

**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	<input type="checkbox"/>
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	<input type="checkbox"/>
3.	There is no Committee resolution for the enforcement action	<input type="checkbox"/>
4.	There is no effect on listed buildings or their settings	<input type="checkbox"/>
5.	The site is not in the Green Belt (but see 11 below)	<input type="checkbox"/>

**REFUSAL RECOMMENDED: GENERAL**

6.	Application is contrary to relevant planning policies/standards	<input type="checkbox"/>
7.	No petition of 20 or more signatures has been received	<input type="checkbox"/>
8.	Application has not been supported independently by a person/s	<input type="checkbox"/>
9.	The site is not in Green Belt (but see 11 below)	<input type="checkbox"/>

**RESIDENTIAL DEVELOPMENT**

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	<input type="checkbox"/>
11.	Householder application in the Green Belt	<input type="checkbox"/>

**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	<input type="checkbox"/>
13.	Refusal of change of use from retail class A1 to any other use	<input type="checkbox"/>
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.	<input type="checkbox"/>

**CERTIFICATE OF LAWFULNESS**

15.	Certificate of Lawfulness (for proposed use or Development)	<input type="checkbox"/>
16.	Certificate of Lawfulness (for existing use or Development)	<input type="checkbox"/>
17.	Certificate of Appropriate Alternative Development	<input type="checkbox"/>

**CERTIFICATE OF LAWFULNESS**

18.	ADVERTISMENT CONSENT (excluding Hoardings)	<input type="checkbox"/>
19.	PRIOR APPROVAL APPLICATION	<input type="checkbox"/>
20.	OUT-OF-BOROUGH OBSERVATIONS	<input type="checkbox"/>
21.	CIRCULAR 18/84 APPLICATION	<input type="checkbox"/>
22.	CORPSEWOOD COVENANT APPLICATION	<input type="checkbox"/>
23.	APPROVAL OF DETAILS	<input type="checkbox"/>
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	<input type="checkbox"/>
25.	WORKS TO TREES	<input type="checkbox"/>
26.	OTHER (please specify)	<input type="checkbox"/>

**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**

**Item No.**                      **Report of the Head of Development Management and Building Control**

**Address:**                      37 EDGAR ROAD YIEWSLEY

**Development:**                Erection of a rear dormer and conversion of roof from hip to gable end.  
Change of use to use from residential property (Class C3) to an 7 bedroom HMO (Sui Generis).

**LBH Ref Nos:**                **79256/APP/2025/387**

**Drawing Nos:**                EX01  
EX02  
EX03  
EX04  
EX05  
PL01  
PL02  
PL03  
PL04  
PL05

**Date Plans received:**        14-02-25                              **Date(s) of Amendments(s):**

**Date Application valid**        14-02-25

## 1. SUMMARY

Planning permission is sought for the erection of a rear dormer and conversion of roof from hip to gable end. Change of use to use from residential property (Class C3) to an 7 bedroom HMO (Sui Generis).

The development comprises the formation of a large HMO and a self-contained studio flat and results in the loss of a family home which is considered to be unacceptable in principle.

Whilst the proposed hip to gable roof conversion and rear dormer would be subordinate and not incongruous additions in the street scene, due to the intensification of use and proposed occupancy levels, the proposal would give rise to significant levels of noise and general disturbance to neighbouring properties that would be harmful to the residential amenity of the area.

Other than a kitchen on the ground floor, the development would not provide a good standard of communal living which would be expected for a HMO of this size. As a result, future occupiers would not be provided with adequate living conditions.

The Highway Authority have objected to the scheme as the required car parking spaces cannot be

achieved on the application site, leading to injudicious parking on the highway and causing parking stress, obstruction and congestion to the detriment of highway safety.

For the above reasons, the application is recommended for refusal.

## 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 HMO and a separate studio flat in the roof space, would be harmful to the character of the area and 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 Impact on the Residential Amenity of the Area

The applicant has failed to demonstrate that the proposal and the high number of potential occupants, would not result in noise and general disturbance to neighbouring properties alongside a harmful over intensification of the use of the site, detrimental to both the occupiers and neighbouring properties and the residential amenity of the area. The proposal is therefore contrary to Policies DMH 5, DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D13 of the London Plan (2021) and the National Planning Policy Framework (2024).

### 3. NON2 Living conditions

The development, by virtue of its failure to maintain an adequate amount of usable internal living space for the occupiers of the proposed development, would result in substandard living accommodation and an over-development of the site to the detriment of the residential amenity of future occupiers. The development is therefore contrary to the requirements of Policies DMH 5, DMHB 11 and DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2024)

### 4. NON2 Parking and Highway safety

The development would fail to provide adequate safe and accessible parking provision which would increase parking stress in a controlled parking zone and prejudice highway safety. The development is therefore contrary to Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T2, T4, T6 and T6.1 of the London Plan (2021) and the National Planning Policy Framework (2024).

## INFORMATIVES

### 1. 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).

### 2. I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

### 3. 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.

## 3. CONSIDERATIONS

### 3.1 Site and Locality

The development site is located on the west side of Edgar Road and comprises a two storey semi-detached dwelling, its front and rear gardens. The property does not benefit from any off-street parking provision.

The surrounding area is residential in character with properties being semi detached and of a similar appearance. They are predominantly two storey semi-detached dwellings constructed in brick and tile with ground floor bay windows. and are finished in a mixture of materials. Most properties do not benefit from on-site parking due to the development pattern of the street whereby the set back of dwellings from the road is limited.

The development site has a PTAL rating of 2. There are no tree protection orders or heritage designations applicable to the application site.

### 3.2 Proposed Scheme

The application proposes the erection of a rear dormer and conversion of roof from hip to gable end. Change of use to use from residential property (Class C3) to an 7 bedroom HMO (Sui Generis).

### 3.3 Relevant Planning History

#### Comment on Planning History

There is no relevant planning history.

### 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

#### PUBLIC CONSULTATION:

5 neighbours and Whitethorn Residents Association were consulted by letter dated 24-02-25. 5 letters of objection were received. The matters raised are summarised below:

- Works underway without planning permission
- Number of HMOs on Edgar Road, pressure on water utilities
- Noise and comings and goings
- Parking

#### OFFICER COMMENTS:

The neighbour comments are noted.

It is noted that the extensions proposed have been carried out.

Planning records do not indicate that any other property on Edgar Road has planning permission for a HMO use.

Noise and the impact on residential amenity is discussed in the 'Impact on Neighbours' section. Parking is discussed in the 'Traffic Impact/Pedestrian Safety' section.

### 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
LPP D3	(2021) Optimising site capacity through the design-led approach
DMEI 12	Development of Land Affected by Contamination
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

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 - Part D7) that development proposals should deliver appropriate outlook, privacy and amenity.

Policy D13 of the London Plan (2021) states - E) 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: i) a satisfactory relationship with adjacent dwellings is achieved; and ii) 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.

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

A) 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:

- 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.

The supporting text to Policy DMH 5 also states - "intensive occupation of former family dwellings such as those used for student accommodation or as a HMO can have negative impacts on residential amenity within an area through increases in onstreet and off-street parking, loss of front gardens, reductions in levels of privacy, alterations to the exterior of buildings and increased generation of refuse".

The existing family dwelling has 2no double bedrooms and 1no single bedroom, providing a total of 7no bedspaces. A C4 HMO allows between 3 and 6 unrelated individuals to live together sharing basic amenities such as a kitchen and a bathroom.

The application proposes to convert the property to a large HMO with a self-contained flat in the loft. Taken as a whole, the total bedspaces would increase from 5 bedspaces to 7no bedspaces. Therefore the overall number of residents would be increased by 40% from current levels.

Whilst a notable significant increase, this figure understates the impact of the increase in occupancy levels, bearing in mind that the existing family dwelling would each be unlikely to be occupied by 5 adults, whereas the proposal provides bedspaces that could accommodate at least 7 adults. This points to a material intensification and added pressures in terms of refuse, noise and parking. These issues have not been addressed in the submission to confirm that there would be no adverse impact on the residential amenity of occupiers, neighbours and the surrounding area.

It is considered that the development through the use of the application site as a house in multiple occupation and a separate self-contained studio flat, would have an additional adverse impact on the residential amenity of occupiers, neighbours and the surrounding area. The development therefore conflicts with Policies DMH 5, DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two Development Management Policies (2020) and Policies D3 and D13 of the London Plan (2021).

## 7.2 Impact on Street Scene

### CHARACTER AND APPEARANCE:

Policy D3 of the London Plan (2021) requires that development proposals should: Form and enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

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 will be required to be designed to the highest standards and incorporate principles of good design.

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 alterations and extensions to dwellings should not have an adverse cumulative impact on the character.

With regard to roof extensions Policy DMHD 1 requires:

- i) roof extensions should be located on the rear elevation only, be subservient to the scale 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.

It is noted that there is no planning permission or certificate of lawfulness granted for the hip to gable roof conversion and the rear dormer.

The roof materials do not match that of the existing dwelling, however it is noted that there are a variety of roof finishes on Edgar Road. Whilst matching materials would have been preferred, the site is not subject to any heritage designations and a refusal on a different roof tile being used would be difficult to sustain.

Whilst the rear dormer exceeds two thirds the width of the roof slope, there is a presence of similar loft extensions in the street scene of Edgar Road. The roof extensions would not appear as insubordinate and incongruous additions in the street scene and as such there would not be any material harm to the character and appearance of the area that would warrant refusal.

The development, on balance, accords with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy D3 of the London Plan (2021).

### **7.3 Traffic Impact/Pedestrian Safety**

#### **HIGHWAY SAFETY AND PARKING:**

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.

Policy T6 Part D of the London Plan (2021) states - The maximum car parking standards set out in Policy T6 .1 Residential parking to Policy T6 .5 Non-residential disabled persons parking should be applied to development proposals and used to set local standards within Development Plans.

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 Highway Authority have reviewed the application and raise an objection on the grounds of lack of parking and highway safety. The following comments are provided:

The proposal involves the change of use to use from a residential property (Class C3) with no on-site car parking to an 7 bedroom HMO (Sui Generis) with no on-site car parking but with secure and sheltered cycle parking for 7 bikes which is in accordance with the required standard.

The application site has a PTAL rating of 2 indicating the site has poor, below than average access to public transport.

Whilst the London Plan (2021) does not provide parking standards for House in Multiple Occupation (HMO's), therefore parking should be provided in accordance with London Borough of Hillingdon (LBH) Local Plan Part 2: Development Management Policies Appendix C: Parking Standards which would require that the level of parking to be provided should be determined either for a HMO with up to 6 occupants at 1 space per 2 occupants or for HMOs over 6 occupants, car parking requirements will be assessed through a transport assessment and travel plan. On the basis there would be 7no. occupants the Local Plan would require at least 3no. car parking spaces, however the site has no existing on-site car parking or being proposed.

The above site 37 Edgar Road is a residential road with a 30mph speed limit, with no parking restrictions though the availability of on-street parking is limited by the presence of numerous vehicle crossovers and where there is space to park those spaces are heavily occupied, meaning there exists parking stress along Edgar Road.

Given that no on-site car parking is proposed the requirement of at least 3 car parking spaces has to be viewed in the context of the existing dwelling which whilst does not have any on-site car parking but under the parking standards would require 2 car parking spaces, therefore the proposal would result in net under provision by 1 car parking space.

Whilst 1 overspill car parking onto the public highway does not appear to be significant, however in the context that Edgar Road has no on-street parking controls and experiences parking stress (parking surveys to prove otherwise), the impact (potentially cumulative impact) could lead to inconsiderate and illegal parking, creating nuisance and stress to local users parking demand, which could be prejudicial to highway safety contrary to policy DMT 6 of the Local Plan: Part 2 Development Management Plan (2020).

#### Recommendation

There are highway objections to this proposal and therefore the Highway Authority would offer a refusal on the failure to provide acceptable car parking which fails to concur with:

- The London Plan Policy T2: Healthy Streets, Policy T4 Assessing and Mitigating Transport Impacts, Policy T5 Cycles
- London Borough of Hillingdon Local Plan Part 2 - Development Management Policies Policy DMT 1: Managing Transport Impacts, Policy DMT 2: Highways Impacts, and Policy DMT 6: Vehicle Parking

#### 7.4 Carparking & Layout

Please refer to the 'Traffic Impact/Pedestrian Safety' section above.

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

##### ACCESS:

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'.

The Council's access officer has reviewed and provides the following comments:

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 extension from a dwelling-house (C3) to a House in Multiple Occupation. 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.

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.

#### LIVING CONDITIONS:

Policy D6 of the London Plan (2021) states that housing development should be of high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures.

Policy DMHB 16 of the Hillingdon Local Plan: Part Two - 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 following bedrooms sizes would be provided (inc. en-suite):

Room 1 - Double 12.1 sq.m  
Room 2 - Double 14.04 sq.m  
Room 3 - Double 12.35 sq.m  
Room 4 - Double 12.34 sq.m  
Room 5 - Double 12.08 sq.m  
Room 6 - Double 12.24 sq.m  
Room 7 - Studio 21.5 sq.m

All of the bedroom sizes are of a suitable size. It is noted that the loft space comprises its own kitchen and would be viewed as a self-contained studio flat.

All proposed habitable rooms and those altered by the development should maintain an adequate outlook and source of natural light to ensure a good quality living conditions are provided for future occupiers.

Whilst the HMO is provided with a kitchen space, this sole communal facility is unlikely to be sufficient to accommodate the level of persons envisaged to occupy the property. Notably there are no utility/laundry rooms or living rooms for use by occupiers.

No information has been submitted by the applicant to demonstrate that the accommodation provided would be fit for purpose and would accord with any relevant HMO licensing requirements. The level of communal facilities proposed is not considered to be suitable for a large HMO and would give rise to substandard living conditions for the future occupiers.

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 the National Planning Policy Framework (2024).

#### PRIVATE 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 1 bedroom flats to have at least 20 square metres of private outdoor amenity space.

Whilst there is no prescribed standard for HMOs, there would be a requirement for a suitable amount of private amenity space that would be appropriate for proposed occupancy levels.

The retained garden area provides a useable private amenity space of approximately 150sq.metres. Based on occupation by 7 persons, this represents an overall provision of 21.4sq.metres per occupant, which is over the 20 sq.metre requirement for studios and 1bed flats.

Taken as a whole, the private amenity space would provide adequate living conditions for future occupiers and would accord with the requirements of Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

## 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.

The supporting Paragraph 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.

It is noted from the neighbour representations that there are several HMOs on Edgar Road. The planning history indicates that no other property on Edgar Road benefits from planning permission for the conversion of the dwelling to HMO. Whilst details are unclear, there may be permitted development rights available that permit a small HMO. The proposal does not represent a small HMO under Class C4.

The development would result in the loss of a 3 bedroom family homes which conflicts with the Borough's strategic housing goal of safeguarding and provided family dwellings.

The site has a Public Transport Accessibility Level (PTAL) of 2 which is considered as 'poor'. As discussed in the preceding sections, the formation of a large HMO would provide poor living conditions for future occupiers; would give rise to harm on neighbour amenity and would prejudice highway safety.

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

One exemption is Development below a de minimis threshold. This exemption applies to development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m x 5m) of non-priority onsite habitat (such as modified grassland) or 5m for non-priority onsite linear habitats (such as native hedgerows).

The development would be occurring at roof level of the property and no part of the rear garden would be affected by the development, no trees or hedgerows would be affected. Therefore the development would not exceed the de minimis threshold and is considered to be BNG exempt.

In this instance, having regard to the above criteria, the proposed change of use from a dwellinghouse to a large HMO 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.

## 8. Reference Documents

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The London Plan (2021)

The National Planning Policy Framework (NPPF) (2024)

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021)

**Contact Officer:**

Christos Chrysanthou

**Telephone No:**

01895 250230