

Report of the Head of Planning & Enforcement Services

Address REAR OF 64-66 HALLOWELL ROAD NORTHWOOD

Development: Change of use of the existing ancillary outbuilding to 4 x 1-bed residential care units, to include alterations to elevation

LBH Ref Nos: 2200/APP/2011/2927

Drawing Nos: Noise Assessment
V1201-01 Rev. B
Location Plan to Scale 1:1250
Design and Access Statement

Date Plans Received: 01/12/2011 **Date(s) of Amendment(s):**

Date Application Valid: 09/12/2011

DEFERRED ON 26th April 2012 FOR SITE VISIT .

This application was deferred at the meeting of the 26th April 2012 for a site visit. Members visited the site on the 29th May 2012.

1. SUMMARY

The proposal involves the conversion of an existing outbuilding, previously used as a kitchen, laundry and storage facility in connection with the main use of the site as a care home, to provide an extension to the care home in the form of four further units, each comprising a sleeping area, living area and en-suite facilities.

There are no extensions proposed to the existing built development on the site and the alterations to the fenestration details are considered in-keeping with the building to which they would relate.

It is considered that the addition of four units is unlikely to have a significant additional traffic or parking impact on the surrounding area sufficient to warrant the refusal of planning permission on these grounds alone.

Due to the noise disturbance that could be experienced by the occupants from the adjoining railway and the additional activities that would be generated in association with the use the submission of a noise assessment report (which was absent from the previous refused application), is considered critical to both determination of the application and a positive recommendation. The Council's Environmental Health Officer has reviewed the contents of the noise report submitted with the current application and considers the conclusions contained therein to be acceptable.

The applicant has been able to satisfactorily demonstrate how the development will safeguard the amenities of both the future occupants of the development and of the nearby residential occupiers and thus the proposal would comply with policies OE1 and OE5 of the UDP (Saved Policies September 2007). On this basis therefore the proposal is 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 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 [Drawing No. V1201/01 Rev B] and including the reduction in the number of bedspaces within the main building 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 Unitary Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

3 D11 Restrictions on Changes of Uses

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, the accommodation hereby approved shall be used only in conjunction with the main building (64-66 Hallowell Road) for purposes within Use Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) and shall not be used as separate units of accommodation.

REASON

In accordance with the terms of the application and to prevent a separate and intensified use of the site detrimental to the amenities of the adjoining residents.

4 NONSC Non Standard Condition

The development shall not begin until a specification for acoustic fencing along the boundary with 62 Hallowell Road has been submitted to and approved in writing by the Local Planning Authority. The approved fencing scheme shall include such combination of measures as may be approved 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 of the Hillingdon Unitary Development Plan.

5 B21 Noise Insulation of Residential Development

The noise mitigation measures with regard to glazing specification described in the submitted Noise Assessment carried out by Clover Acoustics, dated 6th June 2011, shall be implemented before occupation of the development and thereafter retained.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by traffic noise.

6 NONSC Non Standard Condition

The development shall not commence until details/specification of how residents of the proposed units will communicate with/call for assistance from staff within the main

building, including details of the method of communication and noise assessment of any equipment used, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme, shall thereafter, 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 of the Hillingdon Unitary Development Plan.

7 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in 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 in the next planting season

with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 TL7 Maintenance of Landscaped Areas

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

INFORMATIVES

1 I1 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

2 I2 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 will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

3 I3 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

4 I5 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 Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

5 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.

6 115 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 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.

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With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Contact Thames Water on 0845 850 2777.

Recent legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes shared with neighbours, or are situated outside of the property boundary which connect to a public sewer are likely

to have transferred to Thames Water's ownership. Should the proposed building work fall within 3 metres of these pipes it is recommended to contact Thames Water to discuss their status in more detail and to determine if a building over/near to agreement is required. Contact Thames Water on 0845 850 2777 or for more information visit their website at www.thameswater.co.uk.

With regard to water supply, this comes within the area covered by the Veolia Water Company. Contact Veolia at The Hub, Tamblin Way, Hatfield, Herts. AL10 9EZ or telephone 0845 782 3333.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a three-storey residential care home, situated on the western side of Hallowell Road. The area is residential in character and the London Underground Metropolitan Line railway runs along the rear of the property. The site is large in relation to the neighbouring properties and contains a pair of large Victorian houses that have been converted into a care home. The site has been in this use for some time, with an established use certificate dating back to 1979.

The property is red brick, with much of the original detailing evident and from the street this appears unaltered. The property has been extended at the rear with a two storey extension projecting 19m from the original rear elevation of the building. To the front there are two vehicular accesses providing an in and out arrangement and the frontage has been laid to hardstanding, although it is not clear how many vehicles could be accommodated on this area or whether it is solely used for deliveries/collections.

The site is within the Old Northwood Area of Special Local Character as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies, September 2007).

3.2 Comment on Relevant Planning History

The site gained an established use certificate in 1979 for the use as a care home and has received various permissions over the years for extensions and alterations in connection with that use. It is noted from the Local Authority's Building Control records that the outbuilding (to which this application relates) was converted into a kitchen in 1996.

More recently, applications for the erection of a two storey rear extension (involving the demolition of the existing outbuilding to the rear) (Ref: 2200/APP/2005/2640) and for the erection of a part two storey, part single storey rear extension, involving the re-siting of an external stair case (and the demolition of the outbuilding to the rear) (Ref: 2200/APP/2006/2586), were both refused for the following reasons:

1. bulk and excessive depth of extension;
2. over bearing and unneighbourly;
3. reduced external amenity area;
4. overlooking.

The current application is a resubmission of a previous application for conversion of the outbuilding (Ref: 2200/APP/2011/159), refused in April 2011 for the following reasons:

1. In the absence of a noise report (addressing noise disturbance from adjoining railway

land) the application has failed to demonstrate that the development will safeguard the amenities of the future occupiers of the development. The proposal is therefore contrary to policy OE5 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

2. The proposed development by reason of the additional residential units located in a detached position at the end of the rear garden and due to the activities generated in association with that proposed use, would result in a material increase in noise and disturbance to nearby residential properties. As such, the development would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. The proposal is therefore contrary to policy OE1 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

3.3 Relevant Planning History

2200/APP/2005/2640 Abbeyfield Residential Care Home 64-66 Hallowell Road, Northwood
ERECTION OF TWO STOREY REAR EXTENSION (INVOLVING DEMOLITION OF EXISTING REAR OUTBUILDING)

Decision: 23-08-2006 Refused

2200/APP/2006/2586 Aronmore Care Home 64-66 Hallowell Road Northwood
ERECTION OF A PART FIRST FLOOR, PART TWO STOREY AND PART SINGLE STOREY REAR EXTENSION, INVOLVING THE RESITING OF AN EXTERNAL STAIRCASE (INVOLVING THE DEMOLITION OF AN EXISTING REAR OUTBUILDING AND EXTERNAL STAIRCASE)

Decision: 21-11-2006 Refused

2200/APP/2011/159 Rear Of 64-66 Hallowell Road Northwood
Change of use of ancillary building to 4 no. residential units.

Decision: 12-04-2011 Refused

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:

- BE5 New development within areas of special local character
- 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.
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.
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
OE5	Siting of noise-sensitive developments
H10	Proposals for hostels or other accommodation for people in need of care
R16	Accessibility for elderly people, people with disabilities, women and children
AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 5.3	(2011) Sustainable design and construction

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

9 adjoining and nearby occupiers consulted: Two replies received objecting to the proposal on the following grounds:

1. Increase in residents will have knock on effects in increased traffic/parking in the street which is getting considerably worse;
2. Owners have moved the kitchen into the main building and the launderette into a small external building. Why move operations that were already suited for an ancillary building?
3. Opportunity to demolish and rebuild once the change of use is granted/possible extension (connecting passageway) to the main building;
4. Elderly, infirm care residents should not be living at the rear of a property due to isolation,

warmth, emergencies, disruption to neighbours, weather conditions forcing them to stay put or slip and injure themselves, noise from trains, health & safety issues;

5. The change of use will increase the extent to which gardens/neighbours are overlooked (invasion of privacy);

6. Development within the conservation area (Area of Special Local Character) has led to local roads being full of parked cars during the day. The Young Peoples Centre attracts extra cars at certain times and no doubt the extra residents will have additional visitors/food deliveries and waste collections;

7. Precedent of allowing residential dwellings at the rear of properties (the 1960s extension already constitutes a massive overdevelopment of the site);

8. Expansion of existing activities is clearly for profit when existing property still requires attention, especially the roof;

9. Variety of noises emanating from there are/would be negligible and not prevented by an acoustic fence (majority of noise is from house) as wall is already 8-10 feet from other side;

10. Increase in light pollution for safety reasons (house is currently overwhelmed with light coming from the care home);

In addition, a petition against the proposal (signed by 25 local residents) has been received objecting to the proposal on the following grounds:

1. Unneighbourly, overdeveloped, loss of amenities (noise, light, use of services, parking);

2. Loss of privacy to gardens - unneighbourly and thus contrary to Policy OE1;

3. Noise & other disturbances from existing use/property in state of disrepair;

4. Plans not correct (office/kitchen and laundry moved);

5. Care of elderly residents in ancillary building, detached and independent of main building would raise issues of how this was implemented;

6. Property overdeveloped to rear may be in breach of existing covenant/previous applications refused/change of use of outbuilding would impact on local community in an ASLC.

Northwood Residents' Association: No comments received.

Northwood Conservation Area Panel: No comments received.

Ward Councillor: Supports the objections of the residents and requests that the application is considered by committee.

Thames Water Utilities: with regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes shared with neighbours, or are situated outside of the property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should the proposed building work fall within 3 metres of these pipes it is recommended to contact Thames Water to discuss their status in more detail and to determine if a building over/near to agreement is required.

Internal Consultees

Trees and Landscape Officer:

No objection, subject to the following considerations and conditions TL5, TL6 and TL7.

- no trees or other landscape features of merit will be affected by the development and the proposal will not be visible from Hallowell Road or any other public view point except the rear of the buildings which face the Metropolitan Line railway at a lower level;
- the main opportunity for landscape enhancement is in the front garden where the institutional appearance of the building within an otherwise residential street could be softened with supplementary planting;
- in addition to improving the appearance of the site from the public realm, appropriate ornamental planting would benefit the outlook for residents of the home;
- a landscape management/maintenance plan should be submitted to ensure that the landscape is established and maintained in accordance with good practice.

Access Officer:

Plan submitted indicates that the bathrooms would be designed with suitable fixtures and fittings to facilitate an ambulant disabled person. Whilst the provision of a fully accessible bathroom (designed in accordance with BS 8300:2009) would normally be required in such situations, it is recognised that to incorporate such provision within the existing structure would result in a reduced number of bedrooms. To require an enlarged bathroom would result in the remaining bedroom space becoming unusable. Having considered the detail contained in the Design & Access Statement and the premises current use as a residential care home, no accessibility alterations are required.

Urban Design & Conservation Officer:

There are no changes proposed to building and as such the change of use would have no impact on the Area of Special Local Character.

Environmental Health Officer:

No objection subject to a condition requiring implementation of the noise mitigation measures set out in applicant's noise report with respect to glazing configurations, and a suitably worded condition which references the approved glazing specification as submitted and a condition relating to acoustic specification fencing to the boundary with No. 62 Hallowell Road.

Highways Engineer:

Hallowell Road is a residential area that is accessed from Green Lane, and High Street, Pinner and is benefiting from parking management and parking restriction. Currently the kitchen and ancillary building is located at the rear of the existing residential care home and the proposal is to change the use of ancillary building into 4 units, with some minor internal amendments to the building. It is not considered that the addition of four units will have significant traffic/parking impact on the surrounding area.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Planning permission is sought for the conversion and alteration of an existing outbuilding at the rear of the site to provide residential units in addition to the accommodation provided within the main building, which is an established care home that currently caters for 27 residents.

The proposed change in use of the outbuilding will provide 4no. suites for supported living rather than residential care. The number of bedspaces in the main building will, however, decrease from 27 to 25 (through replacement of shared rooms with single en-suite rooms,

although this in itself does not require planning permission). As such with the alteration to the internal layout of the main building and the change of use of the outbuilding there will be a net increase on the site of 2 bedspaces/persons.

There are currently 15 full time members of staff, of which only two utilise cars, one required by a night shift worker on two days a week.

As there will only be a net increase of 2 beds on site, and those two beds will be on the basis of close care units as opposed to residential care the increase in the staff team will be negligible. The applicant states that one additional member of staff would be on duty during the day, on the basis of key periods during the day only i.e early morning, and late evening, similar to the service provided by domiciliary care agencies.

The applicant has further advised that many of the residents come from the local community, as such visitors tend to visit from the local community and walk to site when visiting, although the majority of residents do not receive visitors. The average number of visitors for the four week period between 16th February 2012 and 14th March 2012 was 4 on weekdays and 5 (during weekends). These visitor numbers include medical practitioner's visits, social service visits and third party maintenance personnel visits.

The only additional users of the site would be in respect of two bulk deliveries to the home each week and two waste removal visits to the site each week.

The previous use of these buildings included kitchen facilities, laundry and offices and therefore they generated activities between the building and the care home itself. Given the site location within a residential area, the previous ancillary use of the existing buildings and the minimal internal changes to the outbuilding required, the principle of conversion is acceptable.

However, this is properly assessed by a consideration of the standard of living conditions of the future occupants and the potential impact on the current amenities of adjoining occupiers. Thus, given that the building already exists and is proposed to be used in conjunction with the existing use on the site, the principle of the use is considered acceptable.

7.02 Density of the proposed development

Not applicable to this application.

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

Policy BE5 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007) states that all proposals should harmonise with the materials, design, style and building heights predominant in the area.

The proposed conversion and change of use would not involve any changes to the size or bulk of the existing outbuilding, and only minimal alterations to the fenestration details facing the main care home would be made. In the absence of significant changes to the external appearance, the Council's Urban Design & Conservation Officer has raised no objection in principle to the use of the outbuilding which forms part of and is considered to harmonise with the built character of the area as a whole which would thus not be affected.

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

Policies BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007) consider the impact of proposals and whether they harmonise with the existing street scene, with the original building in terms of scale, form and proportions, and thus complement the amenity and character of the surrounding residential area as a whole.

The proposal would involve the conversion of an existing outbuilding within the curtilage of the residential care home to provide 4 additional units. The building is situated at the rear (western) boundary of the application site with the London Underground Metropolitan Line railway.

The proposal involves the conversion of an existing out building at the rear of the site previously used as a kitchen, laundry and storage facility in connection with the main use of the site. This would not involve any changes to the size or bulk of this building and only minimal alterations to the fenestration details facing the main building. As such, it is considered the proposal would not have a material visual impact on the surrounding area and therefore would comply with Policies BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007).

7.08 Impact on neighbours

Hillingdon Unitary Development Plan Saved Policy BE19 requires that new development in residential areas complements or improves the amenity and character of the area. Policy BE21 seeks to safeguard residential amenities by preventing buildings or extensions which by reason of their siting, bulk and proximity would result in a significant loss of such amenity. Policy BE24 states that the development should be designed to protect the privacy of future occupiers and their neighbours. The Hillingdon Design and Accessibility Statement (HDAS) provides further guidance in respect of these matters, stating in particular that the distance between habitable room windows should not be less than 21m with a 3m area of rear private amenity space.

Policy OE1 states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties whilst Policy OE3 deals with development of buildings or uses which have the potential to cause noise annoyance.

It is considered the outbuilding is existing and therefore would not change the bulk and layout of existing built development on the site. Furthermore, as it is single storey and any overlooking concerns could be dealt with by a screen fence condition and therefore it is considered that the proposal would not have a material impact on the residential amenities of adjoining properties by way of loss of light, outlook or privacy sufficient to warrant the refusal of planning permission. As such, the proposal is considered to comply with Policies BE19, BE20, BE21 and BE24 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007).

The site comprises an established residential care home, the principal activities for which take place in the main building. It is considered, however, that due to the detached location of these new units and their position in relation to the neighbouring properties, the activities generated within and outside them could have the potential to result in increased noise and disturbance to adjoining properties.

The applicant has confirmed that part of the building was used as a kitchen with

associated refrigeration and cold storage that employed a cook and a cook's assistant between 8.00am and 4.00pm each day whilst also taking several bulk deliveries per week. A manager and a full time administrator also worked out of an office from 8.00am to 5.00pm Monday to Friday and small daily meetings with staff, service uses and families also took place there. There was a laundry employing two laundry assistants between the hours of 8.00am and 3.00pm Monday to Saturday with one laundry assistant between 8.00am and 1.00pm on Sundays and involving several bulk deliveries per week. There were also two storage rooms associated with the home which again received bulk deliveries during a typical week.

In summary between Monday and Friday the building had 6-7 people working in it, with 4 on Saturday and 3 on Sunday in addition to the frequent visitors coming to collect the range of goods stored and also the prepared food. These various ancillary activities were progressively moved from this building because of the inefficiencies of housing the kitchen and laundry here and then having to take food and linen through the open and back into the main house. The regulator for the care home industry had concerns about food being taken through the open air to its destination whilst the operator concluded that the location of these ancillary services was not efficient for the home and made it harder to manage the functions of the home.

In contrast to the movement and activities inevitably associated with these previous uses, the applicant has identified that the proposed use would introduce different activities with significantly less noise and disturbance. The proposed use will provide accommodation across four units with residents living with some independence whilst taking advantage of the facilities offered in the main house.

Furthermore, the distances involved between this building and the rear of Nos. 62 and 68 Hallowell Road is such that any impact on amenity will be minimal. In the circumstances, the creation of a lawned area immediately in front of the building would not alter how the existing lawned area is used during good weather.

Whilst the existing two storey rear extension to the main house effectively screens the western end of the site from No. 68, thus also making any potential noise disturbances less apparent or intrusive as they are disassociated from specific activities, the applicant has nonetheless agreed to provide mitigation in the form of an acoustic specified fence to be erected along the full length of the rear garden boundary with No. 62 Hallowell Road. Such an approach is considered acceptable by the Council's Environmental Health Officer.

On this basis, the residential amenities of the nearby properties would be safeguarded at a level they could reasonably expect to enjoy and therefore the proposal is considered to accord with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.09 Living conditions for future occupiers

Policy OE5 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007) considers proposals for noise sensitive developments in terms of the impact on the living conditions of future occupants.

The applicant's noise report submitted with this application describes the noise monitoring techniques used and recommends mitigation in the form of a double glazing specification to the front of the units. Further internal acoustic treatment is possible such as plasterboard to improve the sound insulation of the new units. The Council's

Environmental Health Officer has accepted these findings and is satisfied that any external noise, notably from the railway line, will not be sufficient to preclude conversion of the building for the purposes of providing habitable living accommodation.

The proposal, subject to the acoustic measures described, would therefore conform to the requirements of UDP Saved Policy OE5 in this regard.

7.10 Traffic impact, car/cycle parking, pedestrian safety

This application relates to the re-submission of an identical previously refused application, in which the Highway Engineer considered, that on street parking in Hallowell Road is unrestricted and the highway is saturated with parked vehicles on both sides. The existing dwelling is currently used as a nursing home with 23 rooms and internal re-arrangements to convert shared rooms into single rooms plus the conversion of the rear ancillary building into four studio units will therefore increase the number of rooms on the whole site to 29. However, the number of bedspaces/ resident persons will only increase by two. The creation of four new residential units, with a resultant net increase on the site of two persons is unlikely to have a significant traffic or parking impact on the surrounding area. Consequently no objection is raised on the highways aspects and therefore the proposal would be in accordance with policies AM7 and AM14 of the UDP (Saved Policies September 2007).

7.11 Urban design, access and security

A design and access statement has been provided with the application and the plans indicate a number of accessible features. It is therefore recommended should permission be granted that an informative is added stating the development would need to be constructed in accordance with Part M of Building Regulations.

7.12 Disabled access

Policy AM13 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007) seeks to ensure that proposals for development increase the ease and spontaneity of movement for the elderly, frail and people with disabilities by including where appropriate measures to incorporate their needs.

The Council's Principal Access Officer has confirmed that given the nature of the use of the site and the limited space possible within these converted units, the provision of enlarged accessible bathrooms to meet the normal standards for accommodation that could potentially be occupied by disabled persons in the future would be impracticable.

There are no other specified access or internal layout changes sought, however, the bathrooms are suitably fitted, doors of an appropriate width and entrances level in addition to which Part M of the Building Regulations would apply. In so far as these adaptations that can be provided are incorporated therefore the proposal accords with the aims of Policy AM13 in this regard.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Unitary Development Plan 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.

There are no proposals to remove any significant existing landscape features, however, the existing lawn would be extended which may involve the removal of part of a short hedge in front and the Council's Landscape Officer has identified other opportunities, notably at the front of the main building site to improve the visual appearance of the site

from the street. These aspects can satisfactorily be controlled by means of landscaping conditions that require detail on the retention of existing features, new planting and hard landscaping proposals as part of a landscape scheme for the whole site, when this scheme was to be implemented and how the new planting would be maintained. Accordingly, the proposal does not raise any conflict with Policy BE38.

7.15 Sustainable waste management

There are no new issues of waste management raised by the proposal, this aspect of the current residential use of the main building being carried on under the existing arrangements for collection, storage and disposal of domestic and recycling waste which are under constant staff supervision.

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 of noise and disturbances generated by the occupants of the new residential units, and of the noise levels currently experienced on the site to which they would be subject are covered under the separate headings of impact on neighbours and living conditions found earlier in this report.

There have been no particular concerns identified regarding general air quality issues on this site and the location of the new residential accommodation is some distance to the rear of the main building thus not likely to threaten the continued good health of future occupants due to proximity to vehicle emissions from the street.

7.19 Comments on Public Consultations

The comments received from local residents fall into four main areas of concern: the impact on existing amenities; the activities within the site; the effect on the area in terms of traffic/parking and possible future expansion.

There is no indication that any of the current activities or those of future occupants of the new units associated with this residential care home would be any different to what you might reasonably expect to find in a residential area. It is recognised that the main difference in this case is the position of the converted building on the site at the rearward end of the garden to the main building, but it is apparent that there are adequate measures proposed to satisfactorily limit noise transference both in to the units and beyond the site boundaries as far as necessary. With these controls in place, the general peaceful ambience of the surroundings should be maintained and potential intrusion from this source minimised.

The activities generated by the proposal would be no different from the existing use of the site, and wholly in keeping with the surroundings with most residents' activities continuing to take place indoors, and no noticeable change in how the garden would be used, in daylight and warmer months of the year, with only two more residents living on the site as a whole.

With no significant physical alterations proposed to the outbuilding itself, the potential effect on the surrounding area is limited to the number of comings and goings associated with the additional 2 residents and 1 more member of staff. At the current low rates of car usage indicated by the applicant however, there is unlikely to be any noticeable increase in the number of staff, delivery or visitor vehicle movements throughout the day or evening, to the detriment of highway safety or parking conditions in the locality as a result

of the proposal.

The future use of and any proposals to extend the existing buildings or other structures on the site would remain fully within the Council's control as planning permission would in most instances, save for refurbishment and some minor structures (including means of enclosure) be required.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

Policy OE5 of the UDP (Saved Policies September 2007) states, proposals for the siting of noise sensitive developments, where occupiers may suffer from noise or vibration will not be permitted in areas that are, or expected to become, subject to unacceptable levels of noise or vibration. Where development is acceptable in principle, it will still be necessary to establish that the development can be designed, insulated or otherwise protected from external noise and vibration nuisance.

The site shares its rear boundary with London Underground (Metropolitan) Line and an associated works compound. The Environmental Protection Unit have received a number of complaints regarding noise nuisance arising from this compound and on this basis it was therefore considered appropriate to ask for a noise assessment to establish if the premises can be adequately protected from future noise nuisance.

The survey information submitted by the applicant in a PPG24 Noise Assessment Report in respect of this issue demonstrates that the development will safeguard the amenities of the future occupiers. This takes into account the impact of rail traffic on internal areas and shows how the British Standard design criteria of 30dB_L for bedrooms (2300-0700 hrs.) and 35dB_L for living rooms (0700-2300 hrs.) can be achieved by glazing specification. As such, the proposal is considered to comply with policies OE5 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

Policy R10 of the UDP (Saved Policies September 2007) states, Local Planning Authorities will regard proposals for new buildings to be used for community and Health Services as acceptable in principle provided they comply with other policies in the plan. The proposal would not conflict with other policies and the proposal is thus considered to comply with Policy R10 of the UDP (Saved Policies September 2007).

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

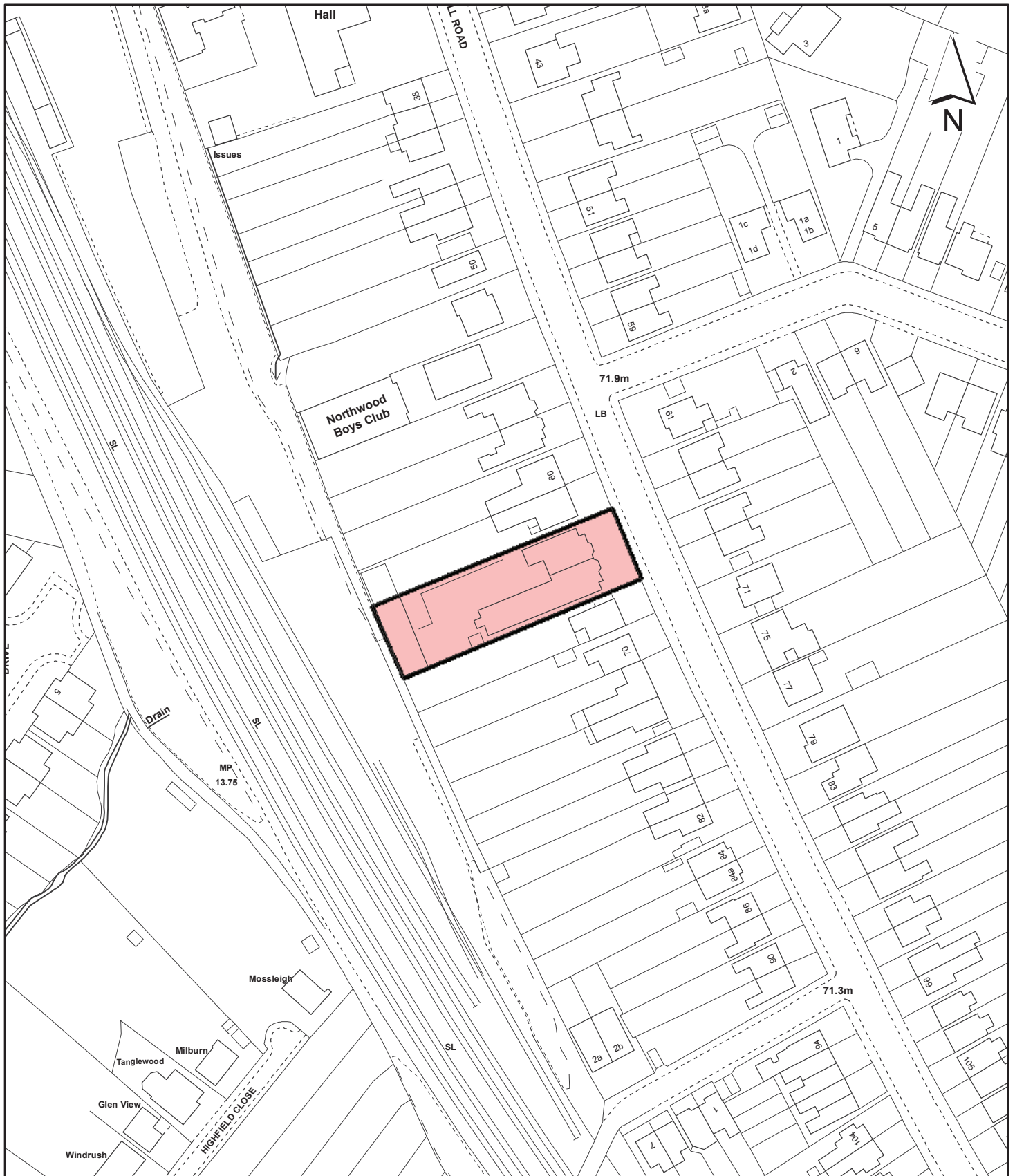
In conclusion, the proposal is considered to be acceptable subject to the necessary additional controls on the future use, layout and alteration of the building and in particular the noise mitigation measures suggested to minimise the potential for any disturbance to neighbouring occupiers arising directly from use of this outbuilding as habitable accommodation.

11. Reference Documents

Hillingdon Unitary Development Plan (Saved Policies September 2007).
Hillingdon Design and Accessibility Statement: Accessible Hillingdon (January 2010).
London Plan (July 2011).

Contact Officer: Daniel Murkin

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Notes

 Site boundary

For identification purposes only.

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Site Address

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**LONDON BOROUGH
OF HILLINGDON**
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& Community Services

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Telephone No.: Uxbridge 250111

Planning Application Ref:
2200/APP/2011/2927

Scale
1:1,250

Planning Committee
North

Date
**April
2012**



HILLINGDON
LONDON