



## Planning Statement

**Description of development:** Change of use from Class C3 to Class C4 for up to 5 occupants, retention of single storey rear extension (Retrospective application).

**Site Address:** 84 Dickens Avenue, Uxbridge, UB8 3DN

### 1. SITE DESCRIPTION

The application site is located to the south western side of Dickens Avenue, Hillingdon. The site comprises of a two-storey semi-detached dwelling situated within a predominantly residential setting. The property has been recently extended by way of a hip to gable roof extension with rear dormer and front rooflights, single storey rear extension and a front porch. The extensions are the subject of a recent consent or permitted development. The application site is not designated within a Conservation Area, nor an Area of Special Local Character. The site does not contain any Listed Buildings and not subject to a Tree Preservation Order.

### 2. PLANNING HISTORY

- **63946/APP/2025/1384** . Erection of a single storey rear extension. 19-05-25 • **Approval**
- **63946/APP/2026/318**. Change of use from Class C3 to Class C4 for up to 5 occupants, retention of single storey rear extension (Retrospective application). Refused on 06-02-26 for the following reasons:

*1. The proposed development, by reason of its increased number of independent occupiers, would generate materially greater noise, comings and goings, and garden use than the existing C3 dwelling, resulting in unacceptable disturbance to neighbouring residents. The submitted HMO Management Plan and Site Supervision Management Plan would not adequately address or mitigate the operational noise and activity associated with an intensified HMO use. The proposal is contrary to Policies DMH 5 and DMHB 11 of the Hillingdon Local Plan: Part Two (2020), Policies D3 and D13 of the London Plan (2021), and Paragraph 135(f) of the NPPF (2024).*

*2. The proposed development, by reason of insufficient car parking provision, would lead to overspill parking on the public highways and would therefore increase obstruction and vehicle conflict, resulting in unacceptable highway safety risk. No parking stress survey has been submitted to demonstrate that local streets can accommodate this impact. Furthermore, the proposed cycle storage is unsuitable for a communal residential use, failing to provide inclusive, accessible and policy compliant facilities for all users. The combination of inadequate car parking and substandard cycle parking provision is contrary to Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two (2020), Policies T4, T5 and T6 of the London Plan (2021), and Paragraph 116 of the NPPF (2024).*



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## **2. DETAILS OF PROPOSAL**

Change of use from Class C3 to Class C4 for up to 5 occupants, retention of single storey rear extension (Retrospective application)

## **3. ASSESSMENT**

### **Hillingdon Local Plan Part 1 (2012) and Part 2 (2020)**

Relevant Local Plan Policies

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 T.6 (2021) Residential parking

DMH 1 Safeguarding Existing Housing

DMH5 Houses in Multiple Occupation

DMHB 11 Design of New Development

DMT 1 Managing Transport Impacts

DM 2 Highways Impacts

DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle parking

**The London Plan (2021)**

**The National Planning Policy Framework (NPPF) (2024)**

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## Assessment

The main planning issues to be considered are:

- Principle of development
- Impact on the amenities of the occupiers of neighbouring residential properties
- Impact on Street Scene
- Traffic Impact/Pedestrian Safety
- Car parking and layout
- Urban Design, Access and Security Considerations

### Principle of development

Policy DMH 1 states: The net loss of existing self-contained housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent residential floorspace. B) The Council will grant planning permission for the subdivision of dwellings only if: i) car parking standards can be met within the curtilage of the site without being detrimental to the street scene; ii) all units are self contained with exclusive use of sanitary and kitchen facilities and provided with individual entrances and internal staircases to serve units above ground floor level; iii) adequate amenity space is provided for the benefit of residents; and iv) adequate living space standards are met.

Paragraph 4.3 of the Local Plan provides guidance for the implementation of Policy DMH1 and states 'In order to meet projected housing needs, the Council aims to resist the loss of residential accommodation within the Borough by means of Policy DMH 1: Safeguarding Existing Housing. For the purposes of this policy, residential accommodation includes Houses in Multiple Occupation (HMOs), student accommodation and other uses falling into Use Classes C3 and C4.'

Policy DMH 1 seeks to protect buildings in C3 and C4 use. As the building (subject of this application) would be going from C3 to C4 use there would be no loss of identified residential accommodation/housing stock.

Policy DMH 5 states: B) In wards covered by an Article 4 Direction for HMOs Planning applications for the change of use from dwelling house (Use Class C3) to HMO (Use Class C4 and Sui Generis) will only be permitted: i) where it is in a neighbourhood area where less than 20% of properties are or would be exempt from paying council tax (or in the case of Conservation Areas 10%) because they are entirely occupied by full time students, recorded on the Council's database as a licensed HMO, benefit from C4/Sui Generis HMO planning consent and are known to the Council to be HMOs; ii) in Conservation Areas where less than 10% of properties are exempt from paying council tax because they are entirely occupied by full time students, recorded on the Council's database as a licensed HMO, benefit from C4/Sui Generis HMO planning consent and are known to the Council to be HMOs and the change of use does not form a consecutive HMO use in a street frontage; iii) where less than 15% of properties within 100 metres of a street length either side of an application property are exempt from paying council tax because they are entirely occupied by full time students, recorded on the Council's database as a licensed HMO, benefit from C4/Sui Generis HMO



planning consent and are known to the Council to be HMOs; and iv) where the accommodation complies with all other planning standards relating to car parking, waste storage, retention of amenity space and garages and will not have a detrimental impact upon the residential amenity of adjoining properties. A review of the Council's HMO Register has identified that there are no other registered HMO's within Dickens Avenue. As such, the proposals would not therefore result in a concentration of properties falling under an HMO use as defined under Policy DMH 5.

The scheme would be acceptable with regards to waste storage. This has been shown on the submitted drawings and can always be secured by way of a condition. Moreover, a parking stress survey has been submitted which confirms the scheme would not lead to increased parking stress. The submitted drawings also show sufficient amount of cycle parking provision which is safe, secure and accessible in line with Policy T5 of the London Plan (2021). The proposed 5 person HMO would not have a detrimental impact upon the residential amenity of adjoining properties as the occupancy is not materially harmful compared with a large family household of up to 6 or more people. Were the house to remain as a C3 dwelling, there would be no limit on the number of occupants at the property. Under this application, a condition can be imposed to ensure that the HMO can only be occupied by no more than 5 persons. Any breach of this condition can be enforced by the planning enforcement service. Under the HMO licensing regime, a licence can be issued for no more than 5 persons. Any breach of this, could lead to the suspension of the licence or revocation. There are strong safeguards within the planning enforcement regime and HMO licensing regime to ensure the HMO would not lead to intensification compared with if the house remained in C3 use.

### **Impact on the amenities of the occupiers of neighbouring residential properties**

Policy D3 of The London Plan (2021) states that developments should deliver appropriate outlook, privacy, and amenity. Policy D6 states the site layout, orientation, and design of dwellings should provide privacy and adequate daylight for residents.

Policy DMHD 1 of Hillingdon Council's Local Plan: Part Two - Development Management Policies (2020) states that planning applications relating to dwelling alterations and extensions will be required to ensure that a satisfactory relationship with adjacent dwellings is achieved and there is no unacceptable loss of outlook to neighbouring occupiers. Policy DMHB 11 seeks to ensure that development proposals do not adversely impact the amenity, daylight, and sunlight of adjacent properties and open space.

The lawful use of the property is a C3, 3-bedroom dwellinghouse. The application would result in a change of use of the property to a C4 small HMO with 5 separate bedrooms, all of which would be en-suite. The description of development and application form confirms that the HMO is intended for use by 5 persons. A condition could be imposed to ensure that the HMO is occupied by no more than 5 persons. Such a condition would meet the six tests in the Government's National Planning Practice Guidance [NPPG].



The original dwellinghouse is a 3-bedroom property in its unextended form. This, without any stipulation/restriction, could be occupied by 5 persons through the use of double beds/bunk beds. Even if the property remained in C3 use, it can be occupied by an unlimited number of persons, as there is no condition/restriction on how many people could occupy it, unlike with an HMO where both the planning permission and HMO Licence can have conditions restricting the occupancy to no more than 5 persons. Therefore, the proposal would not lead to the intensification of the use of the dwelling when viewed in this context. Moreover, there are sufficient guardrails in place either through the planning enforcement process or the HMO licensing enforcement process to ensure the HMO is well run, as the alternative could be suspension or revocation of any HMO license at the property.

A noise statement has been provided, which confirms the property benefits from sound insulation due to the recent extensions at the property. Moreover, the property benefits from modern double-glazed windows compared with the previous substandard windows. Therefore, noise from within the property would be mitigated by these measures, which are already in situ.

It is noted that the character of the area is defined by single family houses, but the 5 person HMO would have the same or less intensity as a single-family household, as there is no limit on occupancy with a C3 dwellinghouse.

At 95 Harlington Road, Uxbridge, Hillingdon, UB8 3HZ an appeal was allowed on 1 May 2024 for the conversion of an existing dwellinghouse (Class C3) into a 6-bedroom (8person) Housing in Multiple Occupation (HMO) (Sui Generis) under appeal reference: APP/R5510/W/23/3321861.

Within paragraphs 11-12 of the appeal decision, the Inspector states the following:

*“11. The appellant has provided a management plan and supervision plan, which set out how the HMO would be managed. While these provide limited information about proposed measures to mitigate any increase in noise and disturbance, the probability is that occupation of the property as an eight person HMO would not be materially different to that of six person in terms of its impacts on neighbours.*

*12. In conclusion, the proposal would have an acceptable effect on the living conditions of the occupants of adjoining properties with particular regard to noise and disturbance. The proposal would accord with Policies DMH 5 and DMHB 11 of the Hillingdon Local Plan Part 2 – Development Management Policies 2020, which seek to protect the residential amenity of neighbouring properties”.*

Given the above, it is not considered that a 5 person HMO would be materially different in occupation terms to a single household of 5 or 6 persons or less in terms of its impacts on neighbours.

At 4 Church Close, West Drayton, Hillingdon, UB7 7PY an appeal was allowed for the conversion of existing 6 people C4 HMO to a 7 people sui generis HMO on 30 August 2023 under appeal reference: APP/R5510/W/23/3315732. In paragraph 20 of this appeal decision, the Inspector notes the following:



*“20. Interested parties have raised concerns that the proposal would lead to an overdevelopment of the site, that the HMO would be out of character with the area, that the development would harm the conservation area and result in associated refuse issues. The harm to the conservation area is a matter I address below. In relation to the remaining concerns, I am satisfied that none of these would lead to any significant harm and this finding is supported by the fact that they are not matters that have been raised by the Council. Some raise issues that can be controlled by conditions or through other legislation such as the licensing of the HMO. As to being out of character, the policies of the development plan and Framework seek to promote a mixture of housing types and tenures to meet local needs, which this conversion would go some way towards addressing. It would also promote the more effective use of the appeal site whilst ensuring safe and healthy living conditions for future occupiers and existing neighbours. These are benefits that add significant weight to my overall findings”.*

When considering, the above appeal, it is noted that conditions can be imposed in relation to refuse and cycle storage, as well as ensuring any HMO is operated in line with the submitted management plan. Moreover, conditions can be imposed to ensure the HMO cannot be operated by more than five persons. The appeal above also highlights that there is also the HMO licensing regime process which regulates the management of HMO's. If there are reports of any anti-social behaviour or other breaches of a HMO license then there is potential for any license to be suspended or revoked completely. In short, there are sufficient guardrails in place in the form of planning conditions and the HMO licensing regime to ensure that neighbour living conditions are safeguarded and not unduly impacted by the proposal.

At 4 Rofant Road, Northwood, Hillingdon, HA6 3BE, an appeal was allowed on 7 May 2025 for the proposed change of use from Class C3 (dwellinghouse) to Class C4 (Small HMO) 6 bedrooms up to 6 persons under appeal reference: APP/R5510/W/24/3351260.

The Inspector has stated the following in the appeal decision:

*“9. I accept that it is likely that each occupant of the HMO would have their own individual routines, resulting in people entering and leaving the property at various times. However, given the appeal proposal is for a small HMO of up to six individuals, these movements would be limited to a level and intensity that would be in keeping with the surrounding residential area of predominantly family units. I am therefore satisfied that the operation of the site as a small HMO would not be readily discernible from the other properties along Rofant Road and therefore would be in keeping with the character of the area.*

*10. Similarly, given the limited occupancy of the HMO to six individuals, the use of the property itself and the associated movements would generate a level of noise and activity similar to that of the existing residential property and those properties within the wider area. I do not have any convincing evidence before me demonstrating that the noise generated by six individuals would result in any adverse impacts in relation to the living conditions of any specific neighbours. As such, I find that the appeal proposal would not result in an intensification of the site that would give rise to materially harmful noise and disturbances and would therefore preserve the living conditions of nearby neighbours”.*



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Given the current proposal at the application site is for a small-scale HMO of up to 5 persons, movements would be limited to a level and intensity that would be in keeping with the surrounding residential area of predominantly family houses. The use and operation of the site as a 5 person HMO would not be materially different to that of the C3 single family dwellinghouses along this street to warrant refusal of planning permission. The character of the area would not alter due to the small-scale nature of the HMO.

There would be no material increases in the levels of noise and disturbance compared with the use of the house as a C3 dwelling given the 5-person occupancy is akin to that of a C3 dwelling. Given that sound insulation measures and new windows are in situ at the property, compared with its pre-existing state, levels of noise from within the confines of the property would be mitigated. This mitigation would mean the occupancy of the property for use as a 5 person HMO would not lead to excessive noise or disturbance to warrant refusal of planning permission.

Moreover, a management plan has been submitted in support of this application, even though the Council's local plan policies and local validation checklist do not require the submission of a management plan. A management plan would have to be submitted as part of the HMO licensing application in any event, and the management of HMO's is adequately enforced through powers granted to the HMO licensing team via the Housing Act 2004 and any subsequent legislation.

When considering all of the above, we are of the view that the proposal would now overcome the first reason for refusal in relation to the previous application at the site, which was refused under decision reference 63946/APP/2026/318.

The proposal would therefore be compliant with the requirements of Policies DMH 5 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 135 (f) of the NPPF (2024).

### **Impact on Street Scene**

Policies D3 and D4 of the London Plan (2021) require development proposals to be high quality and enhance the local context, delivering buildings and spaces that positively respond to local distinctiveness.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping.



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Policy DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the streetscene, and should appear subordinate to the main dwelling.

With regard to rear extensions, Policy DMHD 1 requires:

i) single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more; ii) single storey rear extensions to detached houses with a plot width of 5 metres or more should not exceed 4.0 metres in depth; iii) flat roofed single storey extensions should not exceed 3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level;

With regard to side extensions Policy DMHD1 requires: i) side extensions should not exceed half the width of the original property; ii) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded; iii) garages should reflect the size guidelines set out in Appendix C Parking standards; iv) two storey side extensions should be set in a minimum of 1 metre from the side boundary or in the case of properties in the Copse Wood and Gatehill Estates, at least 1.5 metres, but more if on a wider than average plot, in order to maintain adequate visual separation and views between houses;

The scale of the rear extension is the subject of a recent extant consent. The external finish and appearance of the extension would not result in visual harm due to the siting of the extension away from public view.

The proposal complies with the overarching aims of Policies D3 and D4 of the London Plan (2021), Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), and Policies DMHD1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

## **Traffic Impact/Pedestrian Safety**

### *Car parking & Layout*

Paragraph 116 of the NPPF states that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

Policy DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals must ensure that: i) safe and efficient vehicular access to the highway network is provided to the Council's standards; ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents; iii) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the



design of highway and traffic management schemes; iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that 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. For an HMO with up to 6 occupants there would be a requirement to provide 1 space per 2 occupants. There is no specific parking requirements for HMO's set out in the London Plan (2021).

A parking stress survey has been submitted in support of this planning application. This demonstrates that there is space kerbside capacity to accommodate any overspill parking generated by the development. This demonstrates that the proposal is acceptable with regard to parking stress.

The submitted plans show the cycle store would be located at the rear of the site and accessed via the side passage. The cycle storage would accommodate x6 cycle spaces and this would allow for independent cycle access. The cycle store specification can accommodate cycles with baskets, panniers or adapted designs.

For reasons outlined above, the proposal would now overcome the second reason for refusal in relation to the previous application at the site, which was refused under decision reference 63946/APP/2026/318.

The proposal would comply with Paragraph 112 of the NPPF 2024; Policies T2, T4 and T5 of the London Plan 2021 and Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan Part 2 Development Management Policies.

### **Urban Design, Access and Security Considerations**

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

#### *INTERNAL AMENITY SPACE:*

Policy DMH 5 of the Hillingdon Local Plan - Part 2: Development Management Policies (2020) allows large HMOs only where there are satisfactory living conditions for occupiers.

Policy D6 of the London Plan (2021) and Policies DMHB 11 and DMHB 16 of the Hillingdon Local Plan - Part 2: Development Management Policies (2020) require a high standard of design with minimum internal space standards.

Policy D6 of the London Plan (2021) sets out the minimum internal floor space standards required for residential developments in order to ensure that there is an adequate level of amenity for future occupants.



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Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment.

The proposed HMO would comprise of a total of 5 bedrooms and a communal kitchen/dining area. Each bedroom would also benefit from a private ensuite bathroom. The habitable rooms would have internal floor space as follows:

Bedroom 1 - 10.64m<sup>2</sup> plus en-suite

Bedroom 2 - 11.42m<sup>2</sup> plus en-suite

Bedroom 3 - 9.94m<sup>2</sup> plus en-suite

Bedroom 4 - 10.47m<sup>2</sup> plus en-suite

Bedroom 5 - 15.38m<sup>2</sup> plus en-suite

Kitchen - 10.02m<sup>2</sup>

Living/Dining Area - 12.32m<sup>2</sup>

All habitable rooms would enjoy a satisfactory level of light and outlook in accordance with Policy DMHB 11 and DMH5 of the Hillingdon Local Plan: Part Two - Development Management Policies and Policy D6 of the London Plan (2021).

#### EXTERNAL AMENITY SPACE

Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires all new residential development to provide good quality and useable private amenity space. As a guide, Table 5.3 requires studios and 1bedroom flats to have at least 20 square metres of private outdoor amenity space. A 4+ bedroom dwellinghouse would be required to provide at least 100sq.metres of private amenity space which the proposal complies with(157m<sup>2</sup>).

#### WASTE AND RECYCLING:

Full details of the design and the dimensions of the fenced bin stores can be secured by way of condition.

#### **Biodiversity**

The scheme is exempt from BNG as it is a de minimis (less than 25 square metres of habitat on site).

#### **Fire Safety**

A fire safety strategy has been submitted which complies with the aims and objectives of Policy D12A of the London Plan (2021).



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### **Planning balance and conclusion**

The 5-person HMO would provide high-quality accommodation in single-occupancy rooms within a sustainable location close to essential services and amenities. The evidence in this statement confirms that the scheme would not lead to an overconcentration of HMO uses within the immediate locality. The activities associated with the proposal would be akin to those of a single-family household. The scheme would not lead to parking stress. Sufficient space has been provided for cycle parking and refuse storage. The scheme also provides 5 high-quality rooms which meet the HMO space standards along with communal facilities such as a kitchen area. The outdoor amenity space exceeds the local space standards. The scheme would now overcome the reasons for refusal of the previous planning application at the site under planning application reference: 63946/APP/2026/318.

Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. For the reasons set out above, this scheme falls to be determined in accordance with the test under section 38(6) of the 2004 Act. The proposal is in general conformity with the Development Plan overall, and there are no material considerations of sufficient weight to justify refusal. Planning permission should be duly granted, subject to any relevant conditions which meet the six tests for conditions as set out in HM Government's NPPG.

**Yours Sincerely**

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