



Mr Moses David Motzen
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London
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Application Ref: 79256/APP/2025/387

TOWN AND COUNTRY PLANNING ACT 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:

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).

Location of development: 37 Edgar Road Yiewsley

Date of application: 14th February 2025

Plan Numbers: See attached Schedule of plans

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

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Head of Development Management and Building Control

Date: 4th April 2025

- 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 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 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 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 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 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 On this decision notice policies from the Council's 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 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.

END OF SCHEDULE

Address:

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

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SCHEDULE OF PLANS

- EX01 - received 14 Feb 2025
- EX02 - received 14 Feb 2025
- EX03 - received 14 Feb 2025
- EX04 - received 14 Feb 2025
- EX05 - received 14 Feb 2025
- PL04 - received 14 Feb 2025
- PL05 - received 14 Feb 2025
- PL01 - received 14 Feb 2025
- PL02 - received 14 Feb 2025
- PL03 - received 14 Feb 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 Inspectorate 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 www.Planning-inspectorate.gov.uk

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 unless there are special circumstances, which excuse the delay 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.