport Assessment has been submitted in support of the proposed development. The statement outlines how sustainable means of transportation to and from the site would be supported by the provision of 7 secure cycle stores. Furthermore, like many surrounding roads, Fairholme Crescent has no parking restrictions in terms of double yellow lines, as such if the development were to result in the need for an additional parking space, the vehicle could be parked at the roadside, like other vehicles.
- 7.28 Taking into consideration the above the proposed parking provision is considered to be acceptable.

Electrical Vehicle Charging

- 7.29 London Plan (2021) Policy T6 states 'Where car parking is provided in new developments, provision should be made for infrastructure for electric or other Ultra-Low Emission vehicles in line with Policy T6 .1 Residential parking, Policy T6 .2 Office Parking, Policy T6.3 Retail parking, and Policy T6.4 Hotel and leisure uses parking'.
- 7.30 A condition securing the provision of 1 EV charging point is recommended should planning permission be granted.

Cycle Parking

- 7.31 7 cycle parking spaces (1 per occupant) are proposed within an enclosed and secure cycle storage unit to be located to the rear of the site. The provision and location of the facility is considered to be acceptable.

Waste Collection

- 7.32 The submitted plans show that waste storage facilities would be sited next to the road, like other dwellings in the area. The location of the facilities is considered to be acceptable. Nevertheless, the London borough of Hillingdon does not operate a bin collection service. If planning permission is granted, a condition is recommended requiring full details of the design, location and sizes of all refuse and recycling storage facilities to be used at HMO. The applicant would be required to provide waste storage of an appropriate size for the service.

Access

- 7.33 2 parking spaces exist at the site at present. The 2 spaces would be retained post development. As vehicles and people would access the site in the same way as existing and no changes are proposed to the site's access or parking arrangements, it is considered unreasonable to recommend a condition requiring that the drop kerb be extended at the front of the site.

Quality of Internal accommodation for future residents

- 7.34 The proposed HMO comprises 7 bedrooms, the GIA of the internal accommodation within the building is set out below:
- 7.35 Bedroom 1: 10.6m² (single bedspace)
Bedroom 2: 10.6m² (single bedspace)
Bedroom 3: 10.7m² (single bedspace)
Bedroom 4: 12.1m² (double bedspace)
Bedroom 5: 11.3m² (single bedspace)
Bedroom 6: 12.1m² (double bedspace)
Bedroom 7: 10.8m² (single bedspace)
Communal Kitchen: 9.5m²
Communal Kitchen: 12.7m²

- 7.36 At ground floor the internal layout of proposed HMO would be identical to the existing HMO. As such the ground floor layout of the HMO is considered to be acceptable.
- 7.37 One additional room would be added at first floor level. The resident of the room would have windows providing access to natural light and outlook, as well as access to communal kitchens and an en-suite (providing sanitary facilities). The resident is considered to be provided with an acceptable level of living accommodation.
- 7.38 Residents within the wider property would have large single bedrooms or double bedrooms (with individual en-suites). They would have windows with reasonable access to outlook, light and privacy. Two communal kitchens exist within the HMO and provide communal space for residents. One of the kitchens is large enough for a table and chairs. It is therefore considered that future residents of the building would have satisfactory internal living accommodation.

Quality of external accommodation for future residents

- 7.39 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. It is required to be well located, well designed and usable for the private enjoyment of the occupiers.
- 7.40 The existing 6 bed HMO has approximately 140sqm of communal external amenity space for 6 occupants. This would remain the same post development with 1 additional occupant. The amenity space provision is considered to be sufficient for the minor occupancy increase. It should also be noted that Grange Park is located within 5 minutes' walk of the site providing accessible, outdoor space for any new or existing resident of the proposed HMO. It is therefore considered that future residents of the building would have satisfactory external living accommodation

Accessibility

- 7.41 Policy D5 of the London Plan (2021) seeks to ensure development proposals achieve the highest standards of accessible and inclusive design. Policy D7 of the London Plan (2021) requires at least ten percent of dwellings to meet Building Regulation requirement M4(3) 'wheelchair user dwellings', with all other dwellings meeting Category M4(2) 'accessible and adaptable dwellings'.
- 7.42 The proposal seeks to add one additional bedroom to an existing HMO, as the property has already been converted, remains as residential accommodation and does not propose additional extensions, the above policies would not be relevant. Notwithstanding this point the application has been reviewed by the Councils Accessibility Officer who has raised no objection.

Trees and Landscaping

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- 7.43 Policy DMHB 14 advises that all development will be expected to retain or enhance existing landscaping, trees, biodiversity or other features of merit.
- 7.44 The proposed development would result in no loss of trees and would therefore have no adverse tree impact.
- 7.45 Landscaping on the site would remain as existing (a mix of hard and soft landscaping). The proposal is therefore considered to be acceptable.

Ecology and Biodiversity

- 7.45 Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that if development is proposed on or near to a site considered to have features of ecological or geological value, applicants must submit appropriate surveys and assessments to demonstrate that the proposed development will not have unacceptable effects. The development must provide a positive contribution to the protection and enhancement of the site or feature of ecological value.
- 7.46 In England, Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It became mandatory for major developments on 12 February 2024 and small sites on 2 April 2024. Developers must deliver a BNG of at least 10%. This means a development will result in more or better-quality natural habitat than there was before development. The landowner is legally responsible for creating or enhancing the habitat and managing that habitat for at least 30 years to achieve the target condition.
- 7.47 Chapter 15 of the National Planning Policy Framework (2024) states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.
- 7.48 Paragraph 8.6.6 of Policy G6 of The London Plan (2021) states that biodiversity net gain is an approach to development that leaves biodiversity in a better state than before. Losses should be avoided, and biodiversity offsetting is the option of last resort.
- 7.49 The site does not contain any significant trees, ponds, open woodland, dense scrub or shrubbery. There are no protected sites of ecological interest adjacent to or near to the site. It is therefore considered that the likelihood of protected species being present at the site is low. The existing mix of hard and soft landscaping would be retained at the site, as such the ecological value of the site would remain as existing.
- 7.50 As no additional extensions are proposed the development would meet the de-minimis exemption referenced within the National Planning Policy Framework 2024. As such no further BNG or ecological information is required.
- 7.51 The proposal is therefore considered to be acceptable.

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Air Quality

- 7.52 The application site is located within Hillingdon Air Quality Management Area and Planning permission is sought to change a 6bed HMO into a 7bed HMO.
- 7.53 The sites car parking provisions would remain as existing, as such there would be no additional vehicle movements to and from the site. Sustainable means of transport would be supported by new cycle parking provisions, discouraging the use emission generating transportation. The development would therefore have no adverse air quality impact.

Drainage

- 7.54 The application site is located in Flood Zone 1 where there is a low probability of risk of flooding from rivers or seas. As such, all forms of development including residential development (which is classified as a 'more vulnerable use') are acceptable in this location, in terms of fluvial flood risk.
- 7.55 Planning permission is sought to change a 6bed HMO into a 7bed HMO. No extensions are proposed, and the site is not located within an area identified as being vulnerable to flooding therefore the development would not result in an increase of flood risk within the site or to those properties surrounding the site. The additional occupant would have no adverse drainage impact at the site. The proposed development is acceptable from a drainage perspective.

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. 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 Not applicable. The proposed development is not CIL liable.

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9 Conclusion / Planning Balance

- 9.1 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 (below).

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@hillington.gov.uk.

APPENDICES

Planning Application

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Appendix 1: Recommended Conditions and Informatives

Conditions

1. HO1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2. HO2 Accordance with Approved Details

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans numbered:

01 RV00 - LOCATION AND SITE PLAN

05 RV00 - PROPOSED FLOOR PLANS

06 RV00 - PROPOSED FRONT AND REAR ELEVATIONS

07 RV00 - PROPOSED SIDE ELEVATION AND SECTION

08 RV00 - PROPOSED SITE PLAN

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), and the London Plan (2021).

3. NONSC Number of occupants

The property shall only be used as a house in multiple occupation for no more than seven (7) individuals at any one time.

REASON

To ensure that the amenity of the occupiers of the adjoining property is not adversely affected in accordance with Policy DMH 5 and DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

4. 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.

REASON

To prevent overlooking to adjoining properties in accordance with Policy DMHB 11 of the

Hillingdon Local Plan: Part 2 (2020).

5. H14 Cycle Storage - details to be submitted

No part of the development hereby permitted shall be occupied until details of covered and secure cycle storage have been submitted to and approved in writing by the Local Planning Authority. The cycle store(s) must provide storage for 7 cycles. Thereafter, the cycling facilities shall be implemented and retained in accordance with the approved details for the lifetime of the development.

REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy DMT 5 of the Hillingdon Local Plan: Part 2 (2020).

6. NONSC Ev Charging

No part of the development hereby permitted shall be occupied until details of a single active electrical vehicle charging point (to be installed at the front of the site) has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the EV charging point shall be installed and retained in accordance with the approved details for the lifetime of the development.

REASON

To ensure sustainable transport is promoted at the site and the adequate EV charging is provided in accordance with Policy T6 of the London Plan (2021).

7. NONSC Waste

No part of the development hereby permitted shall be occupied until full details of the design, dimensions and material finish of the proposed waste and recycling storage facilities have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the waste and recycling storage facilities shall be implemented and retained in accordance with the approved details for the lifetime of the development.

REASON

To ensure the provision and retention of facilities for waste and recycling, and to safeguard the visual amenities of the area, in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

Informatives

1. I70 LBH worked applicant in a positive & proactive (Granting)

In dealing with the application the Council has implemented the requirement in the National

Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

2. 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 5	Houses in Multiple Occupation
DMHB 11	Design of New Development
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
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 D6	(2021) Housing quality and standards
LPP H9	(2021) Ensuring the best use of stock
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF9 -23	NPPF9 23 - Promoting sustainable transport

Appendix 2: Relevant Planning History

57533/APP/2002/1782 140 Fairholme Crescent Hayes

INSTALLATION OF A REAR DORMER WINDOW (APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT)

Decision: 10-09-2002 General
Perm.Devt.

57533/APP/2022/1236 140 Fairholme Crescent Hayes

Erection of a single storey rear extension

Decision: 30-06-2022 Approved

57533/APP/2023/1305 140 Fairholme Crescent Hayes

Change of use from a single dwelling house to a 7 unit HMO (Sui Generis) for up to 7 people

Decision: 17-10-2023 Withdrawn

57533/APP/2024/2226 140 Fairholme Crescent Hayes

Retention of existing use as a HMO (Class C4)(Application for a Certificate of Lawful Development for a Existing Development).

Decision: 26-09-2024 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

Part 2 Policies:

DMH 1 Safeguarding Existing Housing

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle Parking

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

DMH 5 Houses in Multiple Occupation

DMHB 11 Design of New Development

LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D6 (2021) Housing quality and standards

LPP D14 (2021) Noise

LPP H9 (2021) Ensuring the best use of stock

NPPF11 -23 NPPF11 23 - Making effective use of land

NPPF12 -23 NPPF12 23 - Achieving well-designed and beautiful places

NPPF9 -23 NPPF9 23 - Promoting sustainable transport