

Report of the Head of Planning, Sport and Green Spaces

Address 1 COLLINGWOOD ROAD HILLINGDON

Development: Change of use from single dwelling house (Use Class C3) to 6 person House of Multiple Occupancy (Use Class C4)

LBH Ref Nos: 57541/APP/2016/2713

Drawing Nos: Site Plan
1638-ex-01
Appendix
Appendix 2a
Appendix 3
1638-pl-01 Rev. B Received 14-11-2016
1638-pl-02
Supporting Statement (Including Amendment)
Management Plan

| | | | |
|--------------------------------|------------|---------------------------------|------------|
| Date Plans Received: | 13/07/2016 | Date(s) of Amendment(s): | 08/11/2016 |
| Date Application Valid: | 01/08/2016 | | 10/03/2017 |
| | | | 29/07/2016 |
| | | | 13/07/2016 |

DEFERRED ON 18th January 2017 FOR SITE VISIT .

This application was deferred at the meeting of the 18th January for a site visit and for officers to clarify the provision of amenity space.

1. SUMMARY

The application seeks planning permission for a change of use from from a single family dwelling house to a house in multiple occupation (Use Class C4) to accommodate 6 persons. Subject to the imposition of conditions including limiting the occupancy to 6 persons, the development would not result in an unacceptable loss of residential amenity to occupants of neighbouring dwellings. The proposal does not raise any highway safety concerns. The development has been amended through discussion which has resulted in increased lounge space, added further cooking and preparation facilities and identified sufficient on-site car parking. As a result it would deliver a standard of accommodation suitable for the purpose applied for. A site supervision condition is imposed to ensure the proposed use does not have adverse impacts on the amenity of neighbours. It is therefore recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 HO1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number 1638-pl-01 Rev. B Received 14-11-2016 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

3 NONSC Non Standard Condition

Notwithstanding the submitted information, prior to first occupation a Site Supervision Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be implemented prior to the use hereby permitted being commenced, and maintained in full compliance with the approved measures.

REASON: To safeguard the amenity of the occupants of surrounding properties in accordance with Policy OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 MDR5 Multiple Occupation/Shared Facilities

The property shall only be used on the basis of multiple occupation with shared facilities and by no more than 6 persons and shall not be used at any time as self-contained units.

REASON

In order to prevent the establishment of self-contained units in view of the limited provision of car parking and to protect the amenity of the area in accordance with Policy H7 of the Hillingdon Unitary Development Plan.

5 H7 Parking Arrangements (Residential)

The parking areas shown on the approved plans shall be provided before first occupation, and shall be allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (2016).

6 A20 Access to Buildings for People with Disabilities

Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved by the Local Planning Authority. The approved facilities should comply with BS 5810: 1979 (Design Note 18 in the case of educational buildings) and be provided prior to the occupation of the development.

REASON

To ensure that people with disabilities have adequate access to the development in accordance with Policy R16 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7 H14 Cycle Storage - details to be submitted

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be occupied or brought into use until the approved cycling facilities have been implemented in accordance with the approved plan, with the facilities being permanently retained for use by cyclists.

REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (2016).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT 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 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

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| AM7 | Consideration of traffic generated by proposed developments. |
| AM14 | New development and car parking standards. |
| OE1 | Protection of the character and amenities of surrounding properties and the local area |
| OE3 | Buildings or uses likely to cause noise annoyance - mitigation measures |
| BE13 | New development must harmonise with the existing street scene. |
| BE15 | Alterations and extensions to existing buildings |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE23 | Requires the provision of adequate amenity space. |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| H2 | Restrictions on changes of use of residential properties |
| H3 | Loss and replacement of residential accommodation |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |
| LDF-AH | Accessible Hillingdon , Local Development Framework, |

3 159 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 saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

4 147 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

5 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the East side of Collingwood Road at the junction with Haig Road. It is occupied by a two-storey semi-detached dwelling attached to No. 74 Haig Road.

The site is situated within the Developed Area as identified in the policies of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

3.2 Proposed Scheme

The application seeks planning permission for a change of use from a single dwelling house (Use Class C3) to 6 person House of Multiple Occupancy. The submitted plans propose the following:

Ground floor:

- 1 communal kitchen,
- 1 communal lounge - 10.1 m²
- 1 shared shower-room with WC,
- Bedroom 1 - 11.4 m²
- Bedroom 2 - 10.1 m²
- Bedroom 3 - 9.7 m²

First floor

- 1 shared bathroom with WC
- Bedroom 1 - 9.8 m²
- Bedroom 2 - 8.4 m²
- Bedroom 3 - 6.8 m²

Total floorspace 110.1 m²

Outdoor amenity space - 93m²

Car parking - 3 on-site.

Bin store - for two bins on-site.

3.3 Relevant Planning History

19766/74/1396 111 Collingwood Road Hillingdon
Householder development - residential extension(P) (also relaxation).

Decision: 22-10-1974 Approved

57060/APP/2002/349 11 Collingwood Road Hillingdon
ERECTION OF A SINGLE STOREY REAR EXTENSION (APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT)

Decision: 16-07-2002 GPD

57541/PRC/2016/140 1 Collingwood Road Hillingdon
Change of use to a 6 bedroom HMO

Decision:

Comment on Relevant Planning History

The previous planning history related to a residential extension in connection with use as a single-family dwelling. There is no directly relevant history.

4. Planning Policies and Standards

From March 2013 the Council introduced an Article 4 Direction which means that it is necessary to obtain planning permission to convert a family dwelling (Use Class C3) to an HMO between 3 and 6 unrelated people sharing throughout Brunel and Uxbridge South.

Applications for planning permission will only be permitted where they comply with Interim Planning Policy HM1. This policy does not have development plan status, but is afforded considerable weight as a material planning consideration in the determination of planning applications. A key approach to determining planning applications is to maintain community cohesion and help develop strong, supportive and durable communities.

There is evidence to demonstrate that there is a need to control the number of HMOs across the two wards adjacent to Brunel University to ensure existing communities are not adversely affected by a concentration of HMOs. The interim policy supports a threshold approach and suggests that this should be 15% at neighbourhood level. It departs slightly from the 'Houses in Multiple Occupation and other non-self contained housing' Supplementary Planning Guidance (2004) (SPG) by noting that this considers concentrations in a street length, but does not factor in levels beyond individual streets at a neighbourhood level. Whilst it retains the 15% principle (5% in Conservation Areas) Policy HM1 also includes the principle of 20% across a neighbourhood area.

In assessing planning applications for HMOs, the Council will seek to ensure that the change of use will not be detrimental to the amenity of the area. Attention will be given to whether the applicant can demonstrate that:

- The dwelling is large enough to accommodate an increased number of residents;
- There is sufficient space for potential additional cars to park;
- There is sufficient space for appropriate provision of secure cycle parking;
- The condition of the property is of a high standard that contributes to the character of the area and that the condition will be maintained following the change of use to an HMO;
- The increase in the number of residents will not have an adverse impact on noise levels and the level of amenity neighbouring residents can reasonably expect to enjoy;
- There is sufficient space for storage provision for waste/recycling facilities in a suitably enclosed area within the curtilage of the property; and
- The change of use and increase in the number of residents will not result in the loss of front gardens to hard standing to parking or refuse areas which would have a detrimental affect on the street scene.

In 2004 the Council adopted Supplementary Planning Guidance "Houses in Multiple Occupation and other non-self contained housing" (SPG)

This SPG identifies a number of relevant Local Plan policies:

Policy H7 - recognises that conversions can provide a source of low cost accommodation for those people for whom owner-accommodation or local authority housing is unlikely to be an option;

Policies H2 and H3 seek to safeguard existing housing in the Borough. In this regard, the Council does not consider the change of use to an HMO to represent a loss of residential accommodation.

Paragraph 3.1 identifies that the greatest pressure is for use of semi-detached dwellings as HMO's but recognising that they generally have a gross floor area of between 70 m2 and 100 m2 that this will limit the number of occupants and that their plots often provide insufficient off-street parking and private amenity space.

Paragraph 3.9 states that the Council will require at least one ground floor habitable room over 10 m2 other than a kitchen for communal living purposes.

Paragraph 4.7 states that the Council will require up to 1 off-street parking space for every 2 habitable rooms, excluding those used for communal living purposes.

Paragraph 4.10 states that applicants will be required to give details of the proposed configuration of rooms.

Paragraph 4.11 states that applicants should consider the adequacy of existing sound insulation, particularly where bedrooms adjoin potentially noisy rooms including living rooms, bathrooms and WC's. Paragraph 4.12 states that at least two bathrooms are required where there are six or more occupants.

Paragraph 4.16 states that the Council will look for a minimum 15 m2 private usable amenity space per habitable room (excluding those used for communal living purposes).

Paragraph 6.13 states that the Council requires at least two domestic bins where the conversion is to be used by more than six people.

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

OE1 Protection of the character and amenities of surrounding properties and the local area

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

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| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE23 | Requires the provision of adequate amenity space. |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| H2 | Restrictions on changes of use of residential properties |
| H3 | Loss and replacement of residential accommodation |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |
| LDF-AH | Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010 |

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Neighbours were notified on 03/08/2016 and a site notice was displayed on 16/08/2016.

Following a complaint that the notice appeared to have been removed, a second notice was displayed on 08/09/2016 with a deadline for response of 29/09/2016.

At the end of the notification period there were three individual objections and a petition signed by 25 persons;

The objections raised in these are summarised as follows:

- (1) There is a restrictive covenant which prevents businesses and anti social behaviour etc.
- (2) It is understood that a planning permission would not override a covenant or rights to light but believes that the Council should enforce.
- (3) Loss of family sized dwelling.
- (4) At least 4 and possibly 5 rooms are below standard.
- (5) Not suitable for children or babies or wheelchair users.
- (6) Kitchen has limited cooking facilities and part of it appears to be a corridor.
- (7) Will harm the character of the area.
- (8) Will generate noise.
- (9) There is a fear of anti-social behaviour.
- (10) There is insufficient car parking.

Following deferral of the application, a further petition in objection has been received with 20 signatories. the following grounds are cited, In addition to those outlined above:

- 11) Impact on the character of the estate, including loss of community spirit.
- 12) Will add to on-street parking stress.
- 13) Will add to problems ongoing with the drainage system.
- 14) Is the applicant a fit and proper person to run such an establishment?

Issues relating to covenants, drainage and test of fit and proper person are not a material planning considerations. The other issues are discussed within the report.

Internal Consultees

HMO Housing Officer: No objection.

Environmental Protection Unit: No objection subject to a suitable level of facilities and amenities being achieved.

Access Officer: No objections.

Highways and Traffic: There are no on-street parking restrictions in place in the vicinity of the site. There is very little parking stress in the area of the site as the majority of local properties have off-street parking. The site has a PTAL value of 2 (poor) so there will be a reliance on private cars for trip making. The proposal is to change the use of the existing property from residential to a 6 bedroom HMO. Council's parking standard for an HMO is 1 car parking space per 2 habitable rooms and that is what is provided with this application which is acceptable. The applicant has offered the existing sheds for cycle parking which is acceptable. The existing refuse/recycling facilities will be continued in this instance. On the basis of the above comments no significant concerns over this application.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 2.8 of the SPG HMO 2004 advises that policies H2 and H3 seek to safeguard existing housing in the borough. In this respect, it should be noted that the Council does not consider the change of use to a HMO to represent a loss of residential accommodation and as such the proposal would not be in conflict with the above mentioned policies. Hence the principle of the change of use to a House in Multiple Occupancy is considered acceptable, subject to the proposal meeting all other policy requirements and adopted guidelines.

7.02 Density of the proposed development

Not applicable to this application.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The proposal does not involve any external alterations to the building and, in this regard, there should not be any obvious visual change as a result of the development.

However, Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states permission will not normally be granted for uses and structures which are, or are likely to become, detrimental to the character or amenities of surrounding

properties or the area generally due to their siting or appearance, the storage or display of items, traffic generation and congestion, and noise and vibration emissions. In accordance with this policy and as the proposal is for the conversion from a single dwelling to a HMO, it would be considered prudent to impose a condition which requires details of management and maintenance for the up keep of the house and garden. Although properties used by single families are equally capable of becoming run down, many landlords do not live on-site and so physical problems with converted properties can go undetected for some time without proper management supervision. The transient nature of many converted properties, because of the relatively short duration of tenancies, also increases the need for the effective management and maintenance of properties. Regardless of the interior condition of a property, outwardly visible signs of poor management and maintenance (such as unkempt gardens) tend to have a detrimental effect on the overall street scene and level of residential amenity.

Effective management control, whether it be carried out by housing associations, managing agents or applicants themselves, is crucial to maintaining a satisfactory environment for tenants and for achieving a good tenant/neighbour relationship. Details of management and maintenance will therefore be applied through a planning condition and will be expected to include arrangements for:

- Keeping front and rear gardens free of refuse and unsightly household items;
- Mowing of grassed areas;
- Repairing of broken fencing, gates and other enclosures;
- Repairing of damaged or broken external facades of building(s).

Subject to a management and supervision condition, the proposal is considered acceptable in accordance with Policies BE13, BE15, BE19 and OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

In assessing applications for HMOs, the Council will seek to ensure that the change of use will not be detrimental to the residential amenity of the area, including whether the dwelling is large enough and that any increase in the number of residents will not have an adverse impact on noise levels and the level of amenity neighbouring residents can reasonably be expected to enjoy. Under Policy OE1, uses which are likely to become detrimental to the amenities of the surrounding properties or area generally because of noise are not permitted and uses which have the potential to cause noise nuisance will need to be mitigated (Policy OE3).

Policy OE1 states permission will not normally be granted for uses and structures which are, or are likely to become, detrimental to the character or amenities of surrounding properties or the area generally due to their siting or appearance, the storage or display of items, traffic generation and congestion, and noise and vibration emissions.

The application property is attached to No. 74 Haig Road. The relationship between respective rooms is a critical consideration. In this regard, at ground floor level, there is no significant alteration of the internal layout beyond changing three of the ground floor rooms to bedrooms. None of these share a party wall with No. 74 Haig Road. The kitchen and entrance hallway do share a party wall. However, this is not a change from the existing layout and, from the last known planning history for No. 74 Haig Road it would appear that the kitchen would share a party wall with that property's kitchen. At first floor, there are three bedrooms. This is unchanged from the current layout and no adverse planning issues are raised.

The SPG interim policy supports a threshold approach to provision of HMO's within Brunel and Uxbridge South Wards. There is an existing unauthorised HMO at No. 14 Collingwood Road (which is subject of a separate planning application) and a licenced HMO at No. 87 Collingwood Road. There is a concurrent undetermined application at No. 85 Haig Road. No other HMO's are known to be in the area and, on this basis, it is concluded that the proposal will not breach the threshold for this form of development.

7.09 Living conditions for future occupiers

The guidance contained within the Council's SPG on Houses in Multiple Occupation advises that the occupancy levels for semi-detached houses should be a maximum of 10 and will be required to provide a ground floor habitable room over 10m², other than a kitchen for communal living purposes.

All bedrooms are considered to be of an acceptable size and layout and the future occupants of the property would enjoy a satisfactory level of residential amenity in accordance with the requirements of the Supplementary Planning Guidance Houses in Multiple Occupation and other non-self contained housing (2004).

The Council's SPG on HMOs require the provision of 15 square metres of external amenity space for each habitable room (excluding those used for communal living purposes). Therefore, the proposed development would be required to provide 90 square metres of external amenity space. A total of 92 square metres (excluding the space occupied by the rear outbuilding) is provided and this would therefore comply with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). Furthermore, it should be noted that the application site is located virtually next door to public open space.

All of the bedrooms exceed 6.5 square metres and therefore exceed the space standard for this form of accommodation as set out in the SPG. The communal lounge, as submitted, was below standard. It forms a generally open plan area with the kitchen and the amended drawing shows that the communal lounge area (excluding the kitchen) is now, at 10.1 square metres, compliant with the SPG. All of the bedrooms have a reasonable level of outlook. One bedroom does have a view directly onto a car park space but also benefits from a second window overlooking the rear amenity space. None of the windows are overlooked from outside the site. One objection refers to unsuitability for children and people with disabilities. The applicant has confirmed that children would not normally be accommodated. However, when this does occur the parent and child will share two-bedrooms, which will mean that there will never be more than 6 occupants. Similarly, three bedrooms will be available on the ground floor which could accommodate a person with reduced physical mobility.

Overall, it is concluded that the accommodation offers an acceptable level of living conditions for future occupiers.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Local Plan considers the traffic generated by proposals but states that permission will not be granted where the free flow of traffic or conditions of general highway or pedestrian safety are likely to be prejudiced. Paragraph 4.7 within the SPG 'Houses in Multiple Occupation' states that the Council will require the provision of up to 1 off-street parking space for every 2 habitable rooms, excluding those used for communal living purposes. The submitted plan shows the provision of 3 parking spaces within the frontage which would meet this requirement. The submitted plans also confirm the provision of 7 secure cycle spaces which will be conditioned accordingly. The proposal is therefore considered acceptable in accordance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

The issues are addressed in the sections above.

7.12 Disabled access

No issues raised.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

The proposal includes the provision of two 240L wheelie bins with permanent enclosure, located to the front/side of the property.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

The issues are addressed in the sections above.

7.19 Comments on Public Consultations

The issues raised by neighbours and through the petition are generally discussed throughout the report. Neighbours have raised the issue of a restrictive covenant and rights to light. The covenant referred to concerns issues of noise and disturbance and running a business. It is uncertain why the issue of rights to light has been raised since no external changes are proposed. As a general principle a planning permission cannot override a covenant or a right to light. Similarly, the existence of a covenant or a right of light cannot be taken into account in determination of a planning application. The applicant's attention has been drawn to the issue.

In response to concerns regarding anti-social behaviour, the applicant has produced a statement setting out more details of the management of the proposal. The applicant explains that she has been managing two HMO properties since 2001. During these 16 years she states that she has gained a huge amount of experience both in running and managing the HMO properties effectively. She actively engages with tenants, neighbours and local communities alike to ensure that the services she provides are in harmony with all concerned.

She continues that in the application property she intends to house mature and well-behaved people. She often works with the NHS and have been suppliers of temporary accommodation to Hillingdon council for the past 16 years. In the last 3 years, she has been a provider of 'bed and breakfast' services to the NHS, which represent 95% of the tenants. Historically, she has only ever taken on people who are over 20 years of age and those who do not have any history of violence. These people are classified as being 'vulnerable' (usually victims of crime i.e. domestic violence) and/or have some kind of illness. They are usually unable to return to their previous accommodation for various reasons. They are assessed regularly by the NHS's relevant medical team. She states that she has never experienced any serious problems with this group and have not encountered any bad or any anti-social behaviour either.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues raised.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be

given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

The application seeks planning permission for a change of use from a dwelling house (Use Class C4) to a 6 person house in multiple occupation (Sui Generis).

The proposal does not include any significant external alterations. The proposal meets the standards for such use set out in the adopted SPG and off-street parking is provided to the appropriate standard.

The proposal is not considered to have a greater impact upon the adjoining neighbours than the existing use and the application is considered acceptable.

11. Reference Documents

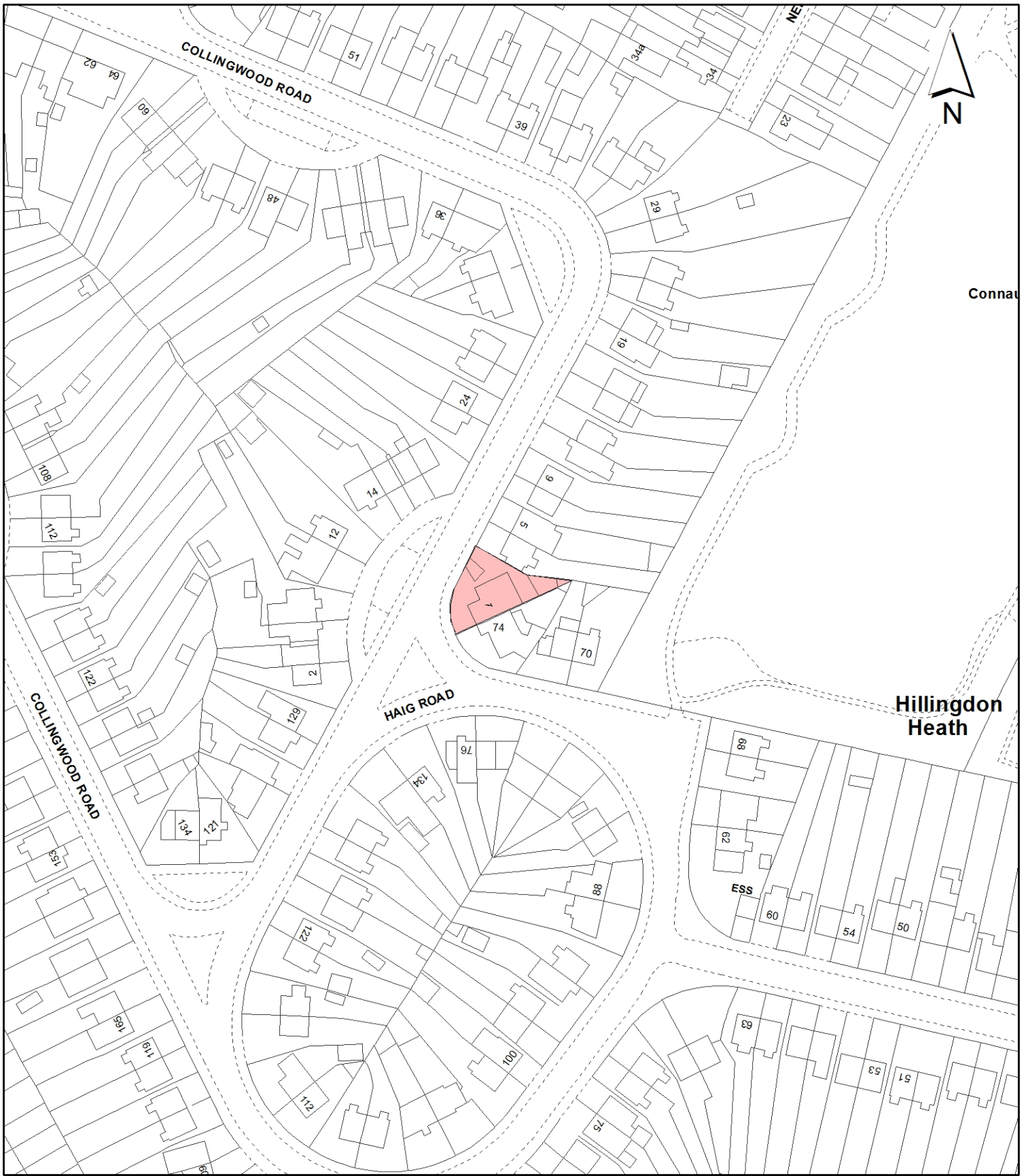
Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

Supplementary Planning Guidance Houses in Multiple Occupation and other non-self contained housing (2004)

Contact Officer: Cris Lancaster

Telephone No: 01895 250230



Notes:

 Site boundary

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LONDON BOROUGH OF HILLINGDON
 Residents Services
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:

57541/APP/2016/2713

Scale:

1:1,250

Planning Committee:

Central & South

Date:

March 2017



HILLINGDON
 LONDON