

## Report of the Head of Planning, Transportation and Regeneration

**Address** 4A NEW BROADWAY PARADE UXBRIDGE ROAD HILLINGDON MIDDLESEX

**Development:** Second floor extension and conversion of two storey HMO into 1 x 1-bed and x studio self contained flats

**LBH Ref Nos:** 30380/APP/2018/895

**Drawing Nos:** 18/4A/NBURU/103/C  
18/4A/NBURU/101/E  
Location Plan (1:1250)  
18/4A/NBURU/102  
18/4A/NBURU/101

**Date Plans Received:** 09/03/2018      **Date(s) of Amendment(s):** 09/03/2018

**Date Application Valid:** 03/04/2018      03/04/2018

### 1. SUMMARY

The application seeks planning permission for the erection of a second floor extension to allow for conversion of a two storey 5 bedroom House in Multiple Occupation (HMO) into 1 x 1-bed and 1 x studio self contained flats. The proposal is considered to have an acceptable visual impact, would not result in a loss of amenity to neighbouring properties and would provide an acceptable living environment to future occupants of the two flats. Furthermore, the proposal is considered acceptable in parking and highway terms. As such, the application is recommended for conditional 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 HO2 Accordance with approved**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:- 18/4A/NBURU/101/B and 18/4A/NBURU/103/C.

#### 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 HO4 Materials**

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

## REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### **4 HO5 No additional windows or doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls of the development hereby approved facing 3 and 5 New Broadway Parade.

## REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

## 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.

|          |   |
|----------|---|
| 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.                                  |
| OE5      | Siting of noise-sensitive developments  |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |
| HDAS-EXT | Residential Extensions, Hillingdon Design & Access Statement,   |

|         |   |
|---------|---|
| LDF-AH  | Supplementary Planning Document, adopted December 2008<br>Accessible Hillingdon , Local Development Framework,<br>Supplementary Planning Document, adopted January 2010 |
| LPP 3.3 | (2016) Increasing housing supply  |
| LPP 3.4 | (2015) Optimising housing potential   |
| LPP 3.5 | (2016) Quality and design of housing developments   |
| NPPF1   | NPPF - Delivering sustainable development   |
| NPPF6   | NPPF - Delivering a wide choice of high quality homes   |
| NPPF7   | NPPF - Requiring good design  |

### **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            12            Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

### **6            15            Party Walls**

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing

the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

**7 16 Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

**8 115 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](http://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.

**9 170 LBH worked applicant in a positive & proactive (Granting)**

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, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

**10 173 Community Infrastructure Levy (CIL) (Granting Consent)**

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London

Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at [planning@hillingdon.gov.uk](mailto:planning@hillingdon.gov.uk). The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

### **3. CONSIDERATIONS**

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

The application site is located within a parade of ten retail units (Nos. 1-10 New Broadway) on the North side of Uxbridge Road, Hillingdon. These form part of the Hillingdon Heath Local Centre, within the hierarchy of shopping areas as defined in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The property is currently occupied as a restaurant at ground floor and a vacant (5 bedroom) HMO at first and second floor. The property has been extended by a single storey rear extension and it is noted that the properties which flank the application site have undergone significant single storey rear extensions with flat roofs. This rear area is utilitarian, and some fenestration is presently missing.

#### **3.2 Proposed Scheme**

The application seeks planning permission for the erection of a second floor extension to allow for conversion of two storey HMO into 1 x 1-bed and 1 x studio self contained flats.

#### **3.3 Relevant Planning History**

30380/APP/2002/957      4a New Broadway Uxbridge Road Hillingdon

USE OF A HOSTEL WITH SIX BEDROOMS ON FIRST AND SECOND FLOORS (APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT)

**Decision:** 16-08-2002      GPD

30380/APP/2005/941      4 New Broadway Uxbridge Road Hillingdon

USE OF PART OF GROUND FLOOR (TAKEAWAY) AS MINI CAB OFFICE (APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT)

**Decision:** 31-05-2005      Refused

30380/APP/2007/449      4 New Broadway Uxbridge Road Hillingdon

CHANGE OF USE OF PART OF PREMISES FROM HOT FOOD TAKEAWAY TO A MINI-CAB OFFICE (SUI GENERIS).

**Decision:** 22-10-2007 NFA

30380/APP/2012/2101 4 New Broadway Uxbridge Road Hillingdon  
Erection of a single storey rear extension along with a metal gate for the side passage.

**Decision:** 05-10-2012 NFA

30380/APP/2012/2644 4 New Broadway Uxbridge Road Hillingdon  
Erection of a single storey rear extension along with a metal gate for the side passage.

**Decision:** 22-11-2012 NFA

30380/APP/2013/3535 4 New Broadway Uxbridge Road Hillingdon  
Erection of a single storey rear extension along with a metal gate for the side passage.

**Decision:** 05-12-2013 NFA

30380/APP/2013/3550 4 New Broadway Uxbridge Road Hillingdon  
Single storey rear extension and metal gate for the side passage (Part Retrospective)

**Decision:** 05-02-2014 Approved

30380/APP/2013/843 4 New Broadway Uxbridge Road Hillingdon  
Erection of a single storey rear extension along with a metal gate for the side passage.

**Decision:** 23-05-2013 NFA

30380/C/84/0098 4 New Broadway Uxbridge Road Hillingdon  
Change of use of shop to shop for sale of hot take away food.

**Decision:** 01-05-1984 Approved

30380/E/84/3027 4 New Broadway Uxbridge Road Hillingdon  
Advertisement (P)

**Decision:** 13-04-1984 Approved

30380/G/88/2585 4 New Broadway Uxbridge Road Hillingdon  
Erection of a single-storey rear extension to restaurant

**Decision:** 14-02-1989 Approved

### Comment on Relevant Planning History

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

##### **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.
- 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.
- OE5 Siting of noise-sensitive developments
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
- LPP 3.3 (2016) Increasing housing supply
- LPP 3.4 (2015) Optimising housing potential
- LPP 3.5 (2016) Quality and design of housing developments
- NPPF1 NPPF - Delivering sustainable development
- NPPF6 NPPF - Delivering a wide choice of high quality homes
- NPPF7 NPPF - Requiring good design

#### **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 5.4.18 and a site notice was displayed to the front of the site which expired on 7.5.18

By the close of the consultation period, no responses had been received.

Ward Councillor: Requests that the application is reported to Committee for consideration.

### **Internal Consultees**

Highways Officer:

The application site is located along the New Broadway Parade, a service road which links to the A4020 (Uxbridge Road). Within the vicinity of the site, the road benefits from pedestrian footway, street lighting and parking restrictions.

Proposals include a change of use from an existing HMO to 1 x 1-bed and 1 x studio self contained flats. The submitted application form makes no mention of existing parking provision serving the development site and none will be provided as a result of the proposed works. On this basis, I can only assume the site does not make use of parking provision.

Local Plan: Part 2 - UDP Policies (2012) requires the existing site to provide 2 (no) parking spaces with the proposed development equally requiring a requisite of 2 (no) spaces. Given that no increase in parking demand is to be associated with the proposal and that the parking requirement is like-for-like compared to that currently associated with the site, I do not deem this application detrimental to the safety and convenience of the highway network.

Mindful of the above, I do not have any objections to this application from a highways perspective.

## **7. MAIN PLANNING ISSUES**

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

The application site lies within the Developed Area as such, there would be no objection in principle to the intensification of the residential use of the site, providing that it accords with all relevant planning policies.

### **7.02 Density of the proposed development**

Paragraph 4.1 of HDAS Residential Layouts specifies that in new developments numerical densities are considered to be more appropriate to larger sites and should not be used in the assessment of schemes of less than 10 units, such as this proposal. The key consideration is therefore whether the development sits comfortably within its environment rather than a consideration of the density of the proposal.

### **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 NPPF (2012) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails



to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'. In addition, Policy BE13 of the Hillingdon Local Plan (November 2012) acknowledges that 'development will not be permitted if the layout and appearance fail to harmonise with the existing street scene'. The emphasis placed on the impact of a development upon the character of the surrounding area is further emphasised under Policy BE19 of the Hillingdon Local Plan (November 2012), which recognises that 'The Local Planning Authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area'. Paragraph 4.14 of the Residential Layouts HDAS SPD specifies that developments should incorporate usable, attractively laid out and private garden space conveniently located in relation to the property or properties it serves. It should be of an appropriate size, having regard to the size of the dwelling and character of the area. Paragraph 4.27 of the HDAS SPD gives advice that building lines within a new development should relate to the street pattern of the surroundings whilst the height of the development is best determined by reference to the proportions, siting and lines of surrounding buildings.

The proposal involves the addition of a second floor extension above the existing first floor outrigger projecting 2m to form a bathroom for the proposed studio flat. The front elevation would remain the same as existing. The proposed extension to the rear is considered to relate satisfactorily to the architectural integrity of the host building and parade and would not have a negative impact upon the visual amenity of the site or the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **7.08 Impact on neighbours**

Policies BE20, BE21 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) give advice that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them, and the amenities of existing houses are safeguarded.

Policies BE23 and BE24 of the Hillingdon Local Plan (Part Two) stress the importance of new buildings and extensions providing adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also of those of the surrounding buildings, as well as protecting both parties privacy.

The proposed second floor extension would be entirely screened from the adjoining Number 5 by its own second floor addition. Number 3 and 3A has a first floor window which is obscure glazed facing the application site. It is considered that the additional second floor extension would not result in an unacceptable loss of light or outlook to the occupants of adjoining properties subject to the imposition of a condition preventing the insertion of side facing windows. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development in compliance with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and

access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. A one bedroom two person flat is required to provide 50 square metres of floor space and a studio flat is required to provide 37 square metres which the proposal complies with. Furthermore the habitable rooms would enjoy a satisfactory outlook in accordance with the requirements of Policy 3.5 of the London Plan (2016).

Policy BE23 of the Hillingdon Local Plan (November 2012) recognises that new residential buildings should 'provide external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings. The existing 5 bed HMO is not served by any outdoor amenity space and none is proposed to serve the 2 flats. Given that there is some flexibility in requiring outdoor amenity space to serve flats above shops and the existing non provision for the 5 bed HMO, it is considered unreasonable to refuse the application on the grounds of inadequate outdoor amenity space.

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers 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 AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

The application site is located along the New Broadway Parade, a service road which links to the A4020 (Uxbridge Road). Within the vicinity of the site, the road benefits from pedestrian footway, street lighting and parking restrictions. The submitted application form makes no mention of existing parking provision serving the development site and none will be provided as a result of the proposed works.

Local Plan: Part 2 - UDP Policies (2012) requires the existing site to provide 2 (no) parking spaces with the proposed development equally requiring a requisite of 2 (no) spaces. Given that no increase in parking demand is to be associated with the proposal and that the parking requirement is like-for-like compared to that currently associated with the site, the proposal would not be detrimental to the safety and convenience of the highway network in accordance with policies AM7 and AM14 of the Hillingdon Local Plan - 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 accessibility issues are raised.

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

Not relevant to the consideration of this application.

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

Not relevant to the consideration of this application.

#### **7.15 Sustainable waste management**

No issues raised.

#### **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**

Noise

The site is in an area where development is likely to be subject to road traffic noise and noise from the various surrounding commercial premises. Policy OE5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) prevents the siting of noise sensitive development, such as housing, in locations where the occupants may suffer from excessive noise or vibration.

Given the first and second floor already houses a residential use (HMO), the issue of noise and vibration is considered not to have a bearing on the enlargement of its floorspace.

#### **7.19 Comments on Public Consultations**

No comments have been received.

#### **7.20 Planning obligations**

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £35 per sq metre.

The scheme would be CIL liable. Presently calculated the amounts would be as follows:

LBH CIL £1,631.03

London Mayoral CIL £638.63

Total CIL £ 2,269.66

#### **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 relevant to the consideration of this application.

### **10. CONCLUSION**

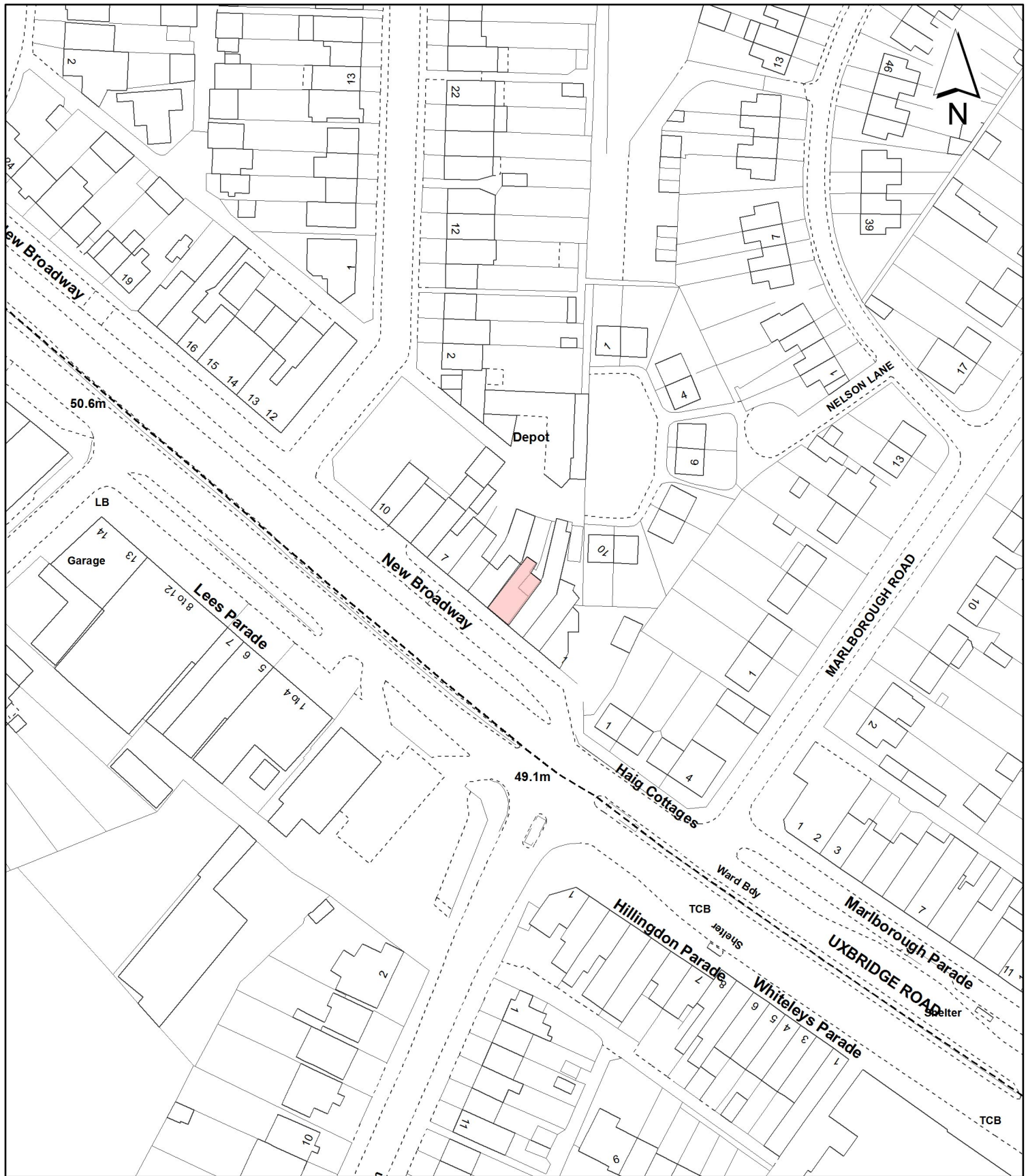
The application seeks planning permission for the erection of a second floor extension to allow for conversion of a two storey 5 bedroom House in Multiple Occupation (HMO) into 1 x 1-bed and 1 x studio self contained flats. The proposal is considered to have an acceptable visual impact, would not result in a loss of amenity to neighbouring properties and would provide an acceptable living environment to future occupants of the two flats. Furthermore, the proposal is considered acceptable in parking and highway terms. As such, the application is recommended for conditional approval.

## 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
The London Plan (2016)  
The Housing Standards Minor Alterations to The London Plan (March 2016)  
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)  
Hillingdon Design and Accessibility Statement: Residential Layouts  
Hillingdon Design and Accessibility Statement: Residential Extensions  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
National Planning Policy Framework

**Contact Officer:** Nicola Taplin

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

For identification purposes only.  
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Site Address:

**4A New Broadway Parade  
 Uxbridge Road  
 Hillingdon**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**30380/APP/2018/895**

Scale:  
**1:1,250**

Planning Committee:  
**Central & South**

Date:  
**July 2018**

