Development Management

APP REF No. 79103/APP/2025/2999

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
- Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL		Select an Option
1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	☐
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	☐
3.	There is no Committee resolution for the enforcement action	☐
4.	There is no effect on listed buildings or their settings	☐
5.	The site is not in the Green Belt (but see 11 below)	☐
REFUSAL RECOMMENDED: GENERAL		
6.	Application is contrary to relevant planning policies/standards	☐
7.	No petition of 20 or more signatures has been received	☐
8.	Application has not been supported independently by a person/s	☐
9.	The site is not in Green Belt (but see 11 below)	☐
RESIDENTIAL DEVELOPMENT		
10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	☐
11.	Householder application in the Green Belt	☐
COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT		
12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	☐
13.	Refusal of change of use from retail class A1 to any other use	☐
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	☐
CERTIFICATE OF LAWFULNESS		
15.	Certificate of Lawfulness (for proposed use or Development)	☐
16.	Certificate of Lawfulness (for existing use or Development)	☐
17.	Certificate of Appropriate Alternative Development	☐
CERTIFICATE OF LAWFULNESS		
18.	ADVERTISMENT CONSENT (excluding Hoardings)	☐
19.	PRIOR APPROVAL APPLICATION	☐
20.	OUT-OF-BOROUGH OBSERVATIONS	☐
21.	CIRCULAR 18/84 APPLICATION	☐
22.	CORPSEWOOD COVENANT APPLICATION	☐
23.	APPROVAL OF DETAILS	☐
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	☐
25.	WORKS TO TREES	☐
26.	OTHER (please specify)	☐

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

A

Item No.	**Report of the Head of Development Management and Building Control**
Address:	35 MIDHURST GARDENS HILLINGDON
Development:	Change of use from Class C3 (dwellinghouse) to Sui Generis (6 bed-7 person HMO) with the erection of a first-floor rear extension and loft conversion to include a rear dormer, front rooflights and hip to gable end. Private amenity space, refuse area, cycle/car parking (amended description)
LBH Ref Nos:	**79103/APP/2025/2999**
Drawing Nos:	Design and Access Statement dated 26-Nov-25 (7 person HMO) Transport Statement dated 31-Dec-25 (7 Person HMO) Management statement dated 31-Dec-25 (7 person HMO) PH-35MG-02 PH-35MG-03 PH-35MG-04 PH-35MG-01

Date Plans received:	05-01-26	**Date(s) of Amendments(s):**	27-11-25
			27-11-25
Date Application valid	05-01-26		27-11-25
			27-11-25

1. SUMMARY

Planning permission is sought for the Change of use from Class C3 (dwellinghouse) to Sui Generis (6 bed-7 person HMO) with the erection of a first-floor rear extension and loft conversion to include a rear dormer, front rooflights and hip to gable end. Private amenity space, refuse area, cycle/car parking.

During the process of the application the description of development was amended and revised documents received confirming the proposed use as a 6 bed, 7 person HMO (Sui Generis Use Class).

While the proposed physical alterations are broadly acceptable in design terms and consistent with the previously approved scheme, the substantive issues relate to the intensified HMO use.

The proposal would result in the loss of a family sized dwelling in an area with an identified need for such accommodation. The intensified occupation of the site, accommodating seven unrelated adults, would lead to materially greater noise, comings and goings, and levels of activity than a single household, resulting in harm to neighbouring residential amenity.

The proposal also fails to provide adequate internal communal space, with only 20sqm of shared

kitchen/living/dining space serving seven occupants. Privacy concerns arise for the ground floor rear bedroom due to its direct relationship with communal garden space. In addition, the scheme fails to meet parking and cycle storage standards in this low PTAL location, resulting in an unacceptable shortfall of on site car parking, increased demand for overspill parking, and substandard cycle parking arrangements.

Although the Applicant has submitted supporting documents such as a Transport Assessment, Management Statement and DAS, these are clearly AI (artificial intelligence) generated and do not provide specific or detailed information regarding the proposal. There are a number of assumptions and discrepancies contained within the documents which demonstrates that the submission fails to provide the necessary evidence address the potential harm.

Taken together, the proposal results in an over-intensification of the site, harmful impacts on residential amenity, inadequate living conditions for occupiers, and significant highways concerns.

As such, the application is recommended for refusal.

A detailed assessment has been made in the below report.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Principle of Development

The development, by virtue of the loss of the existing family dwelling, would conflict with the Borough's strategic housing goal of safeguarding 3-bedroom family dwellings and the proposed change of use to a Large HMO would be harmful to the character of the area. Consequently, the principle of development is considered to be unacceptable. The proposal is therefore contrary to Policies DMH 1, DMH 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the National Planning Policy Framework (2024).

2. NON2 Neighbouring Amenity (General HMO Impacts)

The proposed development, by reasons 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 does not adequately mitigate these effects. 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).

3. NON2 Living Conditions for Future Occupiers

The proposed development, by reasons of its inadequate internal communal space (i.e. only a kitchen/living/dining space measuring 20.3sqm serving seven occupiers), would result in poor functionality, failing to provide adequate internal amenity for the future occupants. The ground floor rear facing bedroom, in absence of defensible space, would experience insufficient privacy due to their direct relationship with the communal rear garden. The development therefore fails to provide satisfactory living conditions, contrary to Policies DMH 5, DMHB 11, DMHB 16 and DMHB 18 of the Hillingdon Local Plan: Part Two (2020), Policies D3 and D6 of the London Plan (2021) and Paragraph 135(f) of the NPPF (2024).

4. NON2 Highway Safety, Parking and Cycle Storage

The proposed development, by reason of its insufficient car parking provision, would lead to overspill parking on the public highway, resulting in increased obstruction, vehicle conflict and associated highway safety risks. No parking stress survey has been submitted to demonstrate that surrounding streets can safely accommodate this additional demand. combination of inadequate car parking and substandard cycle parking provision is contrary to Policies DMT 1, DMT 2, DMT 5 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).

INFORMATIVES

1. I71 LBH worked applicant in a positive & proactive (Refusing)

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 the 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.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

2. I52 Compulsory Informative (1)

The decision to REFUSE 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 REFUSE 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.

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

DMHD 1	Alterations and Extensions to Residential Dwellings
DMH 1	Safeguarding Existing Housing
DMH 5	Houses in Multiple Occupation
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T6.1	(2021) Residential parking
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
NPPF5 -24	NPPF5 2024 - Delivering a sufficient supply of homes
NPPF12 -24	NPPF12 2024 - Achieving well-designed places

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a two storey end of terrace dwelling located on the western side of Midhurst Gardens, Hillingdon. The site comprises a two storey end of terrace dwelling finished in external render and tiling. The property is set back from the road with off street parking and an area of soft landscaping to the frontage. To the rear is a large enclosed garden which acts as private amenity space. The existing property benefits from a single storey rear extension which is currently under construction.

The surrounding area is residential, comprising two storey semi detached and terraced dwellings. Properties are finished in mixtures of brick, pebble dash and render. Some have front porches and gable features, others have flush front elevations. Each property is set back from the road and they have small front gardens and/or off street parking.

The site has a Public Transport Accessibility Level (PTAL) of 1b (poor).

3.2 Proposed Scheme

Planning permission is sought for the Change of use from Class C3 (dwellinghouse) to Sui Generis (6 bed-7 person HMO) with the erection of a first-floor rear extension and loft conversion to include a rear dormer, front rooflights and hip to gable end. Private amenity space, refuse area, cycle/car parking.

3.3 Relevant Planning History

79103/APP/2025/1947 35 MIDHURST GARDENS HILLINGDON

Details pursuant to the discharge of Conditions 5 (Landscaping), 6 (Construction Management Plan), 7 (Step Free Access), 8 (Sustainable Water Management) and 9 (Biodiversity Net Gain Plan) of planning permission ref. 79103/APP/2025/666, dated 12-05-2025 (Erection of a 2-bedroom, 3-person dwelling with private amenity space , refuse area and car parking. Erection of a first-floor extension to the rear and loft conversion including hip to gable extension, rear dormer and front rooflights to the existing dwelling (amended description)).

Decision: 20-10-2025 Approval

79103/APP/2025/666 35 MIDHURST GARDENS HILLINGDON

Erection of a 2-bedroom, 3-person dwelling with private amenity space , refuse area and car parking. Erection of a first-floor extension to the rear and loft conversion including hip to gable extension, rear dormer and front rooflights to the existing dwelling (amended description).

Decision: 12-05-2025 Approval

79103/APP/2024/2725 35 MIDHURST GARDENS HILLINGDON

Construction of a single-storey rear extension

Decision: 09-12-2024 Approval

Comment on Planning History

The planning history for the site is listed above.

There is an extant permission under reference 79103/APP/2025/666 for the Erection of a 2-bedroom, 3-person dwelling with private amenity space , refuse area and car parking. Erection of a first-floor extension to the rear and loft conversion including hip to gable extension, rear dormer and front rooflights to the existing dwelling.

The planning agent has confirmed that there is an intention of building out this permission following the decision for this current application.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date: Not applicable

4.2 Site Notice Expiry Date: Not applicable

5. Comments on Public Consult

EXTERNAL CONSULTEES:

19 neighbouring properties and Oak Farm Residents Association were originally consulted on the application by letter dated 15-01-26. During the process of the application amended documents were received and an a revised description was agreed. As a result, neighbouring properties and those who have written a representation were re-consulted on the application. The consultation period expired 03-03-26.

During the process of the application 2 Members Enquiry were received by local councillors and MP's, requesting the application to be refused and determined at planning committee. Their concerns are summarised as:

1. Over intensification of use and impact on residential amenity

Officer response: Officer response: This matter is assessed in the Principle of Development section of the report.

2. Quality of accommodation and adequacy of amenity space

Officer response: This matter is discussed within the Quality of Accommodation section.

3. Impact of extensions on the character and appearance of the area

Officer response: This matter is discussed within the Impact on the street scene section.

4. Parking, highways and cycle storage concerns

Officer response: This matter is discussed within the Highway section.

5. Refuse and waste management

Officer response: This matter is discussed within the Refuge section.

In line with the scheme of delegation, as the officer is recommending the application for refusal, the application can be determined under delegated powers.

Neighbour objections:
132 individual objections have been received. Where multiple representations from one individual have been received, this has been counted as one objection. A summary of the objections is as follows:

1. Over-concentration of HMOs in the local area, leading to erosion of family housing and change in neighbourhood character.

Officer response: This matter is assessed in the Principle of Development section of the report.

2. Parking pressure and congestion, with concerns that the road is already saturated and cannot accommodate additional vehicles associated with a 7-9 person HMO.

Officer response: This matter is assessed within the Highway Safety and carparking section of the report.

3. Highway safety issues, including risks to children walking to nearby schools and emergency vehicle access being obstructed.

Officer response: This matter is assessed within the Highway Safety and carparking section of the report.

4. Impact on residential amenity, including anticipated noise, increased comings and goings, disturbance, and refuse generation from a high occupancy HMO.

Officer response: Impacts on residential amenity (noise, comings and goings, activity levels) are assessed in the Neighbouring Amenity section.

5. Concerns about anti-social behaviour and crime, with multiple references to police attendance at existing HMOs and fears of future issues.

Officer response: General fears of crime are not a material planning consideration. Any relevant safety/management factors are addressed within the Management/Operational Considerations part of the assessment.

6. Community safety concerns following a recent murder on the street, with many residents stating the proposal is insensitive given ongoing trauma and anxiety.

Officer response: While the incident is acknowledged, individual criminal acts cannot be attributed to a planning use and are not a material planning consideration. Sensitivity of location is noted, but the application must be assessed against planning policy.

7. Pressure on local services, including GPs, schools, dentists, waste collection and sewers, which residents say are already overstretched.

Officer response: Capacity of general public services is not a material planning consideration for small scale housing proposals. Waste capacity/layout is assessed within the Refuse and Waste Storage section.

8. Loss of a family home, contrary to local housing needs for family sized accommodation.

Officer response: This matter has been discussed within the Principle of Development section of this report.

9. Inadequate refuse and waste storage provision, with expectations of overflow, vermin, and visual harm.

Officer response: Refuse storage arrangements are considered in the Refuse and section

10. Concerns about poor living standards within the HMO, including bedroom sizes, over intensification, and insufficient kitchen and communal space.

Officer response: This matter is discussed within the Quality of Accommodation section.

11. Impact on community cohesion, with fears of transient occupants, reduced neighbour familiarity, and undermining of the long established family focused character of the area.

Officer response: While general concerns about "type of occupiers" are not material, the effect of intensified occupation on character and amenity is assessed in the Principle of Development / Character section.

12. Inaccuracies or inconsistencies in the submitted planning documents, including transport accessibility statements, parking assumptions, and misidentification of the property as semi detached.

Officer response: Any inconsistencies have been reviewed as part of the assessment. During the process of the application teh description of development was amended to accurately describe the proposed development. As a result neighbours were re-consulted.

13. Concerns neighbours were not consulted on previous planning application.

Officer response: The determination of this application can only have regard to the current proposal and the consultation that was carried out as part of this application. As such, no further comment is made on the consultation of previous applications.

Oak Farm Residents Association:
The proposal for the conversion of this dwelling to a 6-bedroom 9-person HMO, with a first-floor rear extension and loft conversion including a rear dormer and hip to gable end is excessive. It will over-intensify the use of the site, and would result in the removal of a family sized three / four-bedroom house from the borough's housing stock, for which there is acknowledged requirement in the Borough's housing plan, and would be against the principle of development. This would have a detrimental impact on the character of the area, the amenity of adjoining properties, the standard of living accommodation for future occupiers and the local highway network. Intensification of use could lead to additional on street parking and disturbance to neighbouring properties. The proposal provides cramped internal accommodation, poor levels of communal space and places parking and cycle provision in direct proximity to downstairs bedroom windows. It also attempts to combine a first floor rear extension with an additional dormer creating a roofline that is incongruent in appearance and not subordinate to the character of the original dwelling. The local area's terrace layout, due to the narrow plot size, was not designed to accommodate HMOs, which are uncharacteristic and not a feature of this area. The retention of family-sized accommodation is a key issue for local residents and should be prioritised accordingly by the Borough.

Officer response: The comments are noted and a full assessment has ben made within the below sections of this report.

INTERNAL CONSULTEES:

Access Officer:

This application has been evaluated in accordance with the requirements of the 2021 London Plan policy D7. Given that the existing dwelling was constructed before the implementation of accessible housing standards, the aforementioned policy does not apply to the proposed conversion from a dwelling-house (C3) to a House in Multiple Occupation (HMO). There would be no loss of accessible housing stock as a result of this proposed Change of Use, if approved. Conclusion: no objections raised from an accessibility perspective.

Highway Authority (revised):

The Highway Authority (HA) has been reconsulted on the submission of a revised Transport Statement (TS).

Upon review of the revised TS, the document is totally identical to the TS previously submitted. No covering letter or explanation has been provided to clarify the purpose of the resubmission, identify any changes, or demonstrate how the revised documents address the HA's comments dated 8 February. Accordingly, unless advised otherwise by the Planning Authority, the HA's comments of 8 February remain applicable.

Recommendation:
The Highway Authority recommends refusal of the application for the following reasons:
·Car Parking: The proposal fails to provide policy compliant on site car parking provision, resulting in a harmful increase in on street parking demand, contrary to Hillingdon Local Plan Part 2 Policy DMT6 and the objectives of the London Plan Policy T6.
·Cycle Parking: The proposed cycle storage is unsuitable and fails to provide inclusive, accessible, and usable facilities for all users, contrary to London Plan Policy T5, the London Cycling Design Standards, and LTN 1/20.

Highway Comments (original):

The proposals involve the conversion of the existing 3 bed dwelling to a 6-bedroom 9-person HMO and retaining the 1 car parking space in the front forecourt and secure cycle parking for up to 9 cycles within the front and rear side of the property.

The Highway Authority (HA) has reviewed the Transport Statement (TS) and submitted drawings in support of the applicant's application, however there is a discrepancy between the proposal's description above and the TS which states the application is for conversion to a 6-bed, 7-person HMO.

Nevertheless, the HA will appraise the application based on the planning application description which relates to a 9 person HMO (worst case scenario), consequently the HA has the following comments to make:

The site has a PTAL rating of 1b, indicating very poor access to public transport relative to London as a whole. This low accessibility strongly suggests a high reliance on the private car for day to day travel by future occupants. Developments in low PTAL areas must therefore demonstrate fully compliant on site parking provision in accordance with adopted standards.

Applicable Parking Standards
Existing:

London Plan (Table 10.3 - Outer London, PTAL 0-1):
·Maximum of up to 1.5 space per dwelling

Hillingdon Local Plan Part 2 - Policy DMT6:
·2 car parking spaces per dwelling where parking is within the curtilage

Proposed:
The London Plan (2021) does not provide specific standards for HMOs. In such cases, LBH Local Plan Part 2: Appendix C applies which requires:
·For HMOs (up to 6 occupants) 1 car parking space per 2 occupants
·For HMOs over 6 occupants, car parking requirements will be assessed through a transport appraisal and travel plan.
·1 cycle parking space per occupant

Therefore, for a 9 person HMO, the policy requirement is therefore:
·4/5 on site car parking spaces
·9 secure and accessible cycle parking spaces

In accordance with the London Plan, the existing dwelling has a parking demand of 1.5 spaces. Under the proposals, the parking requirement increases to 4.5 spaces as set out in the Hillingdon Local Plan Part 2. This results in a net shortfall of 3 spaces, which is likely to generate overspill parking onto the public highway.

The TS states that the development proposes on-site parking for one vehicle with no additional parking, and that tenancy agreements will discourage multiple car ownership and advise residents on considerate parking behaviour. While such measures are welcomed by the HA, they are not enforceable and therefore cannot be relied upon to mitigate parking impacts.

Under the proposals, the single on-site parking space would utilise the existing vehicle access/dropped kerb; however, this crossover forms part of the approved house application (ref. 79103/APP/2025/666) and lies outside the site's red line boundary. The applicant proposes widening this crossover by approximately 1m within the site boundary, but access to the parking space would still rely on third party land and an existing crossover not under the applicant's control, which is unacceptable.

In addition, the vehicle is shown parked at an angle along the site's forecourt, that would obstruct pedestrian access within the site. Guidance requires a minimum 1 m clear, unobstructed pedestrian route, including in front of entrances, to ensure safe and unhindered movement, particularly in an emergency. Anything less is not acceptable.

Furthermore, the Council's Domestic Vehicle Footway Crossover Policy requires vehicles from new accesses to enter and exit perpendicular to the public highway, which the proposed arrangement does not achieve.

The Councils domestic vehicle footway crossover policy sets out the framework in relation to requests made for front garden, open plan parking:
https://www.hillingdon.gov.uk/media/10036/Domestic-Vehicle-Footway-Crossover-Policy/pdf/p3New_Vehicle_Crossover_Policy_Aug_2022.pdf?m=1666970906077
and https://www.hillingdon.gov.uk/building-dropped-kerb.

In view of the above comments, the proposed development could result in potentially 4/5 vehicle

overspilling onto the public highway, which has limited parking spaces due to the repetition of crossovers along Medhurst Gardens leading to inconsiderate and illegal parking, creating nuisance and stress to local users parking demand, which could be prejudicial to highway safety

On this basis, the proposal would result in a net intensification of car parking demand of 2 additional spaces. This increase would occur in an area with limited transport alternatives, with the nearest bus stop located approximately 500m away, exceeding the accepted 400m walking distance threshold. The resultant overspill parking would place additional pressure on already constrained on-street parking provision, leading to inconvenience, nuisance and stress for existing residents, to the detriment of both highway safety and residential amenity.

Whilst the applicant asserts within the revised Planning Statement that sufficient on-street parking capacity is available, no substantive evidence or supporting survey information has been provided to robustly justify this position.

The public highway cannot be treated as an ancillary extension of private parking provision. Nor can an applicant rely on kerbside capacity to compensate for failing to meet adopted on site parking standards. Were this approach accepted, any residential subdivision could disregard parking requirements by offloading demand onto the highway network, directly undermining Policy DMT6, London Plan objectives, and strategic aims to manage parking pressure sustainably.

Parking standards exist to ensure that development proceeds in a safe, sustainable, and policy compliant manner. They are not discretionary, and they cannot be bypassed through reliance on on street availability surveys, particularly in low PTAL locations where private car ownership is predictably high.

The HA notes that bus stops are located approx. 450m from the site, which falls just outside the commonly referenced 400m walking distance to public transport. However, this threshold is a broad rule of thumb rather than a definitive measure of accessibility and often represents the upper limit of reasonable walking tolerance for everyday trips. In this instance, the surrounding streets are not subject to on street parking controls and are constrained by a high proportion of dropped kerbs along both sides of the Midhurst Gardens frontage, resulting in very limited availability of lawful on street parking. Consequently, the site's proximity to bus services carries limited weight and does not mitigate the likelihood of increased parking pressure, inappropriate or obstructive parking behaviour, or associated highway safety concerns.

The applicant proposes cycle storage for 7 cycles within the rear garden; however, as shown by the site's red line boundary, there is no direct or independent access from the public highway. This arrangement would require residents to wheel cycles through the house, which is unacceptable and contrary to the London Plan (Policy T5), the London Cycle Design Standards (LCDS), and LTN 1/20 guidance, all of which require cycle parking to be convenient, accessible, step free, and usable without passing through internal living spaces.

The applicant also indicates storage for 2 cycles within the front forecourt but given the limited area and the presence of a parked vehicle, access to this store is likely to be obstructed. This risk is heightened by the constrained layout and the potential for inconsiderate parking. Cycle parking must be unobstructed, easily accessible, and practical in daily use; the proposed arrangement does not meet these requirements.
Overall, the cycle parking strategy fails to comply with London Plan Policy T5, Hillingdon Local Plan Part 2 Policies DMT1 and DMT6, LCDS (Chapter 8), and LTN 1/20 (particularly Sections 11.1.4-11.1.7), all of which emphasise high-quality, secure, usable, and step free cycle parking.

Recommendation:
The Highway Authority recommends refusal of the application for the following reasons:
·Car Parking: The proposal fails to provide policy compliant on site car parking provision, resulting in a harmful increase in on street parking demand, contrary to Hillingdon Local Plan Part 2 Policy DMT6 and the objectives of the London Plan Policy T6.
·Cycle Parking: The proposed cycle storage is unsuitable and fails to provide inclusive, accessible, and usable facilities for all users, contrary to London Plan Policy T5, the London Cycling Design Standards, and LTN 1/20.

6. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1	(2012) Built Environment

Part 2 Polices:

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMH 1	Safeguarding Existing Housing
DMH 5	Houses in Multiple Occupation
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T6.1	(2021) Residential parking

LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
NPPF5 -24	NPPF5 2024 - Delivering a sufficient supply of homes
NPPF12 -24	NPPF12 2024 - Achieving well-designed places

In addition: Development Plan

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently 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 West London Waste Plan (2015)
The London Plan (2021)

Material Considerations

The National Planning Policy Framework (NPPF) (2024) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

IMPACT ON NEIGHBOUR AMENITY:

Policy D3 of the London Plan (2021) states that development proposals should deliver appropriate outlook, privacy and amenity. Policy D13 states Boroughs should not normally permit development proposals that have not clearly demonstrated how noise and other nuisances will be mitigated and managed.

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 that a satisfactory relationship with adjacent dwellings is achieved and there is no unacceptable loss of outlook to neighbouring occupiers.

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.

Paragraph 135 (f) of the NPPF (2024) states Planning policies and decisions should ensure that developments: create places that are safe, inclusive and accessible and which promote health and

well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy DMH 5 states that in all parts of the Borough proposals for the provision of large HMOs, residential hostels, student accommodation, and secure accommodation will be required to demonstrate that there is good accessibility to local amenities and public transport; they accord with the Accessible Homes standards and provide satisfactory living conditions for the intended occupiers; and there will be no adverse impact on the amenity of neighbouring properties or the character of the area. In wards covered by an Article 4 Direction for HMOs, planning applications for the change of use from dwellinghouse (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 per cent of properties are or would be exempt from paying council tax (or in the case of Conservation Areas ten per cent) 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.

EXTENSIONS:

In terms of exterior alterations, the proposed development involves the erection of a first floor rear extension, hip to gable roof extension with a rear facing dormer and front facing rooflights. It is important to note that there is an extant permission under reference 79103/APP/2025/666 dated 12-05-25 for the 'Erection of a 2-bedroom, 3-person dwelling with private amenity space , refuse area and car parking. Erection of a first-floor extension to the rear and loft conversion including hip to gable extension, rear dormer and front rooflights to the existing dwelling'.

Number 33 Midhurst Gardens is located east of the application site attached to No.35. The proposed first floor extension to No.35 would not extend into the 45 degree line of sight from the closest neighbouring habitable room window, nor would it contain any side windows. As such there would be no significant loss of light, overshadowing or overlooking. The proposed rear dormer given its roof location would not cause any loss of light or overshadowing, the proposed rear windows would provide a similar view as the existing first floor rear windows and as such would not cause any further overlooking or loss of privacy.

Number 37A Midhurst Gardens is located north east of the application site. Given the separation distance, the proposed development would not extend into the 45 degree line of sight from the closest neighbouring habitable room window, nor would it contain any new side facing windows. The proposed roof extension would not cause any harmful loss of light or overshadowing given its roof location. It is not considered there would by a loss of privacy as a result.

Overall, the proposed external alterations are considered to have an acceptable impact on the amenities of neighbouring properties.

HMO USE:

It should be noted that Hillingdon Council has now adopted an immediate Article 4 Direction to remove permitted development rights to convert properties from C3 to C4. The report made to Full Council states that the decision to adopt an immediate Article 4 Direction is because, "HMOs require proper management, as poor maintenance can result in unsuitable housing and harm to the amenity, affecting both residents and the wider neighbourhood. There are also concerns about how converting family homes into HMOs may change the character of communities and reduce the supply of appropriately sized homes for families. The impacts of these changes can include issues related to waste management, noise and disturbance, negatively impacting the area's appearance, and sometimes lead to anti-social behaviour. Reports to the council's Planning Enforcement and Private Sector Housing teams show growing community concerns about HMO conversions, as reflected in a previous motion at Full Council in July 2024. In response, the council commissioned research to better understand the scope and impact of HMOs in the area. This work is also being used to support the council's initiatives on additional and selective licensing schemes. The full evidence is presented in Appendix 2 of this report."

Whilst it is noted that HMO's can provide access to a form of residential accommodation to targeted occupants who do not have access to funds for other forms of residential accommodation. However it is clear from the evidence which formed the report to full council that there is a considerable rise in the number of properties being converted from single family dwellinghouses to HMO's with substandard levels of living accommodation subjecting occupants to being confined to there bedroom in the absence of communal spaces despite in some cases being significantly extended. This demonstrates in an over intensification of which there are significant recognises and evidenced harm.

The applicant proposes to extend and convert the existing C3 family dwelling into a large HMO (Sui Generis) for 7 persons. As mentioned above the site has extant permission to extend the dwelling by way of a first floor rear extension and roof extensions. The previously approved internal layout provided 4 bedrooms at first and second floor level with a reception, utility, kitchen and living area at ground floor level. The previously approved layout could have the capacity to house 6 people, given the bedroom sizes, however these would be required to be all of one household and is anticipated would include children. Although the applicant states that the property would accommodate no more than 7 individuals, and such a limitation could be controlled by condition, the proposal nonetheless represents a significant uplift in occupancy when compared with the existing lawful use.

The proposed internal layout is providing 6 bedrooms over all three floors and is stated for use for 7 occupants in total. However the submitted Design and Access Statement (dated 26-Nov-25) states that there would be 3 double rooms and 3 single rooms in total which would equate to 9 occupiers. There are inconsistencies within the submission. The HMO use would allow unrelated individuals to live together and share basic amenities such as a kitchen, living areas and a bathroom.

The proposed development would result in 7 unrelated individuals living at the site on a permanent basis. 7 adults moving in and out of the site, on a regular basis, by foot , car or bicycle would cause a significant increase in activity at the site to the detriment of neighbouring amenities. The likelihood of nuisance and disturbance to neighbours amenities would also be increased by the over intensification of the sites use. Use of the sites garden space for 7 people, alongside potential visitors, would generate noise over and above that of the existing family house, such noise would

be detrimental to all of the sites adjoining neighbours. The shift from a four bedroom family home to 7 unrelated adults living independently would materially change the way the property functions and how it is experienced by neighbouring residents.

A recent appeal decision for a C4 HMO in Hayes (APP/R5510/W/25/3360554) is relevant to this assessment. In that case, the Inspector concluded that an HMO use would "very likely amount to a more intensive use than a family dwellinghouse" and would result in greater levels of disturbance due to the different living patterns of independent adults. The Inspector also found that such intensification would be harmful to both the character of the area and the amenity of neighbouring occupiers. The same principles apply here.

The original dwelling on the application site was designed for a family household. Accommodating 7 individuals in 6 separate rooms - with no enhanced sound insulation, increased reliance on the rear garden, and a substantial rise in independent comings and goings - would result in a level of activity beyond what the area can reasonably absorb. Given the quiet residential context, characterised by family homes, the resultant intensification would be unacceptably disruptive to neighbouring occupiers. The proposal is clearly an over intensification with a vast majority of the property being converted to maximise the number of bedrooms.

Despite the submission of a management plan, this document does not overcome the fundamental planning concerns arising from the proposed change of use. Management plans relate primarily to tenancy procedures, behavioural expectations, noise rules, and landlord intervention measures, and cannot mitigate the inherent intensification associated with7 unrelated adults occupying a single dwelling. The increased comings and goings, independent lifestyles, visitor activity, servicing demands and cumulative day to day movements are a direct consequence of the proposed use itself and cannot be controlled or reduced through management practices. Furthermore, the majority of the measures outline, such as tenant vetting, quiet hours, ASB clauses and internal house rules, are not enforceable under planning legislation and cannot reasonably be relied upon to safeguard neighbouring amenity in the long term. As such, while noted, the management plan does not address or remove the material planning harm caused by the over intensification of the site, nor does it reduce the land use impacts to a level compatible with the surrounding residential context.

Taken together, the expected increase in noise, movement, and general disturbance would be materially harmful to residential amenity, contrary to London Plan Policy D3 and Local Plan Policies DMHD 1, DMH 5 and DMHB 11, as well as NPPF paragraph 135(f), all of which require development to safeguard the living conditions of neighbouring residents.

7.2 Impact on Street Scene

Policies 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.

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) states that new development must be designed to the highest standards and incorporate principles of good design including:
i) harmonising with the local context by taking into account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot

coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment.
ii) ensuring the use of high quality building materials and finishes;
iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;
iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and
v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that good design of residential alterations and extensions will enhance the appearance of a house, and thus its value, as well as improving the appearance of the local area. Well designed alterations and extensions, using quality materials, should be of a scale and form in keeping with the house, and sympathetic to existing character, proportions, and floor plan. All proposed extensions should appear subordinate to the existing house, with appropriately selected windows, materials and detailing. As regards two storey side extensions should be set in a minimum of 1 metre from the side boundary.

With regard to rear extensions, Policy DMHD 1 states:

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;
iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet;
v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;
vi) two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres;
vii) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house;
viii) pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported; and
ix) full width two storey rear extensions are not considered acceptable in designated areas or as extensions to Listed Buildings or Locally Listed Buildings.

With regard to roof extensions, Policy DMHD 1 states:

i) roof extensions should be located on the rear elevation only, be subservient to the scale of the existing roof and should not exceed more than two thirds the average width of the original roof.

They should be located below the ridge tiles of the existing roof and retain a substantial element of the original roof slope above the eaves line;
ii) the Council will not support poorly designed or over-large roof extensions including proposals to convert an existing hipped roof to a gable;
iii) raising of a main roof above the existing ridgeline of a house will generally not be supported;
iv) all roof extensions should employ appropriate external materials and architectural details to match the existing dwelling; and
v) in Conservation Areas, Areas of Special Local Character and on Listed and Locally Listed Buildings, roof extensions should take the form of traditional 'dormer' windows, on the rear elevation, to harmonise with the existing building. The highest point of the dormer should be kept well within the back roof slope, away from the ridge, eaves or valleys, whilst each window should match the proportions, size and glazing pattern of the first floor windows.

In terms of external alterations, the proposal includes a first floor rear extension, a hip to gable roof extension with a rear dormer, and front facing rooflights. It is important to note that there is an extant permission (ref. 79103/APP/2025/666, dated 12-05-25) for the "Erection of a 2 bedroom, 3 person dwelling with private amenity space, refuse area and car parking; and erection of a first floor rear extension and loft conversion including hip to gable extension, rear dormer and front rooflights to the existing dwelling."

The extensions proposed under this current application are substantially the same as those previously approved, aside from the omission of the attached dwelling, a slightly enlarged rear dormer, and the addition of an extra front rooflight. The previous permission established that the scale and design of these extensions were acceptable in terms of their impact on the character and appearance of the area. There are therefore no reasonable grounds to reach a different conclusion as part of this application.

The additional front rooflight would not appear out of character within the existing roofscape, and while the enlarged rear dormer does not strictly comply with the detailed requirements of Policy DMHD 1, it would not be readily visible from the public realm. As such, it is not considered reasonable to withhold permission on design grounds for this element.

The planning agent has confirmed that the intention is to implement the previously approved building works following the determination of this application.

Overall, it is considered that the proposed extensions would respect the character and appearance of the surrounding area in compliance with Policies DMHB 11 and DMHD 1 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).

Further consideration regarding the impact of the change of use to a Large HMO on the character of the area is discussed in the 'principle of development' section (see 'Other Issues' at 7.6).

7.3 Traffic Impact/Pedestrian Safety

See below section.

7.4 Carparking & Layout

Paragraph 116 of the NPPF (2024) states - 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 would be severe.

Paragraph 117c) of the NPPF (2024) continues by stating -. Within this context, applications for development should: create places that are safe, secure and attractive - which minimise the scope

for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.

Policy T2 Part A of the London Plan (2021) states - Development proposals and Development Plans should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling.

Policy T4 Parts E and F of the London Plan (2021) states - E) The cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated; and, F) Development proposals should not increase road danger.

London Plan (2021): Policy T6.1 (Residential Parking) requires that new residential development should not exceed the maximum parking standards as set out in Table 10.3.

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy DMT 5 Part A of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states - Development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network.

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that all development is in accordance with the car parking standards set out in Appendix C, Table 1 unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

The site has a PTAL of 1b, indicating very poor access to public transport, and consequently a high reliance on private car use. As the London Plan (2021) does not provide specific parking standards for Houses in Multiple Occupation (HMOs), the parking requirements fall to Hillingdon Local Plan Part 2: Development Management Policies, Appendix C.

The proposals include the conversion of the existing dwelling into a 6 bedroom 7 person HMO retaining one parking space in the front forecourt. The Applicant has submitted a Transport Statement however this is clearly AI generated, it lacks the specific detail and evidence required to demonstrate that the development would not give rise to a significant increase in parking demand and result in highway safety concerns.

The site has a PTAL ranking of 1b indicting very poor access to public transport relative to London as a whole. This low accessibility strongly suggests a high reliance on the private car for day to day travel by future occupants. Developments in low PTAL areas must therefore demonstrate fully compliant on site parking provision in accordance with adopted standards.

As the London Plan (2021) does not provide specific parking standards for Houses in Multiple Occupation (HMOs), the parking requirements fall to Hillingdon Local Plan Part 2: Development Management Policies, Appendix C. For HMOs over 6 occupants, car parking requirements will be assessed through a transport appraisal.

In accordance with the London Plan, the existing dwelling has a parking demand of 1.5 spaces. Under the proposals, the parking requirement increases to 4.5 spaces as set out in the Hillingdon

Local Plan Part 2. This results in a net shortfall of 3 spaces, which is likely to generate overspill parking onto the public highway.

The TS states that the development proposes on-site parking for one vehicle with no additional parking, and that tenancy agreements will discourage multiple car ownership and advise residents on considerate parking behaviour. While such measures are welcomed by the Highway Authority, they are not enforceable and therefore cannot be relied upon to mitigate parking impacts.

In view of the above comments, the proposed development could result in potentially 4/5 vehicle overspilling onto the public highway, which has limited parking spaces due to the repetition of crossovers along Midhurst Gardens leading to inconsiderate and illegal parking, creating nuisance and stress to local users parking demand, which could be prejudicial to highway safety. In fact having visited site and reviewed the various dated ariel images it is clear that there is evidence of inconsiderate and illegal parking with some vehicles parking with 2 wheels on the pavement resulting in a significant obstruction to pedestrians who are forced to walk in the road.

On this basis, the proposal would result in a net intensification of car parking demand of 2 additional spaces. This increase would occur in an area with limited transport alternatives, with the nearest bus stop located approximately 500m away, exceeding the accepted 400m walking distance threshold. The resultant overspill parking would place additional pressure on already constrained on-street parking provision, leading to inconvenience, nuisance and stress for existing residents, to the detriment of both highway safety and residential amenity.

Whilst the applicant asserts within the revised Planning Statement that sufficient on-street parking capacity is available, no substantive evidence or supporting survey information has been provided to robustly justify this position. Officers have evidence to demonstrate that this is not the case.

The public highway cannot be treated as an ancillary extension of private parking provision. Nor can an applicant rely on kerbside capacity to compensate for failing to meet adopted on site parking standards. Were this approach accepted, any residential subdivision could disregard parking requirements by offloading demand onto the highway network, directly undermining Policy DMT6, London Plan objectives, and strategic aims to manage parking pressure sustainably.

Parking standards exist to ensure that development proceeds in a safe, sustainable, and policy compliant manner. They are not discretionary, and they cannot be bypassed through reliance on on street availability surveys, particularly in low PTAL locations where private car ownership is predictably high. The surrounding streets are not subject to on street parking controls and are constrained by a high proportion of dropped kerbs along both sides of the Midhurst Gardens frontage, resulting in very limited availability of lawful on street parking. Consequently, the site's proximity to bus services carries limited weight and does not mitigate the likelihood of increased parking pressure, inappropriate or obstructive parking behaviour, or associated highway safety concerns.

The applicant proposes cycle storage for 7 cycles within the rear garden. However, as detailed within other sections of this report, the planning agent has stated that there is an intention to build out the approved scheme under reference 79103/APP/2025/666 for a new attached dwelling, meaning that the bicycles would be required to be brought through the property which would not be acceptable. There would also not be room for cycle storage within the front forecourt given the angled position of the car parking space. This arrangement would be contrary to London Plan (Policy T5), the London Cycle Design Standards (LCDS), and LTN 1/20 guidance, all of which require cycle parking to be convenient, accessible, step free, and usable without passing through internal living spaces.

The Highway Authority have been consulted on the application and have concluded that the development would result in an unacceptable increase in on-street parking demand and fails to provide complaint, accessible cycle parking, contrary to Policies DMT 6 of the Local Plan (2020) and Policies T6 and T5 of the London Plan (2021).

7.5 Urban Design, Access and Security Considerations

ACCESS:

Policy D5 of the London Plan (2021) sets out that proposals should achieve the highest standards of accessible and inclusive design.

Policy D7 of the London Plan (2021) states - To provide suitable housing and genuine choice for London's diverse population, including disabled people and families with young children, all residential development should include at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

This proposal has been reviewed against the requirements of the 2021 London Plan policy D7 which should not be applied to the change of use of this existing dwelling into an HMO, constructed prior to the application of accessible housing standards. There would be no loss of accessible housing stock as a result of this change of use if approved. Conclusion: no objections raised from an accessibility perspective.

It is noted that the access officer has reviewed the development proposal against the requirements of Policy D7 of the London Plan (2021) and does not raise any objections from an accessibility perspective.

The development would therefore accord with Policies D5 and D7 of the London Plan (2021).

LIVING CONDITIONS FOR FUTURE OCCUPIERS:

INTERNAL AMENITY SPACE:

Paragraph 135f) of the National Planning Policy Framework (2024) states - Planning policies and decisions should ensure that developments: create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

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 D3 of the London Plan (2021) states that developments deliver appropriate outlook, privacy and amenity and achieve indoor and outdoor environments that are comfortable and inviting for people to use.

Policy D6 of the London Plan (2021) states that housing development should be of high quality design and provide adequately sized rooms. Housing development should be of high quality design and provide adequately-sized rooms (see Table 3.1) with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. Qualitative aspects of a development are key to ensuring successful sustainable housing. Table 3.2 sets out key qualitative aspects which should be addressed in the design of housing developments.

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 proposal comprises a 6 bed, 7 person HMO with a shared kitchen and living area at ground floor level. Each bedroom is provided with an en-suite. The internal room sizes and as follows:

Bedroom 1 (ground floor front facing): 12sqm (including en-suite)
Bedroom 2 (ground floor rear facing): 16.5sqm (including en-suite)
Bedroom 3 (first floor front facing): 13.4sqm (including en-suite)
Bedroom 4 (first floor middle room): 11.5sqm (including en-suite)
Bedroom 5 (first floor rear facing): 10.7sqm (including en-suite)
Bedroom 6 (loft level): 19.1sqm (including en-suite)
Kitchen/ Living Room: 20.3sqm

The proposed HMO is stated as a 6 bed, 7 person HMO, however it has not been indicated on the plans or through the submitted documents which room is double occupancy, Nonetheless, it is considered that each room would provide reasonable accommodation for occupiers with adequate floor space and provision of a window for outlook and daylight. However, the level of communal facilities is not considered suitable for a 7person HMO. Only a small kitchen and living/dining space is proposed (20sqm in total).

Although HMOs are not formally subject to the minimum communal space standards set out in the London Plan or Hillingdon Local Plan, it is appropriate to draw on the Housing Design Standards LPG (2023) as a benchmark for assessing functionality. While the LPG formally applies to C3 self contained housing rather than Sui Generis HMOs, the principles relating to internal layout, access to shared spaces and overall quality of accommodation remain material considerations insofar as they assist in assessing whether the proposed HMO would provide acceptable living conditions for future occupiers. For example, a 4 bedroom, 6 person dwelling (4B6P) would normally require a minimum 31sqm combined living dining kitchen (LDK) space. In contrast, the combined kitchen and dining space would only provide 20sm of communal living space for 7 occupants, significantly below what would typically be considered acceptable for shared occupation. This raises clear concerns regarding usability, comfort, and the ability of residents to socialise or undertake daily activities outside their bedrooms.

This shortfall conflicts with Paragraph 135(f) of the NPPF, which requires development to promote health, well being and inclusive living environments. Given the Council's responsibility to ensure HMOs deliver a good standard of accommodation, the absence of suitable communal facilities would result in isolated and substandard living conditions that are not considered acceptable.

The ground floor rear facing bedroom would directly adjoin the communal rear garden without any defensible space in front of their windows. As a result, there would be a high likelihood of direct overlooking from occupants using the garden, leading to a material loss of privacy for those rooms. Due to the undersized level of communal space proposed, there would be an increased reliance on the rear garden for socialising, intensifying the level of activity immediately outside the windows of

this bedroom

For the above reasons, the proposed accommodation would not provide adequate living conditions for future occupiers in conflict with the housing standards of Policy D6 of the London Plan (2021) and Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Paragraph 135f) of the National Planning Policy Framework (2023).

EXTENRAL 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. In accordance with Table 5.3 houses with four bedrooms are required to have at least 100 square metres of private outdoor amenity space.

Whilst there is no prescribed standard for HMOs in Policy DMHB18, the proposed development would retain in excess of 100sqm of rear garden space accessed via a door within the ground floor kitchen. Such provision is considered sufficient for the proposed 7-person HMO.

WASTE AND RECYCLING:

In the event of an approvable scheme, full details of the design and the dimensions of the bin stores can be secured by way of condition. The applicant has submitted a management plan which outlines waste and recycling measures. Should the application have been recommended for approval, a suitable compliance condition could have been secured.

7.6 Other Issues

PRINCIPLE OF DEVELOPMENT:

Policy DMH 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states:
A) 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.'

The supporting Paragraph 4.6 for Policy DMH 2 (Housing Mix) of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states: 'The Council's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly three bedroom properties'.

Policy DMH 5 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020)

states:
A) Proposals for the provision of large HMOs, residential hostels, student accommodation and secure accommodation will be required to demonstrate that:
i) there is good accessibility to local amenities and public transport;
ii) they accord with the Accessible Homes standards and provide satisfactory living conditions for the intended occupiers; and
iii) there will be no adverse impact on the amenity of neighbouring properties or the character of the area.

B) In wards covered by an Article 4 Direction for HMOs 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.

It should be noted that the Council adopted the Borough Wide Article 4 Direction on 12 December 2025 removing permitted development rights under Article 3, Schedule 2, Part 3, Class L.

The evidence underpinning the Article 4 Direction identifies a range of cumulative impacts associated with the growth of HMOs across the borough, including pressures on housing mix, reductions in the supply of family-sized dwellings, and increased demands on local services. The evidence identifies approximately 2,537 HMOs across Hillingdon, equating to 8.7% of all private rented sector dwellings and 2.2% of the borough's total housing stock. HMOs are present in every ward, with particularly high concentrations in central and western parts of the borough. The purpose of the Article 4 Direction is not to prevent HMOs outright, but to ensure that proposals are subject to full planning scrutiny and can be assessed against Local Plan policies, particularly where they would result in the loss of family accommodation.

In this case, the Article 4 Direction is a material consideration which reinforces the Council's position that the loss of a dwelling capable of functioning as a family home should be resisted unless clearly justified. The assessment in accordance with Policy DMH 5 is complicated as not all HMO's require a license and prior to the adoption of the Article 4 there would not have been a requirement to obtain planning permission for small scale HMO's either. As such it is difficult to accurately confirm the number of HMO's within any given street. Officers can only rely on the information the Council has available and this is a combination of the planning and HMO registers and the evidence gathered by MetaStreet which formed the basis of the cabinet report to support the adoption of the immediate Article 4.

From a review of the HMO Register (January 2026) there are 2 current licensed HMO properties

along Midhurst Gardens at No. 3 and 105. As such, the proposal would not therefore result in a concentration of properties falling under an HMO use as defined under Policy DMH 5. However, for the reasons discussed in the relevant sections of the report above, the proposal fails to comply with Policy DMH5 (Aiii and Biv) given that the accommodation would fail to comply with planning standards relating to car parking and will have a detrimental impact upon the residential amenity of adjoining properties.

Although at present the existing floor plans show a 2 bedroom property, as discussed within relevant sections of this report, there is an extant permission under reference 79103/APP/2025/666 to provide a 4 bedroom extended family dwelling. As a result, the proposed development could result in the loss of a family sized unit which conflicts with the Borough's strategic housing goal of safeguarding and provided family dwellings. Paragraph 4.3 (which is stated above) does not mention Sui Generis uses as forming residential accommodation, therefore it is considered there would be a loss of a family sized dwelling. The change of use of the family homes is also considered to be harmful to the character of the area which is predominantly characterised by family dwellings.

The Council's Strategic Market Assessment evidence, including the MetaStreet HMO and Private Rented Sector report commissioned in 2025, highlights an ongoing and acute need for family-sized housing within Hillingdon. The evidence demonstrates that pressures arising from the growth of HMOs and the private rented sector have contributed to a reduction in the availability of traditional family housing, particularly within established residential areas.

The proposed development would not contribute towards meeting this identified need and would instead permanently remove a dwelling capable of accommodating a family household. This weighs significantly against the proposal and is contrary to the objectives of Policy DMH 2 of the Hillingdon Local Plan.

In addition, as discussed in the 'Carparking&Layout', 'Urban Design/Access & Security' and 'Impact on Neighbours' sections above, the large HMO would provide poor living conditions for future occupiers and give rise to neighbour amenity and highway safety issues.

Given the above, the principle of development is considered to be unacceptable, The development therefore conflicts with Policies DMH 1 and DMH 5 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

BIODIVERSITY NET GAIN:

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

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.

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.

There are exemptions and the BNG planning condition does not apply to planning permission for development that is below a de minimis threshold, i.e.:

-does not impact an onsite priority habitat; and
-the development impacts less than 25sqm of onsite habitat that has biodiversity value greater than zero; and
-the development impacts less than 5m in length of onsite linear habitat

In this instance, having regard to the above criteria, the proposed change of use from a dwellinghouse to a large HMO with first floor and roof level extensions is considered to fall below the de minimis threshold. Therefore the proposal is considered to be BNG exempt and a biodiversity gain plan is not required.

OTHER MATERS:

It is noted that there are a number of inconsistencies and discrepancies within the submitted documentation. The Design and Access Statement describes the property as a semi detached dwelling, whereas it is in fact an end of terrace property. In addition, the documentation variously refers to the proposal as a 6 bed, 7 person HMO, while also stating that the scheme would comprise 3 double rooms and 3 single rooms, which would equate to 9 potential occupants rather than 7.

Notwithstanding these inconsistencies, the planning agent has confirmed that the correct description of development is:
"Change of use from Class C3 (dwellinghouse) to Sui Generis (6 bed, 7 person HMO) with the erection of a first floor rear extension and loft conversion including a rear dormer, front rooflights and hip to gable extension, together with private amenity space, refuse area and cycle/car parking."

The assessment above has therefore been undertaken on the basis of the confirmed proposal.

CONCLUSION:

The application is recommended for refusal.

8. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (2012)
Hillingdon Local Plan: Part 2 - Development Management Policies (2020)
London Plan (2021)
National Planning Policy Framework (2024)

Contact Officer: Rhian Thomas **Telephone No:**