

## Report of the Head of Planning, Sport and Green Spaces

**Address** 86 HARLINGTON ROAD HILLINGDON

**Development:** Change of use from Class C3 dwellinghouse to a 4-bed HMO. (House of Multiple Occupation).

**LBH Ref Nos:** 25724/APP/2017/3067

**Drawing Nos:** GSB/86/2017/PARK  
GSB/86/2017/HMC

**Date Plans Received:** 22/08/2017                      **Date(s) of Amendment(s):**

**Date Application Valid:** 31/08/2017

### 1. **SUMMARY**

The application seeks planning permission for the change of use from a single dwelling house (Use Class C3) to a 4-bed HMO. There are no registered HMOs within a 100 metres distance of the application property, and this proposal would not therefore constitute an over-concentration of HMO or sui generis uses in the area in accordance with the Interim Planning Policy Document. The proposal would provide an internal floor area and facilities and outdoor amenity space to comply with the Council's guidance.

### 2. **RECOMMENDATION**

**APPROVAL subject to the following:**

#### 1            COM3            **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            COM4            **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, numbers:-

GSB/86/2017/PARK;

GSB/86/2017/HMO;

and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

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

#### 3            NONSC            **Non Standard Condition**

Before the development hereby permitted commences a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
  - 2.a Refuse Storage
  - 2.b Cycle Storage for 3 Bicycles
  - 2.c Means of enclosure/boundary treatments
  - 2.d Car Parking Layouts including 3 car spaces (each 4.8m long x 2.4m wide)
  - 2.e Hard Surfacing Materials

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (2016).

#### **4 NONSC Non Standard Condition**

The property shall only be used on the basis of multiple occupation with shared facilities and no more than 4 bedrooms. Not more than 4 persons shall occupy the premises at any time.

REASON: To ensure the development would not result in an unacceptable degree of intensification, which could result in an increase in noise and disturbance, in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012) and the Council's Supplementary Planning Guidance: Houses in Multiple Occupation 2004.

#### **5 NONSC Non Standard Condition**

Before the development hereby permitted commences an HMO Site Management and Supervision Plan shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented 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 2 Saved UDP Policies (Nov 2012) and the Council's Supplementary Planning Guidance: Houses in Multiple Occupation 2004.

#### **6 RES8 Tree Protection**

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or

development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **7 RES9 Landscaping (car parking & refuse/cycle storage)**

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

- 1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 2. Details of Hard Landscaping
  - 2.a Refuse Storage
  - 2.b Cycle Storage
  - 2.c Means of enclosure/boundary treatments
  - 2.d Car Parking Layouts (including demonstration that 5% of all parking spaces are served by electrical charging points)
  - 2.e Hard Surfacing Materials
  - 2.f External Lighting
  - 2.g Other structures (such as play equipment and furniture)
- 3. Living Walls and Roofs
  - 3.a Details of the inclusion of living walls and roofs
  - 3.b Justification as to why no part of the development can include living walls and roofs
- 4. Details of Landscape Maintenance
  - 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
  - 4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
- 5. Schedule for Implementation

6. Other

6.a Existing and proposed functional services above and below ground

6.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

**REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015).

**8 RES10 Tree to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

**REASON**

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

**INFORMATIVES**

**1 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 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.

I52

## **2 Compulsory Informative (1)**

The decision to APPROVE 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).

## **3 I53 Compulsory Informative (2)**

The decision to APPROVE 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.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
H7	Conversion of residential properties into a number of units
H10	Proposals for hostels or other accommodation for people in need of care
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 6.13	(2015) Parking

## **4**

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 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. This is a resubmission of a previously refused scheme, where the Officers Report identified issues to be addressed, which were reflected in the reasons for refusal, allowing the opportunity to address those issues within this submission.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application property comprises a two storey semi-detached house located on the

Western side of Harlington Road which lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). The site is located within an area covered by an Article 4 Direction that removes permitted development rights for the conversion of residential properties to Houses in Multiple Occupation without planning permission.

The property is one half of a pair of semi detached properties. In a short run of such properties, but these are also characterised by having a substantial tree belt at the front of the properties. There is a shared gated accessway running between 88 and 90 which is understood to give rear access to several of the properties.

### 3.2 Proposed Scheme

The application seeks planning permission for a change of use from dwellinghouse (Use Class C3) to a 4-bed House of Multiple Occupation (HMO) (Use Class C4).

### 3.3 Relevant Planning History

25724/78/1590                      86 Harlington Road Hillingdon  
Householder development - residential extension(P)

**Decision:** 08-11-1978    Approved

25724/APP/2016/4578            86 Harlington Road Hillingdon

Conversion of roofspace to habitable accommodation involving hip to gable end and rear dormer and change of use from dwellinghouse (Use Class C3) to house in multiple occupation

**Decision:** 03-03-2017    Refused

25724/APP/2017/910            86 Harlington Road Hillingdon

Conversion of roof space to habitable use to include a rear dormer, 3 front roof lights and conversion of roof from hip to gable end (Application for a Certificate of Lawful Development for Proposed Development)

**Decision:** 19-04-2017    Approved

#### Comment on Relevant Planning History

25724/APP/2017/910 - Conversion of roof space to habitable use to include a rear dormer, 3 front roof lights and conversion of roof from hip to gable end (Application for a Certificate of Lawful Development for a Proposed Development). Approved

25724/APP/2016/4578 - Conversion of roofspace to habitable accommodation involving hip to gable end and rear dormer and change of use from dwellinghouse (Use Class C3) to house in multiple occupation was refused for the following reasons:

1. The roof alteration/extensions, by reason of the hip to gable end roof design and the size, scale, bulk, and design of the rear dormer window would fail to harmonise with the architectural composition of the original semi-detached dwelling, would be detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part

One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2.The applicant has not demonstrated that sufficient off street parking and cycle parking would be provided, which would be contrary to the Councils approved car parking standard, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to Policy AM14 of the of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and to Hillingdon's Adopted Parking Standards.

#### **4. Planning Policies and Standards**

##### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
H7	Conversion of residential properties into a number of units
H10	Proposals for hostels or other accommodation for people in need of care
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 6.13	(2015) Parking

#### **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- Not applicable

#### **6. Consultations**

##### **External Consultees**

4 neighbouring properties were consulted by letter dated 4.9.17 and a site notice was displayed to the front of the site which expired on 4.10.17

5 letters of objections including representation from the ward Councillor have been received raising the following issues:

- concerns about the failure of the applicant to address the shared ownership of the access driveway to serve the parking spaces;
- concerns in relation to the potential loss of trees;
- car parking space" at the rear of the property is NOT legally the applicant's property to lay claim to or to utilise for his own use;
- the proposal would prevent access into neighbouring properties/garages;
- concerns relating to construction impact;
- concerns relating to the property becoming a HMO and the overspill from the use;
- the loss of a family home is contrary to the Local Plan; and
- concerns relating to anti-social behaviour due to a transient population.

Officer note: The application red edged site area does not include the area of driveway referred to by the neighbours and as such the ownership certificate submitted with this application is considered to be correct. The access to the proposed parking spaces is addressed in the Parking section below.

### **Internal Consultees**

Landscape Officer - This site is occupied by a two-storey mid-terrace house on the West side of Harlington Road. The houses on this side are set well back from the road and in this case, the house is well screened from the road by a group of trees - horse chestnut and sycamore - seen on the front boundary. The trees are protected by TPO 520 (G1 on the schedule). COMMENT No trees will be removed to facilitate the development. The car parking will remain close to the front of the building. If the application is recommended for approval, the trees should be protected from any indirect consequences of the change of use and external amenity should be provided and maintained for the residents. RECOMMENDATION No objection subject to conditions RES8, RES9 (parts 1, 2, 4 and 5) and RES10.

Highways (Summary) - The proposal involves changing the use of the existing 4b dwelling and using the building as an HMO with 4 bedrooms. On this basis the Council's policy is 1 car parking space per 2 habitable rooms which I presume in this case means 4 rooms and 2 car parking spaces. The proposal includes 3 on-site car parking spaces.

The proposal does not contain any secure covered cycle parking spaces but this can be conditioned.

Housing Surveyor - I have read and understand the plans for the property known as 86 Harlington Road, Hillingdon. I have no comments to make on the application.

Access - I have considered the detail of this planning application and have no comments to make.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

#### Principle of Development

The site is located within an area covered by an Article 4 Direction that removes permitted development rights for the conversion of residential properties to Houses in Multiple Occupation without planning permission. The Council's 'Houses in Multiple Occupation in the Uxbridge South and Brunel Wards' Planning Policy Document recognises that higher education institutions and the student population form an important element of the community and the presence of a large student population contributes greatly to the social vibrancy of Uxbridge and the local economy.



The Council are committed to ensuring student needs are met and will continue to work with Hillingdon's higher education institutions in addressing student housing needs. However, it is also recognised that concentrations of student households, often accommodated in HMOs, can cause imbalances in the local community which can have negative effects. These negative effects can include a rise in anti-social behaviour, increases in crime levels, parking pressures, general increase in demand for local shops such as takeaway establishments, off licenses etc. It can also put pressures on family and starter housing as owner occupiers and buy to let landlords compete for similar properties.

It also has implications for non-students seeking accommodation in the private rented sector. The introduction of the Article 4 Direction to remove permitted development rights for the conversion of properties enables future monitoring of the spatial distribution and impacts of student housing and other HMOs. It allows the Council to identify if it is necessary to prevent an increase in the number of student households and other HMOs in certain areas to ensure communities retain a satisfactory mix of households.

Policy HM1 The Council's 'Houses in Multiple Occupation in the Uxbridge South and Brunel Wards' Planning Policy Document states that:

'Applications for the change of use from dwelling house (Use Class C3) to HMO (Use Class C4 and Sui Generis) will only be permitted where:

- It is in a neighbourhood output area where less than 20% of properties are exempt from paying council tax because they are entirely occupied by full time students or recorded on the Council's database as an HMO or benefit from C4/Sui Generis HMO planning consent or are known to the Council to be HMO's (based on the Council's annual survey data) or
- Less than 15% of properties outside Conservation Areas, or 5% in Conservation Areas, within 100 metres of a street length either side of an application property are exempt from paying council tax because they are entirely occupied by full time students or recorded on the Council's database as an HMO or benefit from C4/Sui Generis HMO planning consent or are known to the Council to be HMOs; and The accommodation complies with all other planning standards relating to car parking, waste storage, retention of amenity space and garages and will not have a detrimental impact upon the residential amenity of adjoining properties.'

The HMO Officer, has raised no concerns regarding the use of the property as a HMO and has confirmed that there are no other Registered HMO's within 100 m of the application site.

**7.02 Density of the proposed development**

Not relevant to the consideration of this application.

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

Not relevant to the consideration of this application.

**7.04 Airport safeguarding**

Not relevant to the consideration of this application.

**7.05 Impact on the green belt**

Not relevant to the consideration of this application.

**7.07 Impact on the character & appearance of the area**

The proposal does not involve any alterations to the external appearance of the property.

**7.08 Impact on neighbours**

A HMO allows between 3 and 6 unrelated individuals to live together sharing basic amenities such as a kitchen and a bathroom. The property would remain as a 4 bedroom

dwelling and therefore the numbers of residents is restricted. It is considered that the number of residents allowed within the modest sized dwelling would be no more than if a larger family were to occupy the dwelling and therefore there should be no more impact on neighbouring occupiers than what would reasonably be expected from a family of similar size. On balance it is considered that the change of use would not have an undue impact on existing residential amenity and that the proposal accords with Policy OE1 of the Hillingdon Local Plan, Part Two, Saved Policies (November 2012).

#### **7.09 Living conditions for future occupiers**

The issues are addressed in urban design section below.

#### **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. Section 4.7 within the SPG 'Houses in Multiple Occupation' offers the following advice in terms of parking for HMOs:

'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 site has a low PTAL rating of 2, therefore the occupants would likely rely on the use of vehicles as a mode of transport. The submitted plan indicates that two car parking spaces would be provided within the frontage and one space provided to the rear. It is however noted that access to these parking spaces is outside of the application red edged site area. The neighbour at Number 88 has highlighted that access to this very tight parking space would be over land which under shared ownership. Subsequent searches by the Council on the Land Registry show that this land is not registered to any owner and, as such, can be used for access.

The development includes three car parking spaces, which satisfy the above-mentioned standards. Provision of suitable cycle parking and bin storage facilities can be secured by way of a planning condition.

The proposed development would therefore satisfy Policies AM7 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012) and Hillingdon's Adopted Parking Standards.

#### **7.11 Urban design, access and security**

##### **INTERNAL FLOOR AREA**

The proposed development is seeking change of use to an HMO. The Houses in Multiple Occupation SPD (2004) sets minimum standards for bedrooms sizes and requires a minimum of 6.5-10 sq.m of internal space for a 1-person bedroom. The proposed development comprises 4 bedrooms. The bedrooms meet the specified standard. Furthermore a communal living/kitchen exceeding 10 square metres is provided and the rear garden exceeds the minimum garden area of 15 square metres/habitable room (60 square metres).

#### **7.12 Disabled access**

No accessibility issues raised.

#### **7.13 Provision of affordable & special needs housing**

Not relevant to the consideration of this application.

#### **7.14 Trees, landscaping and Ecology**

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. The house is well screened from the road by a group of trees - horse chestnut

and sycamore - seen on the front boundary. The trees are protected by TPO 520 (G1 on the schedule). The Council's landscape officer has indicated that the two parking spaces to the front of the site can be accommodated on the existing hardstanding to the front with appropriate landscaping conditions. The rear space would not affect the TPO trees.

**7.15 Sustainable waste management**

Not relevant to the consideration of this application.

**7.16 Renewable energy / Sustainability**

Not relevant to the consideration of this application.

**7.17 Flooding or Drainage Issues**

Not relevant to the consideration of this application.

**7.18 Noise or Air Quality Issues**

Not relevant to the consideration of this application.

**7.19 Comments on Public Consultations**

The comments are addressed in the sections above.

**7.20 Planning obligations**

Not relevant to the consideration of this application.

**7.21 Expediency of enforcement action**

Not relevant to the consideration of 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**

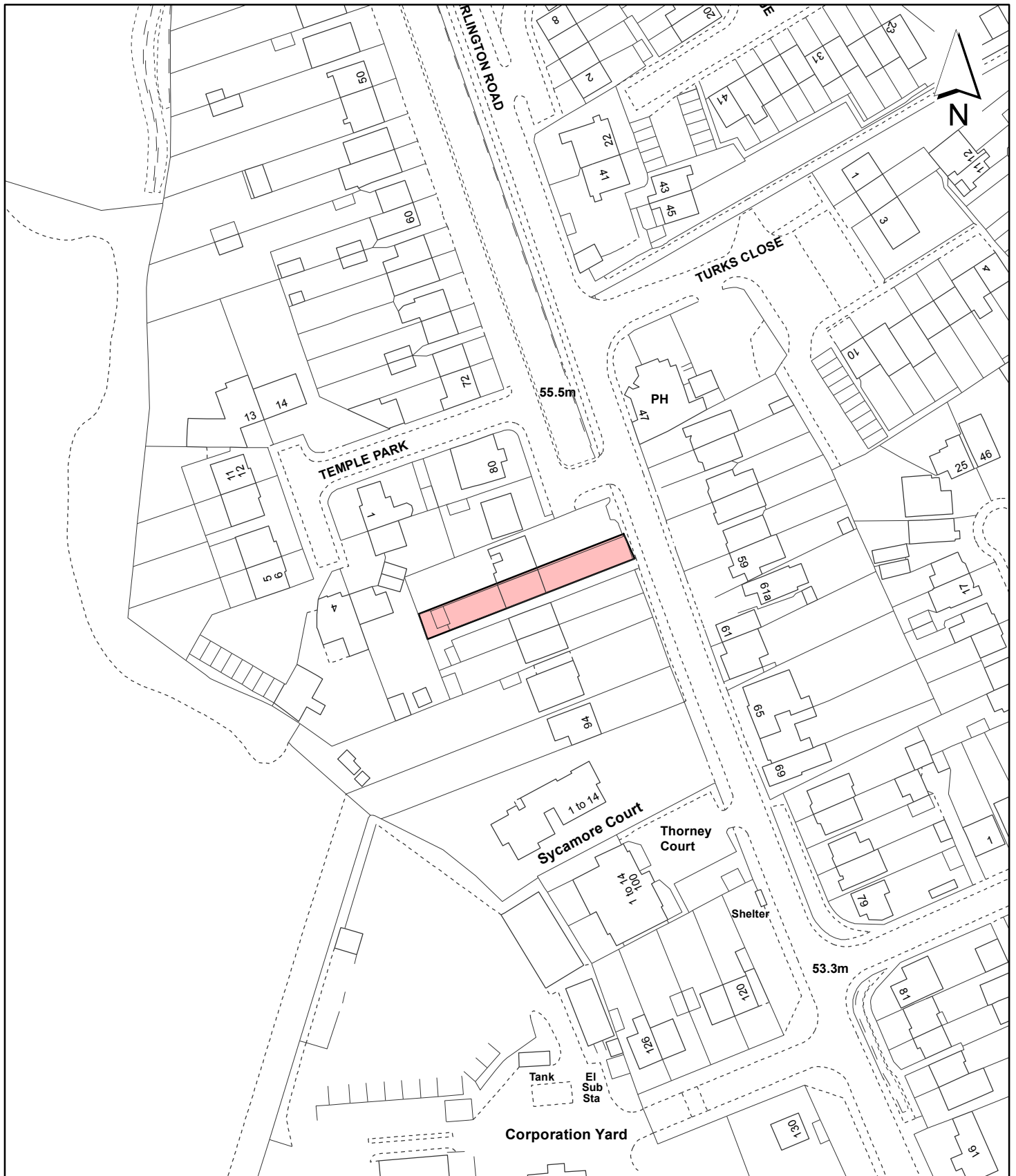
The application seeks planning permission for the change of use from single dwelling house (Use Class C3) to a 4-bed HMO. There are no registered HMOs within a 100 metres distance of the application property, and this proposal would not therefore constitute an over-concentration of HMO or sui generis uses in the area in accordance with the Interim Planning Policy Document. The proposal provides an internal floor area and facilities and outdoor amenity space to comply with the Council's guidance. The proposal includes an adequate quantum of off street car parking.


#### **11. Reference Documents**

Hillingdon Local Plan (November 2012);  
The London Plan (2016);  
National Planning Policy Framework;  
Hillingdon Supplementary Planning Guidance Houses in Multiple Occupation;  
Houses in Multiple Occupation in the Uxbridge south and Brunel wards.

**Contact Officer:** Nicola Taplin

**Telephone No:** 01895 250230



<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2013 Ordnance Survey 100019283</p>	<p>Site Address</p> <p style="text-align: center;"><b>86 harlington Road</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p><b>Residents Services</b></p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;"><b>25724/APP/2017/3067</b></p>	<p>Scale</p> <p style="text-align: center;"><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p style="text-align: center;"><b>Central and South</b></p>	<p>Date</p> <p style="text-align: center;"><b>December 2017</b></p>	



**HILLINGDON**  
LONDON