HILLINGDON
LONDON

Mr Hammad Khan
Designendeavours
31
Lyncroft Gardens
London
TW3 2QT

Application Ref: 79103/APP/2025/2999

## TOWN AND COUNTRY PLANNINGACT 1990 (AS AMENDED)

## REFUSAL OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **REFUSES** permission for the following:

**Description of 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)

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| **Location of development:** | 35 Midhurst Gardens Hillingdon |
| **Date of application:** | 5th January 2026 |
| **Plan Numbers:** | See attached Schedule of plans |

**Permission is refused for the reason(s) listed on the attached schedule:-**

R Johnson

**Head of Development Management and Building Control**
**Date: 10th March 2026**

NOTES: (i) Please also see the informatives included in the Schedule of Reasons.

(ii) Should you wish to appeal against this decision please read the attached sheet which explains the procedure.

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## SCHEDULE OF REASONS

1 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 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 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 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 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 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).

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.

Part 1 Policies

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| PT1.BE1 | (2012) Built Environment |

Part 2 Policies

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| 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 |

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| 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 |

## END OF SCHEDULE

**Address:**

Development Management
Directorate of Place
Hillingdon Council
3 North, Civic Centre, High Street, Uxbridge UB8 1UW
www.hillingdon.gov.uk

# REFUSAL OF PLANNING PERMISSION

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## SCHEDULE OF PLANS

Design and Access Statement dated 26-Nov-25 (7 person HMO) - received 12 Feb 2026

Transport Statement dated 31-Dec-25 (7 Person HMO) - received 12 Feb 2026

Management statement dated 31-Dec-25 (7 person HMO) - received 02 Dec 2025

PH-35MG-02 - received 27 Nov 2025

PH-35MG-03 - received 27 Nov 2025

PH-35MG-04 - received 27 Nov 2025

PH-35MG-01 - received 27 Nov 2025

## RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

## TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspecorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0117 372 8424) Appeal forms can be downloaded from the Planning Inspectorate website at https://www.gov.uk/appeal-planning-decision

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.
Further details are available at www.gov.uk/government/collections/casework-dealt-with-by-inquiries

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power inless there are special circumstances, which excuse the deploy in giving notice of an appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

### Purchase Notices.

If either the local planning authority or the officer of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.