

## Report of the Interim Director of Planning, Regeneration & Public Realm

**Address** DENVILLE HALL DUCKS HILL ROAD NORTHWOOD

**Development:** Demolition of no. 48 and no. 60 Ducks Hill Road, garage and wooden storage unit and the erection of three new buildings comprising of 12 assisted-living units (Class C2), proposed ancillary communal space, including cafe and restaurant, external connecting link building, landscaping and external works.

**LBH Ref Nos:** 924/APP/2022/3603

**Drawing Nos:** P\_GA (-4) 302.4  
P\_GA (-4) 303.1  
P\_GA (-4) 303.2  
P\_GA (-4) 303.3  
P\_GA (-4) 303.4  
P\_GA (-4) 302.3  
P\_GA (-4) 304.1  
P\_GA (-4) 304.2  
P\_GA (-4) 305.1  
P\_GA (-4) 305.2  
Site Investigation Report 10767/JW Rev C  
Air Quality Statement 25 November 2022  
GSP-2018-1161-1 FINAL  
Arboricultural Impact Assessment Rev D Nov 2022  
Energy Statment CBG consultants 22.11.2022  
Energy Statement Version 2 10407/005A11/L/  
1521-LSL-XX-XX-RP-C-FRA  
2022/5588 Heritage Impact Assessment  
Landscaping DAS  
Noise Assessment 09-21-88961 - AC - 1V1  
P\_DT (-23) 402  
P\_GA(-2)302.2  
P\_GA(-2)302.3  
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P\_GA (-2) 304.1  
P\_GA (-2) 304.2  
P\_GA (-2) 304.3  
P\_GA (-2) 304.4  
P\_GA (-2) 304.5  
P\_GA (-2) 304.6  
P\_GA (-2) 304.7  
Building A - Verified View and Method Statemer  
P\_GA (-4) 302.1  
P\_GA (-4) 302.2  
P\_GA (-2) 205.1  
P\_GA (-5) 202.1

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DH -10f - CGI  
DH -10g - CGI  
DH -10h - CGI  
1521-LSL-XX-XX-RP-C-SWS  
Sustainability Appraisal 17.11.2022  
Transport Assessment dated Nov 2022  
GHA/DS/122660:22  
P\_GA (-3) 302.1  
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DH -10c - CGI  
DH -10e - CGI  
DH -10k - CGI  
DH -10l - CGI  
DH -10m - CGI  
GLA Carbon Emission Reporting Spreadsheet  
MMEcology Dusk-Dawn Bat Survey Report October 2022  
10407/004a11/LA  
Planning Statement - Appendix 1 Pre-App Report  
MMEcology Preliminary Ecological Appraisal and Roost Assessment  
MMEcology Reptile Survey Report October 2022  
GA (-2) 101.3  
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GSL22105-400  
GSL22105-401  
GSL22105-301  
DH -10o - CGI  
DH -10p - CGI  
DH -10q - CGI  
Fire Safety Statement 1.1. 17 Nov 2022  
Areas & Uses Schedule  
Design and Access Statement November 2022  
Planning Statement - Denville Hall  
DH -10n - CGI  
Rev 02 - 2022.10.27 CMS  
DH-05a  
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DH-06a  
DH-06b  
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DH-08b  
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**Date Plans Received:** 25/11/2022

**Date(s) of Amendment(s):**

**Date Application Valid:** 05/12/2022

## 1. SUMMARY

Denville Hall is an existing retirement home (care home with nursing). The proposed development seeks permission to extend provision onsite through the demolition of two existing dwellings and the construction of three new buildings comprising 12 new C2 Use Class units and an ancillary restaurant/cafe/cinema.

The proposed use of the accommodation is considered to be acceptable given the site already benefits from C2 Use within other existing buildings on site, intensifying the amount of built form within the site to cater for 12 new units, which in turn frees up other housing within an important element of housing choice for Hillingdon's residents that allows older people who need care to remain in the borough.

The overall design and scale of the proposal is considered acceptable, making best use of a brownfield site in accordance with the principles of the London Plan. Moreover, the roof

design and materials respond to the constraints of the site which include the setting of the Locally Listed and Grade II Listed Buildings either within or close to the site boundary, help to reduce the perceived scale of the development and help to integrate the proposal with its surroundings. The design of the development is also considered to preserve the historic fabric of the aforementioned heritage assets.

The development would not lead to significant harm to neighbouring residential properties in terms of a loss of light, outlook or privacy, or an increased sense of enclosure, nor would the proposal significantly worsen air quality or noise conditions in the area, and parking provision is considered acceptable and proportionate to the scale of development

Overall, it is considered that the proposal would result in a number of significant benefits and generally accords with the development plan, and on this basis is recommended for approval subject to the conditions and planning obligations listed in this report.

## **2. RECOMMENDATION**

**That delegated powers be given to the Interim Director of Planning, Regeneration and Public Realm to grant planning permission, subject to the following:**

**A) That the Council enter into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) or any other legislation to secure the following:**

**i) Occupation restrictions and level of care to secure Use Class C2**

**ii) Air Quality Positive financial contribution of £9,784;**

**iii) A carbon offsetting contribution of £25,669 based on £95 per tonne over a period of 30 years, or a reduced figure if greater on-site carbon savings are shown to be implementable through an updated Energy Strategy;**

**iv) HUDU contribution of £6,487 towards healthcare facilities to support the additional population;**

**v) A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan will include targets for sustainable travel arrangements, effective measures for the ongoing monitoring of the Travel Plan, and a commitment to delivering the Travel Plan objectives. A £20,000 Travel Plan bond is also to be secured;**

**vi) Details shall be submitted for a Construction and Employment Training scheme in accordance with the Council Planning Obligations SPD with the preference being for an in-kind, on-site scheme to be delivered;**

**vii) To enter into a s278 agreement to secure highway works involved with the relocation of the the existing access entrance to the site and any works associated to the improvements required to facilitate the secondary entrance; and**

**viii) A financial contribution equal to 5% of the total cash contributions, for Project Monitoring and Management.**

**N.B. The payment of all financial contributions shall be made prior to**

commencement of development.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.

C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) That, if the Legal Agreement has not been finalised within 6 months (or such other time frame as may be agreed by the Interim Director of Planning, Regeneration and Public Realm), delegated authority be given to the Interim Director of Planning, Regeneration and Public Realm to refuse planning permission for the following reason:

'The applicant has failed to secure the necessary legal obligations associated with the proposed development and provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of Air Quality, Carbon Offsetting, HUDU Health Contribution, Travel Planning, Highways Works, Employment Strategy and Construction Training, and Project Management and Monitoring). The scheme therefore conflicts with Policies DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020); the adopted Planning Obligations Supplementary Planning Document (July 2014); Policy DF1 of the London Plan (March 2021); and paragraphs 54-57 of the National Planning Policy Framework (July 2021).'

E) That if the application is approved, the following conditions be imposed:

**1 COM3 Time Limit**

The development hereby approved 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 Approved Plans**

The development hereby approved shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

- GA (-2) 101.3
- P\_GA(-2)301.1
- P\_GA(-2)303.4
- P\_GA(-2)303.5
- P\_GA (-2) 304.1
- P\_GA (-2) 304.2
- P\_GA (-2) 304.3
- P\_GA (-2) 304.4
- P\_GA (-2) 304.5
- P\_GA (-2) 304.6
- P\_GA (-2) 304.7

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P\_GA (-3) 303.2  
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P\_GA (-4) 302.2  
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DH-02r1  
DH-03r2  
DH-05

REASON

In the interests of proper planning, and to ensure the approved development complies with the provisions of the London Plan (2021), the Hillingdon Local Plan: Part One - Strategic Policies (2012), and the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

**3 RES5 General compliance with supporting documentation**

The development hereby permitted shall not be occupied until the following has been

completed in accordance with the specified supporting plans and/or documents:

Areas & Uses Schedule

Design and Access Statement November 2022

Surface Water Drainage Strategy 1521-LSL-XX-XX-RP-C-SWS

Transport Assessment November 2022

GLA Carbon Emission Reporting Spreadsheet

Flood Risk Assessment 1521-LSL-XX-XX-RP-C-FRA

Sustainability Statement Version 2 10407/006a11/LA

Overheating Report Version 2 10407/004a11/LA

Heritage Impact Assessment 2022/5588

Arboricultural and Planning Integration Report GHA/DS/122660:22

Arboricultural Impact Assessment Rev D Nov 2022

Construction Method Statement Rev 02 - 2022.10.27 CMS

MMEcology Preliminary Ecological Appraisal and Roost Assessment

MMEcology Dusk-Dawn Bat Survey Report October 2022

MMEcology Reptile Survey Report October 2022

Noise Assessment 09-21-88961 - AC - 1V1

Energy Statement Version 2 10407/005A11/LA

Planning Statement - Denville Hall

Site Investigation Report 10767/JW Rev 0

Air Quality Statement 25 November 2022

Fire Safety Statement Issue 1.1. 17 Nov 2022

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

In the interests of proper planning, and to ensure the approved development complies with the provisions of the London Plan (2021), the Hillingdon Local Plan: Part One - Strategic Policies (2012), and the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

**4 NONSC Accessibility 1**

Buildings A and B hereby approved shall accord with London Plan Policies D5(B5) and D12(A) to include a minimum of one fire evacuation lift designed to meet the technical standards set out in BS EN 81-76, BS 9991 and/or BS 9999, with all such provisions remaining in place for the life of the development.

REASON

To ensure the development can accommodate robust emergency evacuation procedures, including measures for those who require step-free egress, in accordance with Policies D5 and D12 of the London Plan (2021).

**5 NONSC Accessibility 2**

The development hereby approved shall ensure that 4 ground floor units within Building A and 2 units within Building B, are constructed to meet the standards for a Category 3, M4(3)(2)(b) Wheelchair Accessible Standard dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015. All such provisions shall remain in place for the life of the building.

REASON

To ensure an appropriate standard of housing, in accordance with Policy D7 of the

London Plan (2021).

## **6 NONSC Demolition and Construction Management and Logistics Plan**

Prior to the commencement of the development hereby approved (including demolition), a Demolition and Construction Logistics Plan (DLP/CLP) and a Demolition and Construction Management Plan (DMP/CMP) shall be submitted to, and approved in writing by, the Local Planning Authority, to minimise impacts to the local highway network, and to control noise, vibration, dust and air pollutants generated as a result of the construction process. These documents shall be prepared in accordance with the London Freight Plan, 'The Control of Dust and Emissions from Construction and Demolition' Supplementary Planning Guidance, BRE Pollution Control Guides 'Controlling particles and noise pollution from construction sites' and 'Controlling particles, vapour and noise pollution from construction sites'.

The DLP/CLP and DMP/CMP shall include details of (but shall not necessarily be limited to):

- (i) a programme of works, including hours of construction;
- (ii) the measures for traffic management and encouragement of sustainable modes of transport for workers, including prohibition of construction vehicles parking on the local highway network within the vicinity of the application site;
- (iii) the haulage routes and details of a vehicle booking system including use of a banksman (if applicable), ensuring construction deliveries are received outside peak hours;
- (iv) any closures of public routes and diversions, demonstrating how time spent closed to the public has been minimised;
- (v) the provision of secured restricted access as the sole means of entry to site for cyclists along with a secured turnstile entrance for pedestrians;
- (vi) a site plan identifying the location of the site entrance, exit, visibility zones, wheel washing, hard standing, hoarding (distinguishing between solid hoarding and other barriers such as heras and monarflex sheeting), stock piles, dust suppression, location of water supplies and location of nearest neighbouring receptors;
- (vii) the loading, unloading and storage of equipment, plant, fuel, oil, materials and chemicals;
- (viii) details of cranes and other tall construction equipment (including the details of obstacle lighting);
- (ix) the means to prevent deposition of mud on the highway and chemical and/or fuel run-off from into nearby watercourse(s);
- (x) a dust risk assessment, including means to monitor and control dust, noise and vibrations, following the published guidance by The Institute of Air Quality Management (IAQM) on how to assess impacts of emissions of dust from demolition and construction sites.
- (xi) the likely noise levels to be generated from plant and construction works and the precautions set out to eliminate or reduce noise levels where the operational risk levels illustrated within The Control of Noise at Work Regulations 2005 could be exceeded;
- (xii) confirmation that a mobile crusher will/won't be used on site and if so, a copy of the permit and intended dates of operation;
- (xiii) confirmation of all Non-Road Mobile Machinery (NRMM) to be used, or a statement confirming that NRMM will not be used. All Non-Road Mobile Machinery (NRMM) and plant to be used on site of net power between 37kW and 560 kW shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" and must be registered at <http://nrmm.london/>;
- (xiv) an asbestos survey and management plan; and

(xv) the arrangement for monitoring and responding to complaints relating to demolition and construction.

and, for the avoidance of doubt:

- all Heavy Goods Vehicles associated with the development shall comply with the Direct Vision Standard, with a rating of 3 stars (or more).
- all deliveries to the site, particularly Heavy Goods Vehicles, shall be made using vehicles which have a Class VI mirror fitted in accordance with EU directive 2007/38/EC;

The development hereby approved shall be implemented in accordance with the approved DLP/CLP and DMP/CMP.

#### REASON

To ensure that the proposed development does not interfere with the free flow of traffic and conditions of safety on the public highway, to ensure the development process does not have a significant adverse impact on the amenities of nearby residential properties, in accordance with Policies DMT 1, DMT 2, DMHB 11 and DMEI 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policies D14, SI 1, T4, and T7 of the London Plan (2021). Also, to ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems, in accordance with Policy DMAV 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### **7 NONSC Ancillary use of cafe/resturant**

The communal areas (cafe/restaurant, gym, bar,) illustrated on the approved floor plans shall remain ancillary to the main C2 Use of the buildings for the lifetime of the development.

#### REASON

To protect the residential amenities of local residents in accordance with Policies DMHB 11, DMT 1 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### **8 NONSC Air Quality**

No development shall commence until a low emission strategy (LES) has been submitted to and approved in writing by the Local Planning Authority. The LES shall address but be not restricted to:

- 1) secure compliance with the current London Plan (March 2021) and associated Planning Guidance requirements in terms of air quality.
- 2) consider the implementation of a FAST electric vehicle charging bay for cars. This is to be implemented above the minimum number of charging points required in the London Plan.
- 3) Develop a robust Travel Plan to make it ambitious with a clear and effective strategy to encourage staff / users of the site to
  - a) use public transport;
  - b) cycle / walk to work where practicable;
  - c) enter car share schemes;
  - d) purchase and drive to work zero emission vehicles.

The measures in the agreed scheme shall be maintained throughout the life of the development.

## REASON

As the application site is within an Air Quality Management Area, and to reduce the impact on air quality in accordance with Policy EM8 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policy DMEI 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), the London Borough of Hillingdon Air Quality Action Plan 2019-2023, Policies SI1 and T4 of the London Plan (2021), and paragraphs 174(e), 186 and 188 of the National Planning Policy Framework (2021).

### **9 NONSC Bat Mitigation Plan**

The development must proceed in accordance with an approved bat mitigation licence issued by Natural England with full details of the mitigation requirements provided to and approved in writing by the Local Planning Authority which shall be submitted and approved prior to the commencement of the development.

## REASON

To ensure the protection of bats in accordance with the NPPF (2021) and Policy DMEI 7 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

### **10 RES19 Ecology**

Prior to above ground works, an ecological enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall show dedicated areas for the management of wildlife. The plan shall also include a diverse range of planting through an updated landscaping plan that has been developed to improve biodiversity. Finally, the plan shall also show the inclusion of wildlife enhancement features (i.e. bat and bird boxes as well log piles) throughout the landscaped areas and within the fabric of the buildings. The development must proceed in accordance with the approved plan.

## REASON

To ensure the development incorporates measures to improve biodiversity whilst protecting the interests of aircraft safety in compliance with Policy EM7 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMAV 1 and DMEI 7 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy G6 of the London Plan (2021).

### **11 NONSC Bin Store and Refuse Management Plan**

Prior to any above ground works for the development hereby approved (excluding demolition), a refuse management plan and details of the bin stores shall be submitted to and approved in writing by the Local Planning Authority.

A. The refuse management plan shall include details of how the waste generated by the development will be collected, managed and how the waste stored within the individual refuse stores will be placed in the refuse collection point on the day of collection.

B. details of covered and secure facilities to be provided for the screened storage of refuse bins within the site shall be submitted to, and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained. The details should demonstrate that there is sufficient space for the separate collection of general waste, recycling, clinical and food waste.

## REASON

To ensure compliance with Policies SI7 and D6 of the London Plan (2021) and Policy EM11 of the Hillingdon Local Plan: Part One - Strategic Policies (2012).

## **12 NONSC Energy**

Prior to the commencement of the development hereby approved (including demolition), unless the development proceeds in accordance with the Energy Strategy Report (April 2022), an Updated Energy Strategy shall be submitted to, and approved in writing by, the local planning authority. The Updated Energy Strategy shall either:

(A) include full details of the low and zero carbon technologies (excluding 'Be Lean' measures) set out in the Energy Strategy Report (April 2022), which are required to achieve on-site carbon savings of at least 36% of CO<sub>2</sub>, compared with the baseline regulated energy demand; or

(B) shall be updated to include an assessment of the annual baseline regulated energy demand (kwhr) as per 2013 Building Regulations (or subsequent amendments) and associated carbon emissions (kgCO<sub>2</sub> and tCO<sub>2</sub>), and shall then set out the measures and technology required to achieve a reduction greater than 36% in the CO<sub>2</sub> associated with the baseline regulated energy demand.

Carbon-saving measures must be sufficiently evidenced with corresponding details and specifications including the location of low and zero carbon technology (i.e. roof plans showing the inclusion of PV panels), and the Updated Energy Strategy must clearly set out any shortfall (tCO<sub>2</sub>) of the zero-carbon requirement.

If an Updated Energy Strategy is approved, the development must proceed in accordance with the approved Updated Energy Strategy.

### **REASON**

In order to deliver the maximum on-site carbon savings in accordance with Policies SI 2 and SI 3 of the London Plan (2021).

## **13 NONSC Contaminated Land**

(i) The development shall not commence until a detailed scheme to deal with the identified unacceptable concentrations of contamination has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of the required remediation scheme shall be completed before any part of the development is occupied or brought into use. The scheme shall include the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A written method statement providing full details of the proposed remediation scheme, and how completion of the remedial works will be verified, shall be agreed in writing with the LPA prior to commencement, along with full details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

(ii) If, during remedial or development works, contamination not addressed in the submitted remediation scheme is identified an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works have been carried out in full and in accordance with the approved methodology.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping and/or engineering purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the factual results and interpretive reports of this testing shall be submitted to and approved in writing by the Local Planning Authority.

#### REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies DMEI 11 and DMEI 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### **14 RES7 Materials (Submission)**

Prior to above ground level works (excluding demolition) details of all materials and external surfaces, including details of any balconies have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### **15 NONSC Mobility Scooters**

Notwithstanding the approved plans, prior to above ground level works updated drawings demonstrating the provision for secured and covered storage for mobility scooters shall be submitted and approved in writing by the Local Planning Authority.

#### REASON

To ensure the proposed development is in accordance with Policy H13 of the London Plan (2021).

#### **16 RES24 Secured by Design**

The dwelling(s) and ancillary use buildings shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling shall be occupied until accreditation has been achieved.

#### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to ensure the development provides a safe and secure environment in accordance with Policy DMHB 15 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy D12 of the London Plan (2021).

#### **17 NONSC Fire Safety Strategy**

A) Prior to the commencement of the development hereby approved (excluding demolition), the principles of a Fire Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The statement shall detail how the development will function in terms of:

- (i) the building's construction: methods, products and materials used, including manufacturers' details
- (ii) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach
- (iii) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans
- (iv) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these
- (v) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building
- (vi) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

B) Prior to occupation of the development hereby approved, the final comprehensive Fire Statement shall be submitted to and approved in writing by the Local Planning Authority. This should be accompanied by the Building Control Decision Notice or equivalent. Thereafter the development shall be carried out and maintained in full accordance with the approved details.

#### REASON

To ensure the safety of all building users in accordance with Policy D12 of the London Plan (2021).

#### **18 NONSC Noise**

1. For the lifetime of the development hereby permitted the noise level shall not exceed 35 dB LAeq 16 hrs between 0700 and 2300 and 30 dB LAeq 1 hr, for any one-hour period between 2300 and 0700, measured inside any room of any permitted dwelling having regard to the guidance set out in British Standard 8233: 2014 whilst achieving acceptable internal living conditions with respect to ventilation and temperature.

2. The rating level of noise caused by the operation of the permitted development shall not exceed 40 dB LAeq, 15 min for any fifteen-minute period between 2300 and 0700, and 50 dB LAeq, 1 hour for any hour between 0700 and 2300. The rating level shall be determined one metre free field externally from any window or door of any permanent residential premises, or equivalently noise sensitive premises, using the methods described in 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014

#### REASON

To ensure compliance with Policy D14 of the London Plan (2021) and Policy EM8 of the Hillingdon Local Plan: Part One - Strategic Policies (2012).

#### **19 NONSC Overheating**

Prior to commencement of superstructure works, an Overheating Strategy shall be submitted to and approved in writing by the Local Planning Authority. The submission shall

demonstrate how the development will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the following cooling hierarchy:

- 1) reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure;
- 2) minimise internal heat generation through energy efficient design;
- 3) manage the heat within the building including where possible through exposed internal thermal mass and high ceilings;
- 4) provide passive ventilation;
- 5) provide mechanical ventilation; and
- 6) provide active cooling systems.

The approved details shall thereafter be implemented and retained for the lifetime of the development.

#### REASON

To demonstrate that the final strategy will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy and Policy SI4 of the London Plan (2021).

#### **20 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 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 DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

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

Prior to above ground level works (excluding demolition) a landscaping 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, including pollution absorbing plant, giving species, plant sizes, and proposed numbers/densities where appropriate
  
2. Details of Hard Landscaping
  - 2.a Refuse Storage
  - 2.b Car Parking Layouts for 32 cars (including demonstration that 2 parking spaces are served by active electrical charging points and a further 2 passive electrical charging points and 4 accessible spaces)
  - 2.c External Lighting
  - 2.d Other structures (such as play equipment and furniture)
  
3. Details of Landscape Maintenance
  - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
  - 3.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.
  
4. Schedule for Implementation
  
5. Other
  - 5.a Existing and proposed functional services above and below ground
  - 5.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 DMHB 11, DMHB 12, DMHB 14, DMEI 1 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy G5 of the London Plan (2021).

#### **22 NONSC Servicing and Delivery**

Prior to the occupation of the development hereby approved, a Delivery and Servicing Plan, including tracked vehicle movements where necessary, shall be submitted to, and approved in writing by, the Local Planning Authority.

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

#### REASON

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy T7 of the London Plan (2021) and Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### **23 NONSC Drainage Plan**

Prior to the commencement of development a detailed drainage strategy shall be submitted and approved in writing by the Local Planning Authority. The drainage plan shall include:

1. The proposed location(s) of the rainwater harvesting subterranean tank(s) and small pump set(s) within drawings.
2. Clarifies, via the submission of an updated SuDS proforma that rainwater storage for later use is feasible.
3. Demonstrates the maintenance tasks, frequencies, and owner for the proposed rainwater harvesting subterranean tanks and pump sets.

#### REASON

To ensure the development does not increase the risk of flooding in accordance with Policy DMEI 10 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy SI 12 of the London Plan (2021).

#### 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 Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan 2021 and national guidance.

DMH 8	Sheltered Housing and Care Homes
DMHB 1	Heritage Assets
DMHB 2	Listed Buildings
DMHB 3	Locally Listed Buildings
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP D12	(2021) Fire safety
LPP D14	(2021) Noise
LPP H12	(2021) Supported and specialised accommodation
LPP H13	(2021) Specialist older persons housing
LPP HC1	(2021) Heritage conservation and growth
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking

LPP T6.1	(2021) Residential parking
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment

**3            I70                    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 Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

**4            I72                    Section 106 Agreement**

You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

**5            I73                    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 2019. 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 [cil@hillingdon.gov.uk](mailto:cil@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.

**6**

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line. Please refer to the Wholesale; Business customers; Groundwater discharges section.

As per Building regulations part H paragraph 2.21, Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Please refer to our website for further information.

#### Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

### **3. CONSIDERATIONS**

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

Denville Hall is located on the west side of Ducks Hill Road approximately 30m north of its junction with Northgate. The site encompasses approximately 3.2 acres and is located within 1.2km of Northwood Underground Station and Northwood Town Centre. The site is close to the Copewood Estate Area of Special Local Character (on the east side of Ducks Hill Road), and its tree-lined western boundary forms the boundary with the Metropolitan Green Belt. Its northern boundary is formed by modern residential properties on Muscovy Place and Cygnet Close. On the eastern side lies Ducks Hill Road, with residential properties to the south and parkland associated with the Riverside Club to the west.

The northern part of the site lies within Tree Preservation Order (TPO) no. 424 and the site has a Public Transport Access Level (PTAL) of 1a (poor).

Denville Hall is a retirement home (care home with nursing) with a current capacity of 40 residents and 50 staff. Residents are all housed within single rooms with en-suite facilities. It includes a dementia ward (15 residents) and a resident age range of 75-100+. Average age of residents is 85 years old. The original building was built in 1880's and it has been in

use as a retirement home for approximately 50 years.

Within the Denville Hall site are five buildings, dispersed across the curtilage. The focus is the 16th Century locally listed building (partially rebuilt in 1851) with a very large modern purpose-designed extension to the north, which houses the retirement home and specialist dementia wing. There are four further buildings on site and there is a Grade II Listed Building at 58 Ducks Hill Road.

### 3.2 Proposed Scheme

The application proposes the demolition of existing residential accommodation (Use Class C3) and the construction of 12 new units for specialist older persons accommodation (Use Class C2).

To enable the development, several buildings on the site will be demolished and new buildings will house the proposed new uses and activities. As part of this, the architectural proposal includes an extended soft and hard landscaping area.

The proposed development will comprise a single-storey Restaurant and Cafe (Building C) which will connect the existing main building to a new block of six assisted living units to the north of the site (Building B). A smaller link, in the form of a see-through glazed bridge, would lead to the six assisted living units within a new building (Building A) towards the front of the site. Building B also houses recreational facilities at ground floor and basement levels.

The proposal includes the relocation of the existing main entrance into the site to facilitate the development. An amended entrance road serves to provide a larger formal garden area to the heritage building than at present. The proposals also include amended car parking layout with an increase from 29 to 32 car parking spaces, alterations to the access and works to the existing side entrance.

### 3.3 Relevant Planning History

924/APP/1999/2669      Denville Hall Ducks Hill Road Northwood

ERECTION OF A TWO STOREY EXTENSION TO DENVILLE HALL TO FORM A 40-BEDROOM CARE HOME (INVOLVING DEMOLITION OF EXISTING EXTENSION) AND PROVISION OF 41 CAR PARKING SPACES

**Decision:** 09-08-2000    Approved

924/APP/2001/1725      Denville Hall Ducks Hill Road Northwood

DETAILS OF PERGOLA, CYCLE PARKING AND CAR PARKING IN COMPLIANCE WITH CONDITIONS 3, 10 AND 11 OF PLANNING PERMISSION REF.924/APP/1999/2669 DATED 09/08/00; ERECTION OF A TWO STOREY EXTENSION

**Decision:** 03-01-2002    Approved

924/APP/2001/1727      Denville Hall Ducks Hill Road Northwood

DETAILS OF MATERIALS IN COMPLIANCE WITH CONDITION 2 OF PLANNING PERMISSION REF. 924/APP/1999/1409 DATED 09/08/00; ERECTION OF A TWO STOREY EXTENSION

**Decision:** 12-09-2001    Approved

924/APP/2001/1729            Denville Hall Ducks Hill Road Northwood

DETAILS OF LANDSCAPING SCHEME IN COMPLIANCE WITH CONDITION 6 OF PLANNING PERMISSION REF.924/APP/1999/2669 DATED 09/08/00; ERECTION OF A TWO STOREY EXTENSION

**Decision:** 03-01-2002    Approved

924/APP/2001/407            Denville Hall Ducks Hill Road Northwood

DETAILS OF TREE RETENTION AND PROTECTION IN COMPLIANCE WITH CONDITIONS 4 AND 5 OF PLANNING PERMISSION REF.924/APP/1999/2669 DATED 09/09/00; ERECTION OF A CARE HOME

**Decision:** 28-03-2001    Approved

924/APP/2003/1968            Denville Hall Ducks Hill Road Northwood

DETAILS OF A LANDSCAPE MANAGEMENT SCHEME, TREE REMOVAL AND PLANTING IN COMPLIANCE WITH CONDITION 9 & 4 OF PLANNING PERMISSION REF.924/APP/1999/ 26 DATED 09/08/2000; ERECTION OF A TWO STOREY EXTENSION TO DENVILLE HALL TO FORM A FORTY-BEDROOM CARE HOME (INVOLVING DEMOLITION OF EXISTING EXTENSION) AND PROVISION OF 40 CAR PARKING SPACES

**Decision:** 23-10-2003    Approved

924/R/95/1261                Denville Hall Ducks Hill Road Northwood

Tree surgery to one Oak (T4) on TPO 424, including thinning the crown by 20% by the removal of branches of no more than 2"(5cm) diameter

**Decision:** 11-09-1995    Approved

924/TRE/2015/82              Denville Hall Ducks Hill Road Northwood

To carry out tree surgery including a crown lift to 2.5m to one Monterey Pine (T1); and a crown lift to 4m and the cutting back of branches to provide up to 2.5m clearance between the tree and the adjacent building, to one Oak (T4) on TPO 424

**Decision:** 30-06-2015    Approved

924/TRE/2019/281              Denville Hall Ducks Hill Road Northwood

To carry out tree surgery, including a lateral crown reduction (pruning side limbs) by 2-3m, to one oak, T4 on TPO 424.

**Decision:** 21-01-2020    Refused

924/TRE/2020/51              Denville Hall Ducks Hill Road Northwood

To carry out tree surgery, including a crown thin by 20% and crown lift by 5m to One Oak, T4 on TPO 424

**Decision:** 07-04-2020 Approved

#### **Comment on Relevant Planning History**

The planning history of the site is as follows:

924/TRE/2020/51 Tree works Approved  
924/TRE/2019/281 Tree works Refused  
924/TRE/2015/82 Tree works Approved  
924/APP/2003/1968 Landscape Management Approved  
924/APP/2001/1725 Pergola and Parking Details Approved  
924/APP/2001/1727 Details of Materials in 924/APP/1999/1409 Approved  
924/APP/2001/1729 Landscaping scheme in 924/APP/1999/2669 Approved  
924/APP/2001/407 Tree retention details in 924/APP/1999/2669 Approved  
924/APP/1999/2669 Erection of a 40 bed two-storey extension Approved  
924/R/95/1261 Tree works Approved  
34950/87/784 Residential development 2 units (Outline) Approved  
35995/85/0464 Residential development 4 units (Outline) Approved  
3495/2125 (1966) Use of the Existing Building as Residential Annex Approved

Of these historical planning permissions, the permission delivered under 924/APP/1999/2669 is the most relevant given that it established the precedent for increasing the capacity and level of provision on site in a way that was considered to maintain the significance of the heritage assets within and surrounding the site.

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

Development Plan

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)  
The Local Plan: Part 2 - Development Management Policies (2020)  
The Local Plan: Part 2 - Site Allocations and Designations (2020)  
The London Plan (2021)  
The West London Waste Plan (2015)

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

The proposed development would be assessed against the policies and proposals in the Development Plan set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance:

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

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.HE1 (2012) Heritage

Part 2 Policies:

- DMH 8 Sheltered Housing and Care Homes
- DMHB 1 Heritage Assets
- DMHB 2 Listed Buildings
- DMHB 3 Locally Listed Buildings
- DMHB 7 Archaeological Priority Areas and archaeological Priority Zones
- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMT 2 Highways Impacts
- DMT 5 Pedestrians and Cyclists
- DMT 6 Vehicle Parking
- DMEI 2 Reducing Carbon Emissions
- DMEI 7 Biodiversity Protection and Enhancement
- LPP D4 (2021) Delivering good design
- LPP D5 (2021) Inclusive design
- LPP D7 (2021) Accessible housing
- LPP D8 (2021) Public realm
- LPP D12 (2021) Fire safety
- LPP D14 (2021) Noise
- LPP H12 (2021) Supported and specialised accommodation
- LPP H13 (2021) Specialist older persons housing
- LPP HC1 (2021) Heritage conservation and growth
- LPP T5 (2021) Cycling
- LPP T6 (2021) Car parking
- LPP T6.1 (2021) Residential parking
- NPPF12 NPPF 2021 - Achieving well-designed places
- NPPF16 NPPF 2021 - Conserving & enhancing the historic environment

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

**5.1 Advertisement Expiry Date:- 7th January 2023**

**5.2 Site Notice Expiry Date:- 14th January 2023**

## **6. Consultations**

### **External Consultees**

#### **PUBLIC CONSULTATION:**

Letters dated 07-12-22 were sent to 32 nearby properties, a site notice was displayed outside the site for a period of 21 days and a press notice was displayed in a local newspaper. All methods of consultation expired 14-01-23.

6 objections were received following public notification, raising the following material considerations:

- Impact upon the Locally and Grade II Listed buildings.
- Cramped and congested form of development too close to neighbouring boundaries
- Destroys the original landscaping within the site
- Noise
- Impacts upon neighbouring properties due to the scale and layout of the new buildings
- Materials are not in keeping within local context
- Secondary access is not acceptable in terms of its usability due to narrow width/highway safety concerns
- Intensification of the use of the site would lead to a rise in visitors
- The scale presents an over development of the site
- The development would lead to detrimental harm upon local biodiversity
- Loss of natural light
- Loss of privacy
- Loss of outlook

It should be noted that during the public consultation process 12 comments in support of the development have also been received.

#### **HISTORIC ENGLAND**

On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions.

#### **GREATER LONDON ARCHAEOLOGICAL ADVISORY SERVICE (GLAAS)**

No objection

#### **THAMES WATER**

##### **Waste Comments**

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line. Please refer to the Wholesale; Business customers; Groundwater discharges section.

As per Building regulations part H paragraph 2.21, Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Please refer to our website for further information.

#### Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

#### LONDON FIRE BRIGADE

The London Fire Commissioner (the Commissioner) is the fire and rescue authority for London. The Commissioner is responsible for enforcing the Regulatory Reform (Fire Safety) Order 2005 (as amended) in London.

The London Fire Brigade (LFB) has been consulted with regard to the above-mentioned premises and have the following observations to make. It should be ensured that if any material amendments to this consultation is proposed, a further consultation may be required.

The Applicant is advised to ensure the plans conform to Part B of Approved Document of the Building Regulations and that the application is submitted to Building Control/Approved Inspector who in some circumstances may be obliged to consult the Fire Authority.

I also enclose Guidance note 29 on Fire Brigade Access similar to that in B5 of the Building Regulations, Particular attention should be made to paragraph 16, Water Mains and Hydrants, by the applicant.

If there are any deviations from the guidance in ADB) vol 1 and 2: B5 Access and facilities for the fire service in relation to water provisions, then this information needs to be provided to the Water Office ([water@london-fire.gov.uk](mailto:water@london-fire.gov.uk)) to discuss the proposed provision.

If there are any deviations to Brigade access and facilities then this information needs to be provided to Fire Safety Regulation ([FSR-AdminSupport@london-fire.gov.uk](mailto:FSR-AdminSupport@london-fire.gov.uk)) to review the proposed provision. Once we have received this information then the LFB can provide a response on the consultation and advice in regards to hydrants upon receipt of an appropriate site plan showing premises layout,

access to it, and water supply infrastructure if available.

#### CLINICAL COMMISSIONING GROUP (CCG)

I have reviewed the planning documents and I can see that there is a net increase of 5 units for this development. I have used the HUDU to assess the impact to the NHS, the ICB would like to request a capital contribution of £6,487 to increase healthcare capacity in the north of the Borough.

#### Internal Consultees

##### ACCESS OFFICER

The site is currently occupied by a 16th century locally listed building, a single storey mid-century bungalow (Building A), a disused building divided into flats (Building B), an outbuilding (Building C) and a derelict old garage (Building D). The rest of the site is mostly covered by soft landscaping with the main building next to a large car park. An application of this type and scale is subject to compliance with London Plan Policies D1, D5, D12, H13, and T6. The following accessibility observations are provided along with Conditions as set out below:

1. Buildings A and B would be a new construction comprising twelve assisted living units. Four wheelchair user units are shown on the ground floor of Building A, with an additional two on the second floor within Building B. An evacuation lift is shown within Buildings A and B. The following conditions should be attached:

Buildings A and B hereby approved shall accord with London Plan Policies D5(B5) and D12(A) to include a minimum of one fire evacuation lift designed to meet the technical standards set out in BS EN 81-76, BS 9991 and/or BS 9999, with all such provisions remaining in place for the life of the development.

##### Reason

To ensure the development can accommodate robust emergency evacuation procedures, including measure for those who require step-free egress, in accordance with Policies D5 and D12 of the London Plan (2021).

2. The wheelchair user units within Buildings A and B should be designed to accord with the technical requirements set out in Approved Document M to the Building Regulations to be Wheelchair Accessible (M4(3) (2)(b) with the following condition attached to any approval:

The development hereby approved shall ensure that 4 ground floor units within Building A, and 2 units within Building B, are constructed to meet the standards for a Category 3, M4(3)(2)(b) Wheelchair Accessible Standard dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the buildings.

##### Reason

To allow the Building Control body to check compliance of the development against the optional Building Regulations standards, and ensure an appropriate standard of housing, in accordance with Policy D7 of the London Plan (2021).

3. Building C is an extension to the existing Denville Hall listed building to accommodate dining and cafe facility. No accessibility concerns are raised for this building.

Conclusion: Acceptable.

##### HIGHWAY OFFICER

##### Site Characteristics & Background

The proposal consists of an established care home facility with a maximum capacity of 40 residents housed in single rooms which is accessed off Duck's Hill Road (DHR) with approximately 29 parking

spaces including 9 visitor and 17 staff spaces.

It is proposed to retain the main building (Denville Hall) with the construction of three new buildings (A, B & C). Buildings A & B consisting of 'assisted living' accommodation (12 units) would replace No's 60 and 48 DHR respectively whilst Building C (providing a communal space) would replace a portion of the existing car park. The existing car park quantum would be re-configured and increased marginally from 29 to 32 spaces in total. 14 spaces would now be accessed via a relocated internal access road (30m due north of existing). The remaining 18 spaces (including 2 disabled compliant) in proximity of Building B would be accessed by the intensified use of an existing secondary access located some 140m north of the existing main entrance adjacent to 'Muscovy Place' on DHR.

The relocated main access would retain a gated arrangement set-back from the public highway and measure in excess of 5 - 5.5m in width as is the case at present. The secondary access measures up to approximately 4.5m in width.

The surrounding road network is devoid of parking restrictions and the location exhibits a 'very poor' public transport accessibility level (PTAL) rating of 1a which heightens dependency on the use of private motor transport to and from the site.

#### Parking Provision

Local Plan: Part 2 Policy DMT 6 requires that new development will only be permitted where it accords with the Council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

#### Residential 'Assisted Living' Care Home (C2)

In order to comply with the maximum parking standard there is a requirement for 1 space per 4 dwellings to be provided together with a single space for use by a warden. A provision for emergency vehicle parking is also recommended.

With 12 additional 'assisted living' residents, this would equate to a maximum requirement of approximately 3 spaces. An increase of 3 spaces is proposed which, on balance is considered a marginal rise and broadly in line with the above standard. A 'turning head' is to be provided at the top end of the main access road which can be utilised for emergency vehicle i.e. ambulance parking thereby satisfying the emergency vehicle parking requirement.

#### Electric Vehicle Charging Points (EVCPs)

Within the final parking quantum, there is a requirement for EVCPs to be provided in line with the Local Plan: Part 2 which would equate to a minimum of 5% of spaces allocated for 'active' provision with the same percentage dedicated to 'passive'. The applicant indicates that this would be applied solely to the new 3 spaces rather than the whole parking quantum (including existing). However, when the above percentage is applied to the additional spaces, less than one space would apply. It is therefore considered reasonable to apply the 5% provision to the full parking quantum which would amount to only 2 'active' & 2 'passive' spaces. A suitable planning condition should therefore be applied.

#### Disabled Compliant Parking Provision

In accordance with the policy standard - a minimum of 10% of parking spaces should be disabled compliant. 2 spaces are to be provided, however 4 spaces should be secured to satisfy this requirement.

#### Mobility Scooter Parking

The London Plan (2021) advises that for age-specific housing, parking and charging spaces for mobility scooters should be provided. Policy H13 highlights the suitable levels of safe storage and

charging facilities for residents' mobility scooters. This aspect has not been referenced hence this should be remedied via planning condition.

#### Cycle Parking

'Secure and accessible' on-plot cycle parking provision should fall in line with the London Plan (2021) standards or Hillingdon's Local Plan: Part 2 standards with 1 cycle space per 3 staff.

Notwithstanding the above standards, it is acknowledged that staffing levels are to remain unchanged which supports the case for no additional provision.

#### Vehicular Trip Generation

Local Plan: Part 2 Policies - DMT 1 and DMT 2 require the Council to consider 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.

It is acknowledged that general and established vehicular activity is low given the nature of the relatively dormant use profile of care home uses and in this case, as current staff levels based on a 12 hour shift pattern (8am to 8pm) are to be maintained without change, the reported 'worst-case' level of 16 two-way staff vehicle movements during the morning peak traffic period is considered realistic and is not subject to any discernible variation resulting from the proposal. The pm traffic peak would appear to be unaffected due to the shift pattern. In summary, the existing level of activity is considered relatively inconsequential in terms of overall base-line traffic imposition terms hence the proposal's likely activity is therefore considered relatively absorbable in generation terms and can be accommodated within the local road network without notable detriment to traffic congestion and road safety.

#### Internal Access Road Layout/Main Vehicle Access Provision

The proposed internal parking and road layout arrangement should conform to the Department for Transport's (DfT) - Manual for Streets (MfS) (circa 2007) best practice for road and parking layouts as there is an operational and safety benefit derived from a site arrangement which allows all vehicles using the site to enter and leave in a forward gear without hindrance resulting from an inadequate road layout design (or other obstructions such as parked vehicles). This is the recommended best practice on operational and highway safety grounds which is also applicable to servicing/delivery, emergency and refuse collection vehicles.

With reference to the above, a vehicle 'swept path' analysis had been submitted and it has been demonstrated that the internal roadway served by the new main site aperture allows acceptable access to all of the surface level parking spaces and can satisfactorily cater for service, refuse collection and emergency vehicles without hindrance by allowing such vehicles to enter and leave the site in a forward gear thereby conforming to established best practice.

In terms of the physical relocation itself, the new main access would be facilitated at the applicant's expense and should conform to council standards in terms of build quality and dimension. This would be arranged post-permission via a formal/legal agreement i.e. s278 of The Highways Act 1980.

Satisfactory highway visibility splays at the relocated main access point on DHR are also considered deliverable and the applicant has demonstrated this to be so.

#### Secondary Access Road

An existing relatively narrow vehicular and pedestrian access roadway is in place to serve as a secondary access facility to the site envelope from DHR. It currently serves No.48 DHR which is utilised as ancillary accommodation to Denville Hall. The use of roadway is to be intensified to facilitate access to 18 staff parking spaces located in proximity of Building B. The true width of the

access road appears to vary up to a width of 4.5m and there is no opportunity to enhance this variable width due to land constraints.

Within 'MfS' there is clear guidance as to what road widths are acceptable when proposals, such as the one submitted, are vetted for suitability. It is recommended that, ideally, road widths should not fall below a threshold of 4.1m (with an absolute minimum of 2.75m for any reasonable length of roadway). This measure is based on providing safe and usable access for both passenger and service/emergency vehicles (i.e. fire tenders etc) allowing concurrent use by pedestrians/cyclists in an unencumbered manner with the provision of passing places (wherever possible).

Notwithstanding the above, it is noted that this roadway is an established access and falls above the allowable minimum width threshold hence given the scale of proposal and anticipated level of use, its use is considered acceptable in principle. To support this aspect, a demonstration of the adequacy of the roadway in terms of the suitability for two passenger vehicles and pedestrians to safely pass and repass unabated has been presented. It is also noted that as there is no specific opportunity to enhance mutual sight-line inter-visibility at the established access point due to 3rd party land constraints on both sides of the access, the status-quo is accepted as a satisfactory arrangement primarily on the low level of anticipated usage and linear road alignment which allows for adequate visibility splays.

#### Construction Management Plan (CMP)

A full and detailed CMP will be a requirement given the constraints and sensitivities of the local road network. The plan will need to be secured under planning condition in order to optimise construction related routing and frequency thereby avoiding/minimising potential detriment to the surrounding public realm.

#### Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policy T4, T5 and T6 of the London Plan (2021).

#### PLANNING POLICY OFFICER

##### Existing buildings

The proposal would result in a loss of 7 Residential Units (Use Class C3), the applicant has set out in the planning statement that the units were last occupied in 2017. Given that the proposal is ultimately for an increase in residential floorspace it is considered that the loss of the existing residential accommodation would comply with Policy DMH 1 of the Local Plan: Part 2 (2020).

##### Specialist Older Persons Housing

The proposed development would include 12 self-contained units, with kitchen and washing facilities. Given the layout of these units it is considered that the occupants could live independently, without any assistance. The applicant has stated that the proposal would comply with Paragraph 4.13.4 of the London Plan. Paragraph 4.13.4 of the London Plan sets out that the Policy H13 contains requirements for 'specialist older person housing' and that it does not apply to accommodation which is considered 'care home accommodation'. In this regard, 'care home accommodation' is considered to be developments which have the following attributes:

- Where personal care and accommodation are provided together as a package with no clear separation between the two.
- The person using the service cannot choose to receive personal care from another provider.
- People using the service do not hold occupancy agreements such as tenancy agreements, licensing agreements, licences to occupy premises, or leasehold agreements or a freehold
- Likely Care Quality Commission regulated activity will be 'accommodation for persons who require

nursing or personal care'

The applicant has provided a very limited argument in relation to each of the points set out in Paragraph 4.13.4 and has concluded that the scheme would not be required to generate any affordable housing. However, at this stage the applicant has not provided clear details with regard to each of the attributes to establish that the proposal would be considered "Care Home Accommodation". For example, the applicant has set out "personal care packages and accommodation are provided together at Denville Hall. The level of care provision can therefore be adjusted as residents needs alter over the course of their stay." It is accepted and understood that the level of care provision is determined by the need of the resident. However, some clarification should be provided with regards to the minimum care provided to each individual. It is recommended that the minimum level of care should be addressed through the s106 agreement, to ensure that the proposal would comply with Paragraph 4.13.4.

Policy DMH 8 of the Local Plan: Part 2 (2020) is relevant for the application and requires that accommodation is located near shops and community facilities and is easily accessible by public transport. The proposal is considered to be located within cycling and walking distance from Northwood Tube station and Northwood (Green Lane) Town Centre. In addition to this, there are bus stops available in close proximity to the application site as well as other facilities. As such, it is considered that this part of Policy DMH 8 of the Local Plan: Part 2 (2020) is complied with.

It is considered that extensions within the curtilage of the existing retirement home would not create a concentration of uses that would cause harm to the existing local residential character or amenity, in addition, there is an identified need for older people housing identified in Hillingdon's 2018 Strategic Housing Market Assessment (SHMA).

#### Use Class

It is advised that a legal agreement is sought which restricts occupancy of the units to the elderly and people in need of personal care. Without this, the proposal would not fall within Use Class C2 and would instead be considered to fall within Use Class C3. If this is the case, the acceptability of the proposed housing mix which is primarily 1-bedroom flats would need to be reconsidered as it is an unsuitable housing mix for general residential accommodation.

#### Ancillary Use

It should be noted that no objection is raised to the restaurant/cafe/cinema as long as these uses remain ancillary to the main use of the site as a retirement home. A condition should be imposed to ensure that these uses remain ancillary to the main use of the site in perpetuity.

#### Case Officer comment:

In response to the request for additional information to demonstrate a minimum level of care provision, the applicant has provided the following information:

- Occupation requirement of being over 65 years of age.
- Units are provided to allow residents to live with an element of independence while receiving personal care and health care.
- A minimum personal care package of 1.5hrs per resident provided upon occupation with any additional health care to be agreed following assessment of potential occupier's ongoing care needs
- 24-hour support staff are available on site, 7-days a week, with emergency alarm system and on-site nurses station.
- Domestic assistance is provided such as shopping and laundry service.
- Meals are provided within either individual units or communal on-site restaurant.
- Care Quality Commission (CQC) regulated activity would 'Accommodation for persons who require nursing or personal care'.

This detail is considered to be adequate to demonstrate that the minimum level of care would meet

the London Plan requirements for Policy H12. As such no affordable housing contribution is required.

#### AIR QUALITY OFFICER (summary)

The proposed development is located outside the LBH Air Quality Management Area but within the LBH Northwood West Focus Area bringing additional traffic emissions which will add to current poor air quality. As per the London Plan, developments need to be neutral as minimum and positive in Focus Areas, contributing to the reduction of emissions in these sensitive areas.

LBH requires new developments to incorporate air quality positive design measures from the outset and suitable mitigation measures to reduce pollution, especially in areas where the air quality is already poor (LBH Air Quality Local Action Plan 2019-2024), namely Focus Areas. Furthermore, Policy DMEI 14 of the London Borough of Hillingdon Local Plan - Part 2, requires active contribution towards the continued improvement of air quality, especially within the Air Quality Management Area. Finally, the London Plan (2021) requires development to be air quality positive specially within focus areas, actively contributing to reduce pollutant emissions to the atmosphere.

The proposed development is air quality neutral for C2 use and not air quality positive. According to LBH Local Action Plan, proposed development within Focus Areas (or with impacts on FAs) needs to be Air Quality positive and further action is required to reduce total emissions produced by its operation. Therefore, the total emissions associated with these activities needs to be mitigated.

#### Damage Costs and Mitigation Measures

Mitigation measures to reduce emissions can be applied on-site or off-site. Where this is not practical or desirable, pollutant off-setting will be applied. The level of mitigation required associated with the operation phase of the proposed development is calculated using Defra's Damage Cost Approach.

Any mitigation measures proposed were evaluated in terms of likely emission reductions onto local air quality. Wherever quantifiable, these are calculated and subtracted from the overall value due. When no quantification is possible, a flat rate discount is applied. Table 1 and 2 summarise the aspects of air quality and planning requirements for the proposed development.

The undiscounted level of mitigation required to the proposed development for traffic emissions is £15,052. Once all deductions were applied, the remaining value of mitigation due is £9,784. Flat rate deductions applied are as follow: Travel Plan (15%), Green Sustainable Measures (5%), contribution to long term LBH strategic long-term strategies (e.g. multimodal shift, community support, etc.) (15%), totalling a reduction of £5,268. Therefore, a section 106 agreement with the LAP of £9,784 is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduce human exposure to pollution levels.

In addition, Air Quality conditions are required to reduce operational emissions AND manage construction emissions as required by the Mayor of London:

#### Condition Air Quality - Low Emission Strategy

No development shall commence until a low emission strategy (LES) has been submitted to and approved in writing by the Local Planning Authority. The LES shall address but be not restricted to:

- 1) secure compliance with the current London Plan (March 2021) and associated Planning Guidance requirements in terms of air quality.
- 2) consider the implementation of a FAST electric vehicle charging bay for cars. This is to be implemented above the minimum number of charging points required in the London Plan.
- 3) Develop a robust Travel Plan to make it ambitious with a clear and effective strategy to encourage staff / users of the site to
  - a) use public transport;

- b) cycle / walk to work where practicable;
- c) enter car share schemes;
- d) purchase and drive to work zero emission vehicles.

The measures in the agreed scheme shall be maintained throughout the life of the development.

#### Reason

As the application site is within an Air Quality Management Area, and to reduce the impact on air quality in accordance with policy EM8 of the Local Plan: Part 1 (November 2012), policy DME1 14 of the London Borough of Hillingdon Local Plan (part 2), the London Borough of Hillingdon Air Quality Action Plan 2019-2023, London Plan (2021) policy SI1 and T4, and paragraphs 174(e), 186 and 188 of the National Planning Policy Framework (2021).

#### Conditions - Reducing Emissions from Demolition and Construction

A No development shall commence until a Plan has been submitted to, and approved in writing by, the LPA. This must demonstrate compliance (drawn up accordance with) the GLA Control of Dust and Emissions from Construction and Demolition SPG (or any successor document).

Reason: Compliance with London Plan Policy SI 1 and in accordance with Mayor of London "The Non-road mobile machinery (standard condition recommended by Mayor of London, London Local Air Quality Management Policy Guidance 2019)

B All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>."

#### Reason

Compliance with the London's Low Emission Zone for non-road mobile machinery as per requirements of the London Environment Strategy.

#### Context

The proposed development, while outside the Air Quality Management Area, will affect identified LBH Air Quality Focus Areas. Air Quality Focus Areas are defined by the GLA as areas already suffering from poor air quality where prioritisation of improvements is required. This is supported by Local Plan Part 2 Policy DME1 14.

#### TREES OFFICER

No objection

#### ENERGY

The development should achieve zero carbon standards but only achieves 15%. The development is measured against the new 2021 Building Regulation standards which builds in significant savings into the baseline position and therefore effectively delivers a large percentage of the savings. As a result, the baseline position of 10.6tCO<sub>2</sub> per annum is a very low starting point. In order to achieve the remainder of the savings, there would need to be a significant recourse to renewable technology such as PV panels. This would have a further impact in this area and on the listed building and would not necessarily be the optimum solution.

In summary, although the development is not policy compliant and is not zero carbon (in percentage terms) it has a carbon footprint of just 9tCO<sub>2</sub> per annum; for context the annual average carbon footprint of a person in the UK is 10tCO<sub>2</sub>. Consequently, I consider the proposals acceptable in terms of energy requirements; seeking significant design changes to secure the minimum onsite

35% (i.e. a further 2tCO<sub>2</sub>) would result in a negligible savings, and is likely to introduce further policy conflicts, i.e. in relation to PV.

The development must comply with the requirements of the energy assessment and this should form part of a compliance condition.

A contribution of £25,669 to the Council's carbon offset fund is required to make up for the remaining 9tCO<sub>2</sub> that is short of the zero carbon target.

#### ECOLOGY

The site has been subjected to a series of ecological assessments with species specific surveys relating to bats and reptiles. The bat survey has identified one of the existing buildings (B5) to likely support a roost. All bat species are protected in the UK and therefore the loss of a roost is an adverse effect associated with the development. The identification of bats on sites also requires the planning authority to consider whether the harm is unavoidable. Although the works would be subject to further legislative requirements, there is still a role for the planning authority in considering the implications. Natural England cannot give their licence until planning permission is in place; in turn, the Council cannot reach a positive determination until it is satisfied that a bat licence would likely be issued.

The Government guidance states, before you can grant planning permission, you must:

- make sure any mitigation or compensation conditions you impose do not conflict with the requirements of a bat mitigation licence
- be confident that Natural England will issue a licence

You do not need to consult Natural England on the wording or discharge of any conditions you impose on a planning proposal. Natural England is unable to provide advice on this. Part of the licence consideration is to determine whether there is an overriding need for the development that outweighs the impacts to the bats and if there is, that mitigation is in place to preserve the conservation of the species.

With regards to mitigation, the proposals are commensurate with the scale and nature of the features identified in the survey work. Consequently, I am satisfied that the mitigation proposed would be sufficient to determine that a Natural England licence would be forthcoming, or could be forthcoming given the alternative options available on the site.

It will be the role of the case officer to make the case for the need for the development.

Assuming the case is made, the following condition would also be necessary:

Condition:

The development must proceed in accordance with an approved bat mitigation licence issued by Natural England with full details of the mitigation requirements provided to and approved in writing by the Local Planning Authority.

Reason

To ensure the protection of bats in accordance with the NPPF and Local Plan.

Please note that the licence may allow for some works to take place and therefore a pre-commencement condition may be in conflict with a timetable set out in the licence. However, we need to understand what the long term mitigation strategy is so that it does not conflict with other requirements on the site. For example, we may have reason to resist the location of some bat mitigation measures as they could constrain future development or changes on site.

In addition to the above, the standard condition requiring an ecological enhancement plan should be attached to any subsequent approval.

#### CONTAMINATED LAND OFFICER

I have reviewed a copy of the geo-environmental information within the following report submitted in support of the application:

Report Title: Site Investigation Report; Ref: 10767/JW; Date: 27th October 2022; Prepared by Soil Consultants Limited.

The report provides suitable information which includes the required updated risk assessment and refined conceptual site model.

Notwithstanding the suitably outlined proposals to address unacceptable concentrations of identified contaminants, which include ground gas (Carbon Dioxide) and PAH (Benzo-a-Pyrene), further details are required to clearly identify the lateral and vertical extent of contamination and to more precisely define acceptable methods to fully address and remediate those affected areas accordingly.

I therefore recommend the following conditions to be imposed if planning permission is granted:

(i) The development shall not commence until a detailed scheme to deal with the identified unacceptable concentrations of contamination has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of the required remediation scheme shall be completed before any part of the development is occupied or brought into use. The scheme shall include the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A written method statement providing full details of the proposed remediation scheme, and how completion of the remedial works will be verified, shall be agreed in writing with the LPA prior to commencement, along with full details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

(ii) If, during remedial or development works, contamination not addressed in the submitted remediation scheme is identified an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works have been carried out in full and in accordance with the approved methodology.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping and/or engineering purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the factual results and interpretive reports of this testing shall be submitted to and approved in writing by the Local Planning Authority.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DME1 11:

Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

#### Observations

The report indicates that risk assessment was conducted in accordance with the use of trigger levels for public open space (residential).

Therefore, it is imperative that forthcoming reports provide suitable information which fully justifies the selection of POS(resi) on this occasion, particularly concerning suitable protection measures to be introduced to eliminate the risks from ground gas and vapours intruding within the proposed buildings.

#### NOISE OFFICER

It would appear this may need a condition to ensure the new dwellings meet recommended noise values set out in guidance and noise caused by the proposed development (the later phases) meet external noise values set out in guidance, so my comments would be:

Sufficient information has been provided by the Applicant to make a recommendation with respect to noise. It is recommended that no objection is made on noise grounds subject to the inclusion of suitable conditions which should be met based on the design information provided and considering measurement and prediction uncertainty. Hence:

1. For the lifetime of the development hereby permitted the noise level shall not exceed 35 dB LAeq 16 hrs between 0700 and 2300 and 30 dB LAeq 1 hr, for any one-hour period between 2300 and 0700, measured inside any room of any permitted dwelling having regard to the guidance set out in British Standard 8233: 2014 whilst achieving acceptable internal living conditions with respect to ventilation and temperature.

2. The rating level of noise caused by the operation of the permitted development shall not exceed 40 dB LAeq, 15 min for any fifteen-minute period between 2300 and 0700, and 50 dB LAeq, 1 hour for any hour between 0700 and 2300. The rating level shall be determined one metre free field externally from any window or door of any permanent residential premises, or equivalently noise sensitive premises, using the methods described in 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014

I think their BS4142 assessment is unduly onerous, as it does not seem to consider context which tends to suggest it would be unreasonable to set limit values below the external values implied by BS8233 and explicit in WHO 1999/2009, hence 40 night comes from the 2009 night noise guidelines corrected for character.

#### URBAN DESIGN AND HERITAGE

##### Conservation/Urban Design Comments

The applicant has worked proactively with the Conservation/Urban Design officers to resolve the issues raised.

##### Height, scale and massing of Building A, B and C

Through the pre-app process Building A has been reduced in height with the removal of the first floor at the lower end of the building. The verified view from Ducks Hill Road looking towards no. 62 confirms that this section of the building does not protruding beyond the roofline of the properties which sit in front of it. According the height and massing of building A is accepted.

The scale and massing of Building B and C was broadly accepted during the pre-app process.

### Materiality of the proposed buildings

All the proposed buildings have a unifying design approach. The roof material of clay roof tiles is supported as these are extensively used in the historic buildings in the immediate area. The roof tiles fold down the building sides for building A and B, with hidden gutters.

The facades are partially glazed with partially timber cladding on the ground floor to Building A and B. This design intent is echoed in Building C and the link. This use of a simple palette of materials is supported. The lightweight facade treatments of Building C is a mitigating approach to limit the impact on the setting of the non-designated heritage asset.

To conclude the outstanding issues regarding the height and massing of the proposed buildings, raised at the pre-app stage, has been resolved. Further clarity regarding the building materiality with clear design concept that reflects the context has been provided and is accepted. It is recommended that a Condition be added to provide a sample of the materials with specification before construction.

### FLOODING OFFICER

#### Review Summary

This application has changed from the previous application submitted in the following way(s):

- Types of conveyance / attenuation features: Rainwater harvesting (including subterranean tanks) for irrigation methods is now proposed.
- Runoff attenuation volume (m<sup>3</sup>): The applicant has clarified that the proposed attenuation volume is 147m<sup>3</sup>.
- Maintenance plan: The applicant has stated that a maintenance owner is to be secured through an appropriately worded planning condition. Maintenance tasks, frequencies, and owners have not been specified for the proposed rainwater harvesting measures.

The applicant has provided the estimated greenfield and proposed runoff volumes (1 in 100 year 6 hr); the applicant has provided calculations to demonstrate the required attenuation volumes; the applicant has provided evidence of correspondence with Thames Water confirming sufficient sewer capacity.

#### Recommendation and Requests

We object to the application for the following reasons:

1. The applicant has not specified the proposed location(s) of the rainwater harvesting subterranean tank(s) and small pump set(s).
2. The SuDS proforma supplied still states that rainwater storage for later use is neither feasible nor proposed despite the applicant stating that subterranean tanks to be used for rainwater harvesting are proposed.
3. The applicant has not provided maintenance tasks, frequencies, or owners for the proposed rainwater harvesting subterranean tanks and pump sets.

To address the above, please can the applicant submit information which:

1. Demonstrates the proposed location(s) of the rainwater harvesting subterranean tank(s) and small pump set(s) within drawings.
2. Clarifies, via the submission of an updated SuDS proforma that rainwater storage for later use is feasible.
3. Demonstrates the maintenance tasks, frequencies, and owner for the proposed rainwater harvesting subterranean tanks and pump sets.

#### Case Officer comments:

The objection raised is not an in principle objection but rather a requirement for the applicant to submit additional information to ensure the development complies with the relevant flood related policies. As such the additional details can be secured by way of an appropriately worded condition,

which is recommended to be attached should the application be approved.

## **7. MAIN PLANNING ISSUES**

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

The application proposes the demolition of existing residential accommodation (Use Class C3) and the construction of 12 new units for specialist older persons accommodation (Use Class C2). As such the following are relevant to the assessment of the application:

Paragraph 60 of the NPPF sets out the requirement for Planning Authorities to identify the minimum number of homes needed through a strategic assessment, which can be referred to by developers to ensure that what is being proposed at application stage meets an identified need.

Section 4.13.14 of the London Plan (2021) states that care home accommodation (C2) is an important element of the suite of accommodation options for older Londoners and this should be recognised by boroughs and applicants. To meet the predicted increase in demand for care home beds to 2029, London needs to provide an average of 867 additional care home beds a year. The provision of Care Quality Commission (CQC) rated Good or Outstanding care home beds is growing at around 3,525 bed-spaces a year in London and provision of dementia-capable bed spaces at a rate of 2,430 places a year. If the rates of supply and demand remain constant it should be possible to meet potential demand for both care home beds and dementia care home beds.

The London Plan states that the Mayor will support the provision of high quality health and social care appropriate for a growing and changing population, particularly in areas of under provision or where there are particular needs.

Policy GG1 of the London Plan places emphasis on the need to support and promote the creation of an inclusive London where all Londoners, regardless of their age, disability, gender, gender identity, marital status, religion, race, sexual orientation, social class, or whether they are pregnant or have children, can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.

Policy GG4 of the London Plan (2021) states there to be a need to ensure that the housing needs for all individuals are met. More specifically section C refers to the requirement for housing to meet identified and specialist needs.

Policy H12 of the London Plan (2021) states that applications which involve the delivery, retention and refurbishment of specialist living accommodation should be supported by Planning Authorities where the proposal would meet an identified need. It goes on to say that the form of these types of facilities will differ depending on the groups which it is intending to accommodate.

Policy H13 of the London Plan (2021) states that boroughs should work positively and collaboratively with providers to identify site which may be suitable for specialist older person housing taking into account local housing need, the need for sites to be well connected and the increasing need for accommodation suitable for people with dementia. Part B of H13 goes on to state older persons provision should deliver affordable housing in accordance with London Plan Policy H4 and H5, and be accessible/inclusively designed.

Policy DMH 8 'Sheltered Housing and Care Homes' of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states:

A) The development of residential care homes and other types of supported housing will be permitted provided that:

- i) it would not lead to an over concentration of similar uses detrimental to residential character or amenity and complies with Policy DMH 4: Residential Conversions;
- ii) it caters for need identified in the Council's Housing Market Assessment, in a needs assessment of a recognised public body, or within an appropriate needs assessment and is deemed to be responding to the needs identified by the Council or other recognised public body such as the Mental Health Trust;
- iii) the accommodation is fully integrated into the residential surroundings; and
- iv) in the case of sheltered housing, it is located near to shops and community facilities and is easily accessible by public transport.

B) Proposals for residential care establishments which fall under Use Class C2 must demonstrate that they would provide levels of care as defined in Article 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

#### Existing buildings

The proposal would result in the loss of 7 residential units (Use Class C3). However given that these units were last occupied in 2017, the buildings on site which are occupied benefit from C2 use and the proposal would result in an uplift in residential floor space, albeit C2 use rather than C3, the development would comply with Policy DMH 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### Specialist Older Persons Housing

The supporting Planning Statement and proposed plans indicate the 12 new units would be self contained as they would benefit from kitchen and washing facilities. As such occupants could live independently without any assistance. The supporting document states that the proposal would comply with Paragraph 4.13.4 of the London Plan. Paragraph 4.13.4 of the London Plan sets out that the Policy H13 contains requirements for 'specialist older person housing' and that it does not apply to accommodation which is considered 'care home accommodation'. In this regard, 'care home accommodation' is considered to be developments which have the following attributes:

- Where personal care and accommodation are provided together as a package with no clear separation between the two.
- The person using the service cannot choose to receive personal care from another provider
- People using the service do not hold occupancy agreements such as tenancy agreements, licensing agreements, licences to occupy premises, or leasehold agreements or a freehold
- Likely CQC regulated activity will be 'accommodation for persons who require nursing or personal care'

The initial submission did not provide a reasonable level of detail to demonstrate compliance with the above and allow the Council to make a conclusive decision on whether an affordable housing contribution should be applicable or not. However the submission did state that the development would accord with the second, third and fourth point within Policy H13 above. The applicant has now submitted details of the minimum level of care as shown below:

- Occupation requirement of being over 65 years of age.
- Units are provided to allow residents to live with an element of independence while receiving personal care and health care.

- A minimum personal care package of 1.5hrs per resident provided upon occupation with any additional health care to be agreed following assessment of potential occupier's ongoing care needs.
- 24-hour support staff are available on site, 7-days a week, with emergency alarm system and on-site nurses station.
- Domestic assistance is provided such as shopping and laundry service.
- Meals are provided within either individual units or communal on-site restaurant.
- Care Quality Commission (CQC) regulated activity for 'Accommodation for persons who require nursing or personal care'.

The applicant has also stated that the element of care will depend on the individual needs of the occupants thus it is difficult to describe these needs within a standard "care package". Notwithstanding this it is considered that a reasonable level of detail has been provide to demonstrate that the scheme would comply with para 4.13.4 and a Head of Term is also suggested to secure a more robust set of details and to ensure the minimum level of care is delivered on site.

With regards to Policy DMH 8, the site benefits from C2 Use and the proposal seeks what is in essence an extension to this existing use. As such the development would not result in an over concentration of care provision within this location. Furthermore, as indicated in the comments from the Councils Planning Policy Officer, there is an identified need for older people housing identified in Hillingdon's 2018 Strategic Housing Market Assessment (SHMA), this development would assist with meeting this identified need and is therefore considered to comply with Policy DMH 8 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### Use Class

The applicant will need to enter into a legal agreement which prohibits the use of the new units as C3 as the unit mix would not be considered unsuitable for general residential accommodation.

#### Ancillary Use

It should be noted that no objection has been raised relating to the restaurant/cafe/cinema as long as these uses remain ancillary to the main use of the site as a retirement home. Planning Policy have suggested a condition should be attached to any grant of consent to ensure that these uses remain ancillary to the main use of the site in perpetuity.

#### Conclusion

The impact resultant of the proposed loss of the existing C3 accommodation is considered to be outweighed by the benefits of the new C2 accommodation provision for which there is an identified need for within the Councils SMHA. As stated above the development plan provides support for the provision of specialist living accommodation such as the proposed units and the development is considered to integrate well with the existing C2 use on site.

No objection has been raised by the Councils Planning Policy Officer who supports the proposal subject to the aforementioned Heads of Term to be secured as part of a legal agreement and relevant condition. As such the proposal is considered to accord with the relevant policies referred to above.

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

Density matters are associated with C3 Use Class residential accommodation, given the proposed C2 Use Class no concerns are raised with regard to density.

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

## ARCHAEOLOGY

Policy HC1 of the London Plan (2021) and Policy DMHB 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) seek to ensure that areas which are identified as being of archaeological interest are protected.

The site is not located within a designated Archaeological Priority Area, however as the scale of the development constitutes a major application GLAAS have been consulted. No objection has been raised, therefore the proposal is deemed to be acceptable in terms of archaeology.

## HERITAGE

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should 'should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' and in relation to conservation areas, special attention must be paid to 'the desirability of preserving or enhancing the character or appearance of that area'.

The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Where a proposed development will lead to 'substantial harm' to or total loss of the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

London Plan (2021) Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The policy further states that development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

The proposals are within the setting of a Grade II Listed Building - The Cottage, and a Locally Listed Building (non-designated heritage asset) - Denville Hall. The application site area is fairly extensive and includes three separate buildings. All three properties share the same principal access off Ducks Hill Road, adjacent to the Grade II Listed cottage.

The site itself has an extensive history, with 16th century origins. The original 16th century house was historically known as Maze Farmhouse. For this reason, the site has the potential of some archaeological interest. It has notable historic associations, however in the mid-19th century it was rebuilt by Daniel Norton in a Victorian Gothic style and the site was renamed Northwood Hall. The hall was then subsequently renamed Denville Hall in 1925 when the property was purchased by Alfred Denville, who converted the house to a retirement home for actors.

Denville Hall is a Locally Listed Building. The original building largely dates from 1851 however has been significantly extended to the rear. The original property is two-storeys

with an attic. Constructed in a stock brick it has a steep plain tiled roof. The site associated to Denville Hall includes two detached houses, Nos 48 and 60, which are located within the curtilage of the Locally Listed Building. The buildings date from the 1930s when the estate associated to Denville Hall was sold off and developed for housing. The buildings form part of the original development of the road. They were originally constructed as single residential dwelling houses, and share a principal access from Duck Hill Road, Nos 48 and 60 still retain direct access to Ducks Hill Road.

No 60 is located directly to the north-west of the Grade II Listed cottage fronting onto Ducks Hill Road. It is a single storey bungalow building, constructed of traditional materials. The proximity of the building to the Grade II listed cottage has resulted in some harm to what was original an open rural environment. Nevertheless, the low rise nature of the existing property allows it to quietly exist the setting of the cottage. No 48 is a two-storey building with a gable roof form. It also appears constructed of traditional materials. The current condition of the existing buildings is partly due to neglect.

The Grade II listed cottage is a single storey building constructed of flint and red brick. It dates from the late 18th century and originally formed part of the historic Denville (Northwood) Hall estate. Access to the cottage is located along the south elevation and includes a projecting open porch canopy. Brick hood moulds feature over the casement windows. The east elevation fronting onto the road is gable ended and features a canted bay window at ground floor and small casement to the side and above. The casement windows are of historic and architectural interest, with small diamond glazing bars, significantly contributing to the significance of the heritage asset. To the rear the property has been extended, with built form extending up to the rear site boundary. There is also a detached garage structure to the north of the historic cottage. It should be noted that the drawings do not accurately show the existing built form on the site associated to the listed cottage. The site associated to the cottage is open in character and appearance with a low rise brick and flint boundary wall to the front. The openness of the site allows for some views of the bungalow to the rear of the listed building, from the street scene.

#### Building A

It should be noted that part of the site which is proposed to accommodate Building A already accommodates an existing building therefore the principle of constructing a building in this location is acceptable. It is therefore the design of the new building and its potential impact upon the heritage assets which should be subject to scrutiny.

Building A is located behind 58 Duckshill Road and within the plot which was formally occupied by No 60 Duckshill Road. The building proposed is a t-shape design measuring approximately 21m in depth (north to south) and approximately 23.5m in width. The height of the building alternates between 8m which is the highest part of the two storey element and 5m which is the lowest part of the single storey element. The proposal is for a unconventional design which responds to the site constraints such as the Grade II Listed building to the front of the site and the TPO trees within close proximity to the location of the new building. The height of the building has been reduced and the roof form amended so that it would sit comfortably behind No.58 resulting in a limited impact upon the setting of the Listed Building when viewed from the road. The applicant has submitted a verified view a evidence to support this which is welcomed.

The building would be constructed using Cross Laminated Timber (CLT). The elevations and CGI's indicate that the same material / colour palette would be used for the upper and lower sections of the elevations and the roof where possible. This effectively disguises the

complex and unconventional roof forms.

A landscape buffer is proposed between Building A and the shared boundary with No.58 which will soften the appearance of Building A from within the boundary of No.58 and from the road. As stated above the verified view taken from Ducks Hill Road demonstrates that Building A would sit comfortably within the setting of No.58 therefore it would not result in undue harm to the heritage asset.

The building would also be located approximately 36m to the east of the main block which is a Locally Listed Building. Given the significant separation distance between the existing and proposed building, the impact of the proposals is deemed acceptable.

#### Building B

Similar to Building A, the plot proposed to construct Building B already accommodates an existing building which would be demolished. The existing building is described as a single storey mid century bungalow however the existing plans indicate accommodation was provided across 3 floors above ground level but benefits from further accommodation within the basement (cinema and recreational space). As such the building is considered to be a two storey building with further accommodation provided within the roof space.

The proposed building would measure approximately 10.5m in height which is approximately 3m higher than the existing building. Whilst this is not an insignificant increase the building would be set more 55m away from the Locally Listed Building on site and more than 65m away from 58 Duckshill Road which is a considerable distance. The ground floor element would integrate with Building C which is the restaurant building and the upper floors would benefit from a width of approximately 24m. The upper floors have been designed to feature the same CLT material as Block and a lighter material at ground floor level with additional glazing to help break up the scale bulk and massing of the building from both long and short range views.

Given the distance the building would be located away from the heritage assets, the bespoke materials which would be used to construct the development and the cohesive design of the upper floors, Building B is not considered to give rise to detrimental harm upon the two heritage assets mentioned above.

#### Building C

Building C is proposed in the location of the existing plant and refuse housing. The existing buildings which span approximately 9m combined would be demolished and replaced by the restaurant building which would extend the full width of the existing car park from the Locally Listed Building and integrate with proposed Building B. Building C would be considered to be an extension to the Locally Listed Building and whilst it would not harm any historic built fabric it would result in the site being further developed. It is recognised that due to its location Building C would result in harm to the non-designated heritage asset however, the lightweight appearance of the structure reduces the potential harm and is therefore considered to be acceptable.

#### Glazed link

Keeping the walkway away from the boundary with 52 Ducks Hill Road, as shown on the proposed drawings, is considered an improvement upon the initial proposal for a covered walkway to link all of the new buildings. The existing thick laurel hedge would help to screen the walkway and reduce the visual impact from no. 52. It should also be noted that there are existing structures in the location which will accommodate Building C which are not as

lightweight in appearance as the proposed building therefore would result in existing harm upon the setting of the Locally Listed Building. The planning statement refers to the link as being essential to the delivery of the new accommodation and ancillary use spaces. Given the nature of the occupants for this type of accommodation this is considered to be justified. The lightweight materials and intricate design of the structure are welcomed.

#### Conclusion

Local, regional and national planning policy requires decision makers to assess applications which could result in potential harm to a heritage asset with the upmost scrutiny. The applicant has undertaken lengthy pre-application discussions with the Local Planning Authority resulting in a number of design iterations to bring about a scheme which integrates with the heritage assets whilst providing the applicant with additional C2 accommodation.

As set out above the design of the new buildings and covered walk-way respond to the site constraints and are considered to protect the historic fabric of the Locally Listed and Grade II Listed buildings referred to above. The design of the proposed buildings accompanied by the landscaping enhancement would not result in potential harm upon the non-designated and designated heritage asset.

Furthermore the proposal seeks to provide assisted living accommodation (Use Class C2) which there is an underlying need for within Hillingdon. As such should harm of been identified it is likely to have been less than substantial and would of been outweighed by the benefits of the proposal.

#### **7.04 Airport safeguarding**

The National Planning Policy Framework requires that planning decisions promote public safety and take into account wider security and defence requirements by:

- a) anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security; and
- b) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.

Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that:

- A) The Council will support the continued safe operation of Heathrow Airport and RAF Northolt and will consult with the airport operator on proposals in the safeguarded areas. Proposals that may be a hazard to aircraft safety will not be permitted.
- B) In consultation with the Airport Operator, the Council will ensure that:
  - i) areas included in Airport Public Safety zones are protected from development which may lead to an increase in people residing, working or congregating in these zones; and
  - ii) sensitive uses such as housing, education and hospitals are not located in areas significantly affected by aircraft noise without acceptable mitigation measures.

The site is not located within an area identified as being within an air safeguarding zone and the scale of development is comparable with existing buildings within close proximity to the site. As such no air safeguarding concerns are raised and the scheme complies with

the requirements of Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

#### **7.05 Impact on the green belt**

Although the application site itself is not located within the Green Belt, the site is bounded to the north by Green Belt open land. As such it is important to consider the development's impact upon the openness of the Green Belt.

Whilst the development would result in an uplift in built form and broadly taller buildings than the ones which they are proposed to replace, the buildings would be located at least 45m from the shared boundary with the Green Belt land to the north. Almost the entire northern boundary is lined with mature trees significantly taller than the buildings which sit behind them and there is a land level change resulting in the buildings being set much lower down when viewed from within the Green Belt looking across the application site. The nearest part of the development to the Green Belt would be the construction of the car park which is towards the north eastern corner which would not be visible from within the open land. Furthermore the scheme proposes comprehensive landscaping enhancements which would add to the existing green buffer between the buildings and the open Green Belt land.

The scale of the proposed buildings is considered to be a minor change, there is significant screening to protect views of the buildings from within the Green Belt and the land which abuts the northern boundary is similar in character to the Green Belt itself. As such the development would not conflict with any national, regional or local level Green Belt policy.

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

Policy BE1 of the Local Plan: Part One (2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents.

Policy DMHB 10 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) be of a height, form, massing and footprint proportionate to its location and sensitive to adjacent buildings and the wider townscape context. Consideration should be given to its integration with the local street network, its relationship with public and private open spaces and its impact on local views.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) re-emphasises the importance of good design in new development by A) requiring all new buildings and extensions to be designed to the highest standards, which incorporate principles of good design, such as harmonising with the local context by having regard to the scale, height, mass and bulk of surrounding buildings; using high quality materials and finishes; having internal layouts and design which maximise sustainability and the adaptability of the space; protecting features which contribute positively to the area and providing landscaping that enhances amenity, biodiversity and green infrastructure; B) avoiding adverse impacts on the amenity, daylight and sunlight of adjacent property and open space; C) safeguarding the development potential of adjoining sites and D) making adequate provision for refuse and recycling storage.

Policy DMHB 12 of the Local Plan: Part Two (2020) re-emphasises the need for new development to be well integrated with the surrounding area and provides design criteria as to how this would be achieved.

The proposals are within the setting of a Grade II Listed Building - The Cottage, and a

Locally Listed Building (non-designated heritage asset) - Denville Hall. The application site area is fairly extensive and includes three separate buildings. All three properties share the same principal access off Ducks Hill Road, adjacent to the Grade II Listed cottage. Section 7.3 of this committee report assesses the potential impact upon the heritage assets therefore this section of the report will deal with the potential impact upon the street scene only.

The site is located on Ducks Hill Road which is a highly residential area with two / three storey dwellings located to the east, west and south of the site and the north is Green Belt open land. The properties which front Ducks Hill Road vary in scale and design but are mostly traditional dwellings constructed of brick with tiled pitched roofs and are set back within their respective plots with extensive foliage as the front boundary treatments. The site is a complex shape whereby the main entrance and Locally Listed Building front Ducks Hill Road, however the rest of the site sits behind residential plots outside of the applicants ownership which front Ducks Hill Road apart from an existing secondary access which is located adjacent to the Cedars.

The site frontage benefits from trees which line the front boundary and provide a green screen either side of an existing vehicle and pedestrian entrance which leads up to the car park in front of the main Locally Listed Building. Although the proposal includes an amendment to the existing access to the front which would require the removal of a proportion of the soft landscaped area to the east of the entrance, trees would be retained within this section so the screening would not be removed.

The proposed new buildings would not be visible from Ducks Hill Road up to the point where it meets No.58 where minor views of Building A would be visible. The applicant has submitted a verified view taken from in-front of No.58 which demonstrates the building would not result in a substantial change therefore the buildings impact is considered to be acceptable. Minor long distance views of the end of Block C which is to be constructed adjacent to the non-designated heritage assets would be visible however there are a number of mature trees in place which prevent views of the majority of the building and its lightweight appearance further reduce the potential impact upon the street scene.

With regards to Building B, this would potentially be visible from Ducks Hill Road between No.52 and the residential block referred to as 1-8 Cedar. The building would benefit from a height of approximately 10.5 which results in a roof line which would sit above the No.52 but comparable to the ridge height of 1-8 Cedar. Almost the entire frontages of both these plots are lined with mature trees and benefit from further tree cover within the site. As such views of Building B from Ducks Hill Rd will be very limited resulting in a very minor change to the street scene.

Finally the proposal includes the retention of the existing secondary access located some 140m north of the existing main entrance adjacent to 'Muscovy Place' on Ducks Hill Road. The access itself is not subject to assessment but details of the boundary treatments are required in order to ensure that the boundary treatment used would integrate with the surrounding area.

Taking the above points into consideration, whilst there would be a change to the street scene the change would be very limited thus the proposed development is considered to accord with policy BE1 of the Local Plan Part 1, Policies DMHB 10, DMHB 11 and DMHB 12 of the Local Plan Part 2.

## **7.08 Impact on neighbours**

The NPPF includes as a core planning principle that planning should always seek to secure a high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary.

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook.

Paragraph 5.41 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: The Council will aim to minimise the impact of the loss of daylight and sunlight and unacceptable overshadowing caused by new development on habitable rooms, amenity space and public open space. The Council will also seek to ensure that the design of new development optimises the levels of daylight and sunlight. The Council will expect the impact of the development to be assessed following the methodology set out in the most recent version of the Building Research Establishments (BRE) "Site layout planning for daylight and sunlight: A guide to good practice guidance.

Concerns were raised with regard to the proximity of the proposed built form of Building A in the south of the site and adjacent neighbouring properties during pre-application discussions. The revised masterplan indicates an increase in the separation distance between Building A and 50 & 52 Ducks Hill Rd which is now 5m at ground floor level and approximately 20m at first floor level. The applicants planning statement makes reference to the section which has been submitted illustrating a 25 degree line to demonstrate that the development would not result in undue harm to light levels for the neighbouring dwellings. The proposed plans illustrate the design of Building A has taken care to maintain the exiting residential amenity of existing residential properties 50 and 52 Ducks Hill Road and the listed cottage at 60 Ducks Hill Road. In fact, with regard to No.60 Ducks Hill Road, the proposed plans demonstrate that the new proposed Building A will actually improve the outlook and light to the rear of No.60 Ducks Hill Road by removing the built form nearest to it that has the greatest impact upon it. It should also be noted that Building A does not feature any windows at first floor level which would contravene the 21m separation distance between existing and new habitable room windows.

Building B is located in excess of 21m from the nearest residential properties both within Muscovy Place and Cedar Grange. The orientation and location of Building B has, again,

been chosen carefully to full protect and improve upon the exiting surrounding residential amenity of both nearby properties at Muscovy Place and Cedar Grange. Furthermore the illustrative masterplan demonstrates that the new Building B improves upon the existing separation distances set by the existing building at 60 Ducks Hill Road. With specific reference to Cedar Grange, the masterplan shows that the separation distances are increased from 18.8m at the closest point to 24.4m.

The proposed new buildings are therefore, fully compliant with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) in that it does not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

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

Policy D3 of the London Plan (2021) states that proposals should deliver appropriate outlook, privacy and amenity, provide conveniently located green and open spaces for social interaction, play, relaxation and physical activity, help prevent or mitigate the impacts of noise and poor air quality, and achieve indoor and outdoor environments that are comfortable and inviting for people to use.

As the proposal is for a care home, there are no relevant internal or external amenity space standards, however, as a form of residential accommodation, it is nonetheless important to ensure that the resultant development would provide a high quality of life.

The proposed layout consists of units which would appear to be sufficient for independent living and this is common across the existing buildings. Notwithstanding this the applicant has agreed to provide a level of care which would demonstrate that the development accords with the requirements to be considered C2 rather than C3 and this will be secured via a legal agreement. Furthermore, the proposal includes an ancillary, restaurant/cafe/cinema room whereby residents will gather in a communal space to eat and socialise. Additional social communal areas are provided within the proposed new gardens.

Each of the units benefits from adequate internal space designed to be appropriate for the type of occupant the site accommodates. Each unit would benefit from adequate outlook, daylight and sunlight and the external amenity areas and landscape enhancements would provide residents with adequate external amenity. This is considered to represent an appropriate level of provision, which would provide valuable and usable external amenity space for future occupiers.

Overall, it is considered that the living conditions for future occupiers would be acceptable.

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

The National Planning Policy Framework (NPPF) states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people. The NPPF also refers to developments and states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Policy DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) Development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner. In order for developments to be acceptable they are required to:

- i) be accessible by public transport, walking and cycling either from the catchment area that it is likely to draw its employees, customers or visitors from and/or the services and facilities necessary to support the development;
- ii) maximise safe, convenient and inclusive accessibility to, and from within developments for pedestrians, cyclists and public transport users;
- iii) provide equal access for all people, including inclusive access for disabled people;
- iv) adequately address delivery, servicing and drop-off requirements; and
- v) have no significant adverse transport or associated air quality and noise impacts on the local and wider environment, particularly on the strategic road network.

B) Development proposals will be required to undertake a satisfactory Transport Assessment and Travel Plan if they meet or exceed the appropriate thresholds. All major developments that fall below these thresholds will be required to produce a satisfactory Transport Statement and Local Level Travel Plan. All these plans should demonstrate how any potential impacts will be mitigated and how such measures will be implemented.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) 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 DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

Policy DMT 5 of the Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network and that cycle parking and changing facilities are provided.

Policy DMT 6 of the Local Plan: Part 2 - Development Management Policies (2020) requires that proposals comply with the Council's parking standards in order to facilitate sustainable development and address issues relating to congestion and amenity.

The site has a PTAL rating of 1a (Poor), however, it is located within about 1.2km of Northwood Underground Station and Northwood Town Centre. The proposal includes the re-alignment of the existing main entrance to the site which would require part of the soft landscaped area to the east of the site entrance to be removed. Whilst regrettable, no objection is raised to this as the proposal is supported by a plethora of landscape enhancement across the site. In commenting on the proposal the Council's Highways Officer raises no objection to the proposed re-alignment of the existing main entrance or the improvement works to permit the use of the secondary entrance adjacent to 'Muscovy Place' on Ducks Hill Road.

The secondary access which leads to the new car park in the north eastern corner of the site has been reviewed by the Council's Highways engineer who is satisfied that the applicant has demonstrated enough space for two way vehicle movement and pedestrian access safely. No objection has been raised regarding the secondary access which will need to be subject to improvement works such as the provision of a new surface, new boundary treatment and clearance of any overgrown planting. The comments received during the public consultation relating to highway safety and specifically the secondary access have been noted, whilst it is correct that the width of the existing access road varies from 4.5-6m, this exceeds the minimum requirements set out within the Manual For Streets (MFS) and is therefore considered to be acceptable.

In terms of car parking, the landscaping plan indicates that the existing car park would increase from 29 spaces to 32. The existing car park which extends from the access road at the main entrance around the rear of the plot subject to the redevelopment for Block A, will be subject to redevelopment to provide Block C. The displaced spaces are proposed to be relocated to the north eastern corner of the site and accessed via the improved, existing secondary entrance referred to above. 14 spaces are to be retained within the existing parking area accessed via the main entrance and the remaining 18 located to a new parking area in the north eastern corner of the site. Policy DMT 6 of the Hillingdon Local Plan Part Two (2020) requires 1 car parking space per 4 C2 units, the development would provide 12 units thus 3 additional spaces are required. As stated above the proposal would result in an increase of 29 to 32 spaces equating to an additional 3 thus the proposal meets the policy requirements.

It is recommended that a condition be attached to any grant of planning permission to secure 2 parking spaces to be served by active electrical charging points and a further 2 spaces to be served by infrastructure to provide electrical charging points in the future. It is also recommended that 4 accessible spaces are secured, in line with the minimum 10% of total car parking spaces as required by policy.

With regards to cycle parking, it is noted that whilst there is an uplift in the number of units C2 units proposed this would not result in an increase in staff numbers. The Local Plan states that where a development proposes an increase in staff numbers, 1 space per 3 staff is required. As no increase in staff numbers is proposed no additional cycle spaces are required.

It is noted that the applicants submission does not refer to the provision for mobility scooters. It is anticipated that this could be designed into the scheme relatively easily therefore a condition pertaining to the submission of revised plans incorporating Mobility Scooters within the design has been included.

Taking the above points into consideration, the proposal is considered to be acceptable subject to the applicant entering into a s278 agreement for the works required to re-align the main entrance.

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

### **SECURITY**

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 (2020) states that the Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles. Where relevant, these should be included in the Design and Access Statement. Development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating the following specific measures:

- i) providing entrances in visible, safe and accessible locations;
- ii) maximising natural surveillance;
- iii) ensuring adequate defensible space is provided;
- iv) providing clear delineations between public and private spaces; and
- v) providing appropriate lighting and CCTV.

This is supported by Policy D11 of the London Plan (2021).

If recommended for approval, a Secured by Design condition would be attached to achieve appropriate accreditation. Subject to such a condition, the proposal would accord with Policy DMHB 15 of the Hillingdon Local Plan: Part 2 (2020) and Policy D11 of the London

Plan (2021).

## **7.12 Disabled access**

Policy D5 of the London Plan (2021) states that development proposals should achieve the highest standards of accessible and inclusive design. They should:

- 1) be designed taking into account London's diverse population;
- 2) provide high quality people focused spaces that are designed to facilitate social interaction and inclusion;
- 3) be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment;
- 4) be able to be entered, used and exited safely, easily and with dignity for all; and
- 5) be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

Policy D7 of the London Plan (2021) states:

A) To provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that:

- 1) at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings'
- 2) all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

The application proposes 12 new C2 units for which four would be designed to meet wheelchair user requirements and this would be located on the ground floor of Building A and a further two on the first floor of Building B. This is considered to exceed the policy requirements within Policy D7 mentioned above and is welcomed. The Council's Accessibility Officer has reviewed the proposal and has raised no objection subject to conditions pertaining to one of the evacuation lifts meeting the technical standards set out in BS EN 81-76, BS 9991 and/or BS 9999, and remaining so in perpetuity, and the units within buildings A and B should be designed to accord with the technical requirements set out in Approved Document M to the Building Regulations to be Wheelchair Accessible (M4(3) (2)(b)).

Subject to these two conditions the application is considered to accord with Policies D5 and D7 of the London Plan (2021).

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

Affordable housing is not a requirement for C2 uses where an appropriate level of care is provided and occupiers would use shared communal facilities (i.e. it would not include self-contained dwellings). An appropriate level of care is proposed to be secured through a s106 legal agreement should the application be determined for approval. As such, affordable housing is not required to be provided.

The proposal would provide specialist housing for older people, where care is provided on-site, and the principle of this land use is discussed in Section 7.01 'Principle of Development' of this report.

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

TREES AND LANDSCAPING

Policy G1 of the London Plan (2021) states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network.

Policy DMEI 1 of the Hillingdon Local Plan: Part 2 (2020) states that all development proposals are required to comply with the following:

- i) All major development should incorporate living roofs and/or walls into the development. Suitable justification should be provided where living walls and roofs cannot be provided; and
- ii) Major development in Air Quality Management Areas must provide onsite provision of living roofs and/or walls. A suitable offsite contribution may be required where onsite provision is not appropriate.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) also requires that new development is high quality, sustainable, adaptable, and harmonises with the local context. Landscaping and tree planting should also enhance amenity, biodiversity and green infrastructure.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 (2020) states:

A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

The application site benefits from a reasonably large quantum of soft landscaping although there is a significant amount of site area covered by built form. Some of the existing landscape has been left uncared for which has led to overgrown planting within the areas of the site which are subject to this proposal. With regards to trees the site has a number of Cat A1 trees of important merit that and some of these are lost currently within the overgrown landscape. Of the 25 trees suggested for removal only 5 of these are Cat B, the rest are C or U. The majority of trees suggested to be felled are due to poor health and management.

The applicant is proposing a comprehensive set of landscaping enhancements and the Landscaping Design Proposal sets these out in 5 defined areas.

Area 1 - The original Denville Hall and access road with off-site Grade II Listed Cottage  
The proposed relocation of the entrance would result in a proportion of the existing landscaping to the east of the entrance being lost and there are trees within this area which would also be lost. New trees are proposed to offset the loss, the landscaping in this area will be cut back and improved and the existing entrance gates will be reused which is welcomed.

Area 2- The Redwoods and the garden around them  
This area is located to the north of the existing building to be demolished which is No.60. The area accommodates 2 giant Redwoods. Currently it is overgrown and too dense to be considered usable. Tree removal is proposed within this area however the large redwoods would be retained and new trees planted which would allow the mature redwoods to breath and this is welcomed.

This area will become a private communal garden for residents of Building A and their

visitors, with a circular wheelchair accessible path in porous resin bound, allowing for a flat area of mown lawn in the centre to open up the space, surrounded with appropriate seasonal herbaceous planting, ferns and grasses. Small Acers, multi stem Betula and evergreen hedges will be planted around the rear patio areas, to provide privacy from the new communal garden into the ground floor flats. The connecting walkway between Building A and the cafe would be amongst the new planting and trees, there will be a viewing platform accessible from the Building C, overlooking the Redwood Garden.

Area 3 - NW side of the site, with Monterey pine and large lawn

The proposed landscaped masterplan indicates the large lawn and Monterey Pine Tree are to be retained, whilst providing herbaceous planting borders adjacent to the cafe Patio. The lightweight appearance of Building C would allow for clear views out on both sides to the landscaping which creates visual connectivity. The landscaping around Building C will provide sensory planting, with some dappled shade, and ornamental water features within. A resin bound wheelchair path, following a similar route to the existing, will lead around the perimeter of the lawn, towards the top boundary, where there are two resting spots proposed, and clear a vista through to the open fields beyond; thereby expanding the sense of space and potential of the site.

Area 4 - North side - currently overgrown, would become the woodland walk & Area 5 The existing side access road.

The central lawn would be connected directly to the Oak tree and woodland garden. There will be a new wheelchair accessible woodland walk, maintaining key trees, thinning out a lot of self-seeded trees, replanting the understory, and providing a Gazebo for rain cover. A wildlife pond would be centrally located off the path, to provide additional interest, and improve habitats and biodiversity. The new staff car parking would be relocated utilizing one third of this area, accessible via the existing access road, that would also be resurfaced in porous resin bound, and cleared of overgrown vegetation to ensure maximum width for vehicles and passing points.

Urban Greening

The applicants Sustainability Statement provides information relating to Urban Greening. The document states that the proposal would achieve a UGF score of 0.68 which exceeds the London Plan (2021) requirement of 0.4 for residential developments. Page 10 and 11 of the document demonstrate how the score will be achieved.

Conclusion

The applicant has submitted a comprehensive scheme of landscaping enhancements details of which are set out above. Although the tree loss is regrettable the level of replanting outweighs the loss and the variety of species to be planted is welcomed. It should also be noted that the Council's Tree Officer has raised no objection to the felling of the 25 existing trees or the proposed replanting. The UGF score exceeds the minimum requirement. Taking these points into consideration, the proposed development would accord with above policies.

ECOLOGY

Paragraph 174 of the NPPF (2021) states that planning decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. This is supported by Policy G6 of the London Plan (2021) and Policy DMEI 7 of the Hillingdon Local Plan: Part 2 (2020).

An Ecological Assessment and Reptile Survey has been submitted in support of the application. The documents identify that existing building B5 is likely to support bat roosting. The Council's Ecology Officer has stated that the information which has been submitted suggests appropriate mitigation is proposed and would be sufficient to ensure that where a licence is required for the works which have a potential to impact the Bat roosting areas, would be sought from Natural England. Natural England cannot give their licence until planning permission is in place; in turn, the Council cannot reach a positive determination until it is satisfied that a bat licence would likely be issued. The Council's Ecology Officer has stated that the proposed mitigation is considered to be satisfactory and is of the opinion that it would not conflict with Natural England License requirements.

Notwithstanding the above, the applicant is required to submit details of the approved bat mitigation license issued by Natural England with full details of the mitigation requirements provided to and approved in writing by the LPA prior to the commencement of the development including demolition of the existing buildings. Further ecological enhancements are also suggested by the Ecology Officer thus a condition pertaining to the submission of specific ecological enhancement plan is required to ensure the development delivers the biodiversity net gain which is a policy requirement.

Subject to the agreement of these conditions the proposal is considered to be acceptable in ecology terms.

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

Policy EM11 of the Local Plan: Part 1 (2012) requires all new development to address waste management at all stages of a development's life from design and construction through to the end use and activity on site, ensuring that all waste is managed towards the upper end of the waste hierarchy.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that:

D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

The application is not supported by a refuse strategy however the proposed plans indicate each building would benefit from an individual bin store. There is a bin collection point indicated on drawing No DH-03r2 at the front of Building C where the refuse vehicle would be able to enter the site travel around the internal roundabout and then load the refuse onto the truck. As no refuse management plan has been submitted, the details of how collection will take place and the method for moving the bins from the individual bin stores to the collection point would need to be secured via an appropriately worded condition. It is noted that the bin store locations are in excess of the 15m acceptable drag distance, therefore a management plan to ensure the bins are placed at the collection point by the operators of the development would be required, should the application be determined for approval.

The proposed bin store appears to be large enough to include the required number and type of bins, however no further details have been provided, and as such, a condition requiring further details of the proposed bin store, including details of the number and type of bins to be provided, and a management plan is required.

Subject to the agreement to these conditions the proposal is considered to be acceptable in terms of waste management.

#### **7.16 Renewable energy / Sustainability**

## ENERGY

Policy SI 2 of the London Plan (2021) requires major developments to be net zero-carbon. Major development proposals are expected to include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided through a cash in lieu contribution to the borough's carbon offset fund, or off-site provided that an alternative proposal is identified and delivery is certain.

Policy EM1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will ensure that climate change mitigation is addressed at every stage of the development process. This includes the reduction of carbon emissions through low carbon strategies and encouraging the installation of renewable energy to meet the targets set by the London Plan (2021).

Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that: A) All developments make the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan targets; B) All major development proposals must be accompanied by an energy assessment showing how these reductions will be achieved; C) Proposals that fail to take reasonable steps to achieve the required savings will be resisted. However, if the Council is minded to approve the application despite not meeting the carbon reduction targets, then it will seek an off-site contribution to make up for the shortfall. The contribution will be sought at a flat rate at of £/tonne over the lifetime of the development, in accordance with the current 'allowable solutions cost'.

The application is supported by an Energy Assessment which states that the development would achieve a 15% carbon reduction, as such the development would not be policy compliant. The applicant states that the development could achieve a higher standard of renewable energy provision on site through the measures such as PV panels however this would result in a negative impact on both the design of the new buildings and also the heritage assets. As such it is clear that the policy requirement needs to be balanced against the potential harm. In essence the development needs to provide mitigation for the additional 9tCO<sub>2</sub> per annum generated by the development to bring the proposal up to a policy compliant standard. As such a financial contribution of £25,669 is sought to offset the shortfall in on site mitigation. The proposal has been reviewed by the Council's Energy Officer who has raised no objection subject to the agreement of the offset contribution to be secured by a s106 legal agreement.

### **7.17 Flooding or Drainage Issues**

Policy SI 13 of the London Plan (2021) requires development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the drainage hierarchy.

Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated.

Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that proposals that fail to make appropriate provision for flood risk

mitigation, or which would increase the risk or consequences of flooding, will be refused.

The applicant has submitted a Flood Risk Assessment and Surface Water Strategy which sets out how water generated by the development will be discharged and dealt with, within the boundary of the site. It also confirms that the site is not located within an area identified as being subject to fluvial flooding. The documents have been reviewed by the Council's Flood Risk Consultant who has not raised an in principle objection to the proposal but has stated a requirement for additional SUDs information is required. For example further information relating to rainwater harvesting has been requested, however it is understood the applicant is proposing to utilise rainwater harvesting as one of the SUDs measures but the location and design would not be confirmed until RIBA stage 3 which is the more detailed design stages (for building regulations). Whilst the objection raised by the Flood Consultant is noted, the additional detail can be secured by way of an appropriately worded condition.

As such, subject to a condition pertaining the submission of a revised SUD's strategy the proposed development is considered to accord with relevant policies set out above.

## **7.18 Noise or Air Quality Issues**

### **NOISE**

Policy D13 of the London Plan (2021) places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.

Policy D14 of the London Plan (2021) states that in order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise by:

- 1) avoiding significant adverse noise impacts on health and quality of life
- 2) reflecting the Agent of Change principle as set out in Policy D13 Agent of Change
- 3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses
- 4) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity)
- 5) separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials - in preference to sole reliance on sound insulation
- 6) where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles
- 7) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

This is supported by Policy EM8 of the Hillingdon Local Plan: Part 1 (2012) and Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

The applicant has submitted a noise assessment which includes a review of the potential noise impacts upon local residents and occupants within the site itself. The document sets out the noise expectancy arising from the cafe/restaurant (Building C), cinema room (Building B) and the residential accommodation proposed. Furthermore the document

states that noise from plant equipment would be restricted to 5db and below and the same limit is applicable to the restaurant/cafe use. Mitigation is provided in the form of glazing and the overheating strategy which has been submitted raises no concerns. The Council's Noise Officer has reviewed the document and raised no objection to the proposal, as such the application is considered to comply with the above policies.

#### AIR QUALITY

Paragraph 181 of the National Planning Policy Framework (February 2019) states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan and Policy SI1 of the London Plan (2021), and paragraph 170 of the National Planning Policy Framework (2021).

Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will seek to safeguard and improve all land, water, air and noise quality. All development should not cause deterioration in the local air quality levels and should ensure the protection of both existing and new sensitive receptors.

Policy DMEI 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that all development proposals are required to comply with the following:

- i) All major development should incorporate living roofs and/or walls into the development. Suitable justification should be provided where living walls and roofs cannot be provided; and
- ii) Major development in Air Quality Management Areas must provide onsite provision of living roofs and/or walls. A suitable offsite contribution may be required where onsite provision is not appropriate.

Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

B) Development proposals should, as a minimum: i) be at least "air quality neutral"; ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

The application site is located within an Air Quality Focus Area and given the scale this is a proposal for a major scale development, the applicant is required to demonstrate the proposal would be air quality positive and not just air quality neutral. The applicant has submitted an Air Quality Assessment which demonstrates the development would be air quality neutral but not air quality positive. The additional trips generated by the development require mitigation to be provided, however in the absence of appropriate on site mitigation a damage contribution is applicable. In this case the applicant has provided a comprehensive landscaping scheme with additional tree planting and a commitment to submitting a robust travel plan which will detail targets for shifting travel to and from the site to more

sustainable modes. This results in a reduction in the damage cost required from £15,052 to £9,784. The applicant has agreed to pay the damage cost which will be secured within a s106 legal agreement.

Taking the above points into consideration, the proposal is considered to be acceptable subject to conditions pertaining to low and reducing emissions strategies and the securing of the above damage cost within a s106 legal agreement.

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

6 objections and 12 comments in support were received during the public consultation process. The matters raised are discussed in greater detail in the relevant sections of this report. It is considered that the proposed care home use is acceptable in this location, providing a form of residential accommodation which will free up housing elsewhere in the borough and would not lead to significant harm to residential amenity.

The scale of the proposal is considered acceptable, recognising that efforts to reduce the height the Build A to reduce the potential impact upon the Grade II Listed Building which is located in front of this part of the site, whilst the overall design is considered to be unlike the traditional buildings which line the front of Ducks Hill Road, the unique design is considered to respond to the constraints of the site and both the Councils Urban Design/Heritage Officer and Historic England have raised no objection.

The level of parking is considered appropriate for a development of this size, particularly in an area of PTAL 1 where there is a stronger reliance on the motor vehicle to travel to and from the site. However it is important to note that future occupiers are unlikely to be driving and parking would therefore be for visitors and staff. To respond to the concerns regarding the safety of the secondary access, it is important to note that this is an existing access road and it has been tested by the Councils Highway Engineer who has confirmed it would allow for two-way vehicle and pedestrian movement in accordance. As such no highway concerns have been raised.

With regards to biodiversity, Officers consider the landscaping scheme to be comprehensive and would lead to a biodiversity net gain as well as achieving a UGF score of 0.68, which is higher than the policy requirements.

#### **7.20 Planning obligations**

Policy DMCI 7 of the Hillingdon Local Plan: Development Management Policies (Planning Obligations and Community Infrastructure Levy) sets out that planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it, to ensure that development is sustainable in accordance with the NPPF (2021). Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL) and through planning obligations.

Specifically, planning obligations are used to secure the provision of affordable housing in relation to residential development schemes, and where a development has infrastructure needs that are not addressed through CIL to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal. Applications which fail to include appropriate planning obligations to make the proposal acceptable will be refused. Planning obligations run with the land, are legally binding and enforceable.

The Community Infrastructure Levy Regulations, the NPPF and Planning Practice Guidance have put three tests on the use of planning obligations into law. In this regard, planning obligations must meet the following tests to be lawful:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonable related in scale and kind to the development.

The following Heads of Terms are proposed, to be secured through a section 106 legal agreement to either ensure policy compliance (e.g. affordable housing) or to address deficiencies in the scheme which could not be addressed through amendments to the plans:

- i) Secure use of the building as a care home, falling within the C2 use class and the submission of details relating to an established minimum level of care to be provided.
- ii) Air Quality Positive financial contribution of £9,784
- iii) A carbon offsetting contribution of £25,669 based on £95 per tonne over a period of 30 years, or a reduced figure if greater on-site carbon savings are shown to be implementable through an updated Energy Strategy;
- iv) HUDU contribution of £6,487 towards healthcare facilities to support the additional population;
- v) A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan will include targets for sustainable travel arrangements, effective measures for the ongoing monitoring of the Travel Plan, and a commitment to delivering the Travel Plan objectives. A £20,000 Travel Plan bond is also to be secured;
- vi) Details shall be submitted for a Construction and Employment Training scheme in accordance with the Council Planning Obligations SPD with the preference being for an in-kind, on-site scheme to be delivered;
- vii) To enter into a s278 agreement to secure highway works; and
- viii) A financial contribution equal to 5% of the total cash contributions, for Project Monitoring and Management.

In addition, the scheme would also be liable for payments under the Mayoral Community Infrastructure Levy (MCIL2), at a rate of £60 per sqm, subject to indexation, but would not be liable under Hillingdon's CIL charging schedule.

#### **7.21 Expediency of enforcement action**

Not applicable to this application

#### **7.22 Other Issues**

##### **HEALTH INFRASTRUCTURE**

The supporting text to Policy DF1 of the London Plan (Delivery of the Plan and Planning Obligations) explains that the demand for health services in London is increasing due to a growing and ageing population and an increase in complex and long-term health conditions, and as such, across London, developer contributions are used to fund the capital costs of new or expanded primary and community care facilities. This is needed to meet the increasing demand for services which arises from population growth in areas of intensification or growth. Using the London Healthy Urban Development Unit Planning Contributions Model (HUDU Model) allows local planning authorities, in conjunction with Clinical Commissioning Groups and NHS England, to calculate the capital cost of the additional health facilities required to meet the increased demand from developments.

In this instance, whilst it is recognised that the proposed C2 use would provide an element of care, it would primarily be a place where people live on a permanent basis and would introduce a high number of elderly residents who would may need fairly high levels of care. Additionally, the borough's CIL charging schedule does not allow CIL to be applied to C2 uses, and consequently there would be no scope to improve local health services using

CIL.

In conjunction with the NHS, the HUDU model has been applied to this development, and a capital contribution of £6,487 towards healthcare facilities would be required to support the additional strain placed on local services as a result of the increase in population. This contribution would be secured as a planning obligation.

#### CONTAMINATED LAND

Policy DME1 12 of the Local Plan: Part Two (2020) requires proposals for development on potentially contaminated sites to be accompanied by at least an initial study of the likely contaminants. Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.

The applicant has submitted a phase 1 contaminated land desktop study which concludes that the initial surveys identified possible risk of contamination. The Councils Contaminated Land Officer has reviewed the document stated that further information should be submitted to (1) identify in full the contamination risk, (2) a detailed remediation strategy for mitigating the potential contamination and (3) evidence to demonstrate the remediation has been carried out.

Subject to conditions pertaining to the above the development is considered to be acceptable.

#### FIRE SAFETY

Policy D12 (Fire safety) of the London Plan (2021) says that in the interests of fire safety and to ensure the safety of all building users, development proposals must achieve the highest standards of fire safety.

The proposal is supported by a Fire Safety Statement which sets out details of an evacuation strategy, alarm and detection system and means of escape provisions. It should be noted that the suitability of the structure and materials themselves would be considered in more depth at detailed design stage whereby the applicant would need to demonstrate accordance with the fire safety related building regulations. As such the outline Fire Safety Statement is considered to be robust however further information is required following the comments relating to the need for one of the lifts to be amended in accordance with the Access Officers request for one of the evacuation lifts meeting the technical standards set out in BS EN 81-76, BS 9991 and/or BS 9999. Furthermore the applicants Fire Safety Statement does not cover the building's construction: methods, products and materials used, including manufacturers' details. A condition for a revised Fire Safety Strategy is therefore required and recommended should the application be determined for approval.

### **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

### **10. CONCLUSION**

The proposed development is considered to represent an appropriate land use, optimising the site's potential to provide needed care home accommodation, which has been established at a regional and local level, which in turn frees up housing elsewhere in the

borough as future occupants seek to downsize or for those who require daily care which can not be administered at home. The surrounding residential character of the area would remain largely unchanged as a result of the proposed development.

The site accommodates a Locally Listed Building and is bounded by a Grade II Listed Building therefore specific scrutiny of the potential harm has been undertaken. The design of the development responds to these constraints and the overall design and scale of the proposal is considered acceptable. As such the development would not result in harm to designated and non-designated heritage assets. The proposed material palette is bespoke and responds to the green and woodland feel of the site.

The development would further not lead to significant harm to neighbouring residential properties in terms of a loss of light, outlook or privacy, or an increased sense of enclosure, nor would the proposal significantly worsen air quality or noise conditions in the area, and parking provision is considered acceptable and proportionate to the scale of development.

Overall, it is considered that the proposal would result in a number of significant benefits and generally accords with the development plan, and on this basis is recommended for approval subject to the conditions and planning obligations listed in this report.

## **11. Reference Documents**

National Planning Policy Framework (July 2021)

The London Plan (March 2021)

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

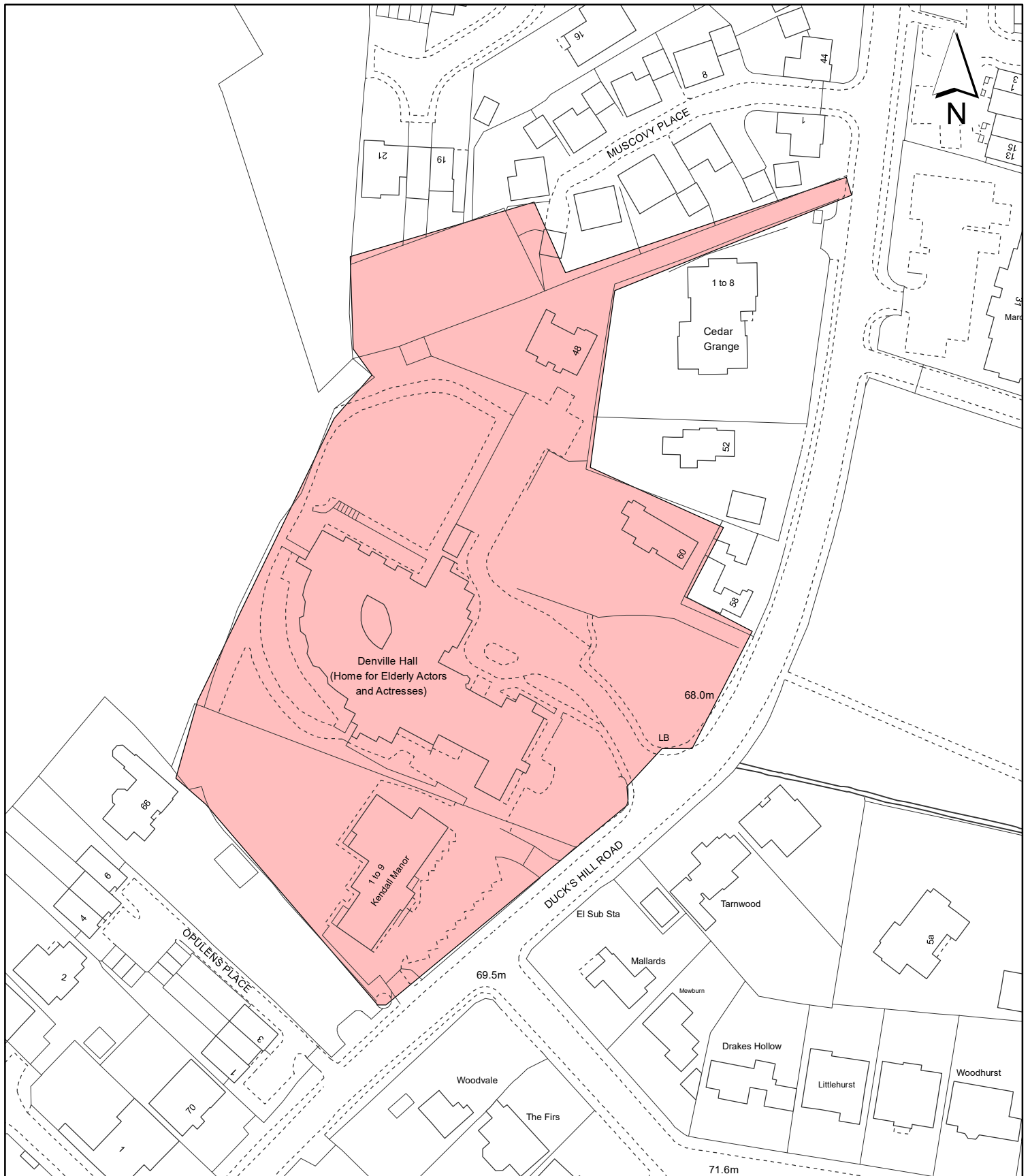
Hillingdon Local Plan: Part 2 - Site Allocations and Designations (January 2020)

Accessible Hillingdon Supplementary Planning Document (September 2017)

Planning Obligations Supplementary Planning Document (July 2014)

**Contact Officer:** Christopher Brady

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**Denville Hall**

**LONDON BOROUGH OF HILLINGDON Residents Services Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:  
**924/APP/2022/3603**

Scale:  
**1:1,250**

Planning Committee:  
**Major**

Date:  
**March 2023**

