

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

**Address** 26-28 DOWDING ROAD HILLINGDON

**Development:** Change of use of 2 dwellings (Use Class C3) to a building for the provision of education (Use Class F1a)

**LBH Ref Nos:** 75328/APP/2020/3570

**Drawing Nos:** Location Plan (1:1250)  
Block Plan (1:500)  
Proposed Ground Floor Plan (Screenshot 2020-10-20 at 11.53.09)  
Proposed First Floor Plan (Screenshot 2020-10-20 at 11.52.56)  
Transport Statement  
Existing and Proposed Ground Floor Plans  
Existing First Floor Plan  
Proposed First Floor Plan

**Date Plans Received:** 22/10/2020 **Date(s) of Amendment(s):**

**Date Application Valid:** 09/12/2020

### **1. SUMMARY**

The current application seeks planning permission for the change of use from C3 (Dwellinghouse) to Use Class F1a a small independent school. A supporting statement from the Ministry of Defence has been submitted with the submission as follows:

"I am writing in support of the application for change of use for the above property. The property is currently held by the MOD on a long-term lease from Annington Homes Ltd which has 175 years remaining until expiry.

The property was converted by the MOD some years ago into a nursery and the conversion work involved knocking through and creating a single building. Regrettably detailed records regarding the date of when this work was completed are not available, but work was completed after 1996.

In order to bring the property back into use the MOD has reached an agreement in principle with the Red Balloon Learning Centre to enter into a sub-lease to use the property as a specialist learning centre for the therapeutic educational provision for 20 young people aged between 11-17 who have undergone traumatic life experiences such as abuse, bereavement or bullying.

The MOD currently does not have a requirement for the property for residential use nor do we have the ability to terminate the head lease with Annington as this lease requires the MOD to terminate a minimum of twenty properties which we are unable to do.

This provisional arrangement is therefore considered the only viable option and is an opportunity of bringing the property back into effective occupation rather than it remain empty and we support the application for change of use."

### **2. RECOMMENDATION**

**REFUSAL** for the following reasons:

**1 NON2 Non Standard reason for refusal**

The proposal would result in the loss of the existing residential units, which are suitable with or without adaptation for residential use and would thus result in the diminution of the Council's existing housing stock to the detriment of the future housing needs of the borough. The proposal is therefore contrary to Policy DMH 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy 3.14 of the London Plan (2016).

**2 NON2 Non Standard reason for refusal**

The proposed development by reason of its use as an independent school for the number of people proposed, would result in a significant increase in noise and general disturbance to nearby residential properties, and as such would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. Therefore, the proposal would be contrary to Policy 7.15 of the London Plan (March 2016), Policy EM8 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

**3 NON2 Non Standard reason for refusal**

The proposed development fails to provide sufficient on-plot parking resulting in substandard car parking provisions, leading to undue on-street parking demand to the detriment of on-street parking capacity and public/highway safety contrary to Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policies 6.3 and 6.13 of the London Plan (2016).

**4 NON2 Non Standard reason for refusal**

The proposal, by reason of its design and layout fails to provide a property which meets the requirements of people with disabilities and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policies 7.1 and 7.2 of the London Plan (2016).

**INFORMATIVES**

**1 I59 Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

**3. CONSIDERATIONS**

**3.1 Site and Locality**

The application site comprises a pair of semi-detached dwelling houses located on the east side of Dowding Way. They are set under a hipped roof and have external brick facing. They are set back from the highway and by 6 m with a landscaped frontage. Although no dedicated parking there is a lay by to the front of the dwellings providing parking spaces for five vehicles. The surrounding area is residential in character comprising two storey semi-detached dwellings

**3.2 Proposed Scheme**

The current application seeks planning permission for the change of use of 2 dwellings

(Use Class C3) to a building for the provision of education (Use Class F1a).

### **3.3 Relevant Planning History**

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

No relevant planning history

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

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

#### **Development Plan**

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

1.2 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 West London Waste Plan (2015)

The London Plan - Consolidated With Alterations (2016)

#### **Material Considerations**

The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

#### **Emerging Planning Policies**

Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

#### **Draft London Plan (Intend to Publish Version, December 2020)**

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October 2019.

The Mayor considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a

statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required.

On 9th December 2020, the Mayor wrote to the Secretary of State to advise of his intention to formally approve a new draft London Plan, which included his best understanding of the modifications required. The Secretary of State responded on 10th December 2020 requesting that the draft London Plan was re-submitted with more specific amendments to address the 11 previous Directions and 2 additional Directions. On 21st December 2020, the Mayor formally approved a new London Plan, the 'Publication London Plan'. This has been submitted to the Secretary of State. The Secretary of State has 6 weeks to respond or can request a further extension of time. The Mayor can only publish the Plan after the Secretary of State has given approval.

More limited weight should be attached to parts of draft London Plan policies where the Secretary of State has directed specific amendments. Greater weight may be attached to policies that are not subject to the specific amendments from the Secretary of State

### **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

#### **Part 2 Policies:**

- DMH 1 Safeguarding Existing Housing
- DMH 2 Housing Mix
- DMHB 11 Design of New Development
- DMHD 1 Alterations and Extensions to Residential Dwellings
- DMCI 1A Development of New Education Floorspace
- DMCI 2 New Community Infrastructure
- DMT 1 Managing Transport Impacts
- DMT 2 Highways Impacts
- DMT 6 Vehicle Parking
- LPP 3.14 (2016) Existing Housing
- LPP 5.13 (2016) Sustainable drainage
- LPP 6.3 (2016) Assessing effects of development on transport capacity
- LPP 6.13 (2016) Parking
- LPP 7.1 (2016) Lifetime Neighbourhoods
- LPP 7.2 (2016) An inclusive environment
- LPP 7.15 (2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.

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

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

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

## **6. Consultations**

### **External Consultees**

16 neighbouring properties and the local residents association were consulted by letter dated 24/12/2020. The consultation period expired on 17/1/2021.

Five written representations have been received together with a signed petition objecting to the proposal summarised as follows:

1. Loss of privacy
2. Noise pollution
3. Exacerbation of parking
4. Increased through traffic
5. Safety & security
6. Out of character within a residential street
7. Potential abuse and anti social behaviour
8. Potential of objects being thrown
9. Financial impact on house prices
10. Potential affect on current medical conditions

Officer response - Concerns Nos.1 to 6 raised above will be addressed within the body of this report. The remaining concerns Nos. 7 to 10 are not material planning considerations.

### **Internal Consultees**

Planning Policy:

Development Plan

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Material Considerations

1.3 The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Emerging Planning Policies

1.4 Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local

Planning Authorities may give weight to relevant policies in emerging plans according to:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
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The Mayor has considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required. These are set out at Annex 1 of the response; however the letter does also state that if the Mayor can suggest alternative changes to policies that would address the concerns raised, these would also be considered.

More limited weight should be attached to draft London Plan policies where the Secretary of State has directed modifications or where they relate to concerns raised within the letter. Greater weight may be attached to policies that are not subject to modifications from the Secretary of State or that do not relate to issues raised in the letter.

Designations - Principle of Development

Loss of Housing

The Draft London Plan (December 2019) Policy H10 and H8 states that the loss of existing housing is generally only acceptable where it is replaced by higher density residential units than what is already existing. The Council aims to safeguard existing residential accommodation as stated in The Local Plan Part 2 Development Management Policies - Policy DMH 1: Safeguarding Existing Housing. Although, where there is at least an equivalent amount of residential floor space in replacement of the existing dwelling, we can support the loss of the existing building. The Council will also support subdivisions of dwellings, only if there are minimum car parking standards met on the curtilage of the site.

The redevelopment should be better quality and provide an equivalent level of affordable housing floor space. Where possible, regeneration of a development should deliver an uplift in affordable housing. However, the proposal is a change of use to a Category F1a small independent school. It should be taken into account that the building has been vacant for quite some years prior to the present time and there has been no use of the site. From this, we should assess whether it is appropriate and viable to change the use of the site to provide an independent small centre for 20 young people, aged 11-17 year old who have gone through traumatic life experiences - rather than

keep the site as vacant.

#### Change of Use to a Class F.1 a Small Independent School

Policy S1 of the London Plan 2019 enforces that boroughs should ensure that the social infrastructure of London's diverse communities is met. There should be a needs assessment conducted where relevant stakeholders and the local community should altogether consider whether there is a need for a small independent school, specifically for the purpose of catering for 11-17 year old and efforts made towards teaching them through their trauma and life experiences. Furthermore, Policy S3 of the London Plan states that the needs assessment should include an audit of existing facilities, where these are located and if there is a demand for it in another location.

The Local Plan Part 1 - Strategic Policies Policy CI1 also sets out that Hillingdon will support the development of new schools and facilities and it requires development to contribute to the provision of community facilities to meet the needs of the community. The London Borough of Hillingdon will measure the success of Policy CI1 through addressing the needs identified in Hillingdon's Joint Strategic Needs Assessment.

Boroughs should seek to provide high quality, inclusive social infrastructure that supports local needs particularly for young people in education and the need to deliver a high-quality service which is inclusive of mental health issues. When assessing whether a development is appropriate, the impact of providing the service should be taken into account. For example, this learning centre will cater for 20 young people in a residential area, so it should determine all aspects of the service and if there are any factors regarding the surrounding street and area itself.

The Local Plan Part 2 - Development Management Policies Policy DMCI 1A sets out criteria of which proposals of new schools will be assessed against. The assessment of the new education floor space should consider the size of the school and its location to public transport, the local highway network and its ability to accommodate school trips without compromising highway safety to students, as well serving walking cycling routes to school. The assessment should also consider the suitability to accommodate a new school, the impact it would have on green open space and on amenity space (it should have sufficient outdoor space).

The proposal in this application suggests that there will only be a change of use from the current vacant building and there will be no additional floor space created. As the proposal is for a small independent school, it will only accommodate facilities and a teaching environment for this number of pupils. There is outdoor garden space which is sufficient for this small number of pupils attending and will be able to host any of their outdoor activities. The school would be in close proximity to Uxbridge Town Centre with a PTAL rating of 1a and is also served by the main highway routes; Honeycroft Hill to the north and Hillingdon Road to the west of the site. This shows that the location would be suitable following the criteria set in Policy DMCI 1A in the LPP2.

The proposal of the new development will not have additional floor space and it also sets out that there will be no signage or exterior design to the building, which means it will be kept in harmony with the existing street scene and there will be no impact on neighbouring buildings or the surrounding area. Policy DMHB 11 in the LPP2 suggests that all development should incorporate good design principles and ensure the high quality finishes and that the internal layout maximises sustainability and is adaptable for different activities, as has been shown in the plans attached to the application.

School Place Planning Project Manager Residents Services commented as follows:

Red Balloon

Hillingdon Education officers strongly support this application for Red Balloon Centre in Uxbridge to serve 20 young people aged 11-17 at a time. There is no similar provision in Hillingdon and

education officers know there are pupils who would benefit, who are waiting for a place in this type of short-term support. Currently, four Hillingdon resident young people are attending the Red Balloon centre in Harrow and others have attended it in the past.

There are now 17,000 students aged 11-17 in Hillingdon secondary schools, so up to 20 pupils at a time is a tiny fraction - but this type of small-group education and support in a more secluded residential setting is vital and life changing for those who need it.

Red Balloon provides a tailored offer of intensive education support and therapy for between 2-6 terms, for those who find it too difficult to cope in mainstream schooling due to a traumatic life experience such as abuse, bereavement or bullying. Some of the young people may have an education health care plan, none are pupils who have been excluded from school. The aim is to enable them to return to mainstream school (or to finish GCSEs if they are mid-way through), or to move on to further education, training or work. Red Balloon have a proven approach, with 100% success in reintegration over the past three years or successful sustained moves into post-16 provision.

It is likely that places in the proposed centre would be commissioned by officers in the Special Education Needs team or the Virtual School team for pupils who are looked after children, and also directly by some schools for short-term placements for their pupils. There is greater demand than can be met at present in Harrow (and that journey is not practical or some young people in Hillingdon) so a new centre in Hillingdon in a quiet location is ideal.

Please refer to the relevant sections within the body of this report for other internal consultee comments.

## **7. MAIN PLANNING ISSUES**

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

Policy DMH 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that A) The net loss of existing self-contained housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent residential floor space.

Policy DMCI 1 outlines that the Council will support the retention and enhancement of existing community facilities.

Policy DMCI 1A states that proposals for new schools and school expansions will be assessed against the following criteria: A) The size of the site, its location and suitability to accommodate a new school or school expansion taking account of compatibility with surrounding uses, and existing planning policy designations (e.g. conservation areas, MOL, Green Belt).

Policy DMCI 2 also outlines that the Council will support proposals for the provision of new community facilities where they are located within the community/catchment that they are intended to serve.

#### **New Community Infrastructure Provision**

7.6 The provision of appropriate community facilities and inclusive access to such facilities is a prerequisite for the proper functioning of any community. The Council is committed to supporting continued provision and where necessary, expansion of social and strategic infrastructure and cultural facilities to meet the needs of the Borough's residents.



7.7 Development/redevelopment of social and strategic infrastructure should be designed to meet the needs of their intended occupants, taking into account any appropriate regulations and national design and space standards. New development should not unduly harm residential amenity, the environment or transport infrastructure in line with all the policies in this document. They must also be appropriate for their surroundings in terms of scale, character and mix of uses.

7.8 Facilities that are located in close proximity to the community they serve and have good public transport accessibility, achieve a number of benefits. They reduce the need to travel longer distances, encourage more sustainable modes of transport and help to engender a sense of ownership of the facility by the community. In turn, this contributes to climate change mitigation, improved public health and well being, and community cohesion.

Correspondence submitted from the Ministry of Defence would indicate that this building is currently vacant but that prior to this current situation, it was converted to use as a nursery in the late 1990's although there is no planning history to confirm this. Existing floor plans submitted with the application indicate that although there are two separate entrances both the ground and first floors of both properties are connected and can be accessed as one building but remains residential in nature and falls within Use Class C3 (Residential).

The applicant has not provided information regarding the current state of the residential units which are proposed to be lost and do not claim that the properties are unfit for habitation. As stated within the Hillingdon Local Plan: Part Two - Development Management Policies (2020) an exception to Policy DMH 1 can be made if the dwelling is unfit for habitation within the meaning of the Housing Act 1985 and is incapable of being brought up at a reasonable cost. The Housing Act 1985 states that a dwelling is unfit for purpose if it is in a bad condition, there is a serious problem with damp, there is not enough natural light or ventilation, there are water supply issues and if there are drainage issues.

The applicant do not claim that the properties are unfit for habitation but that the loss of the residential units should be allowed on the basis that:

"The MOD currently does not have a requirement for the property for residential use nor do we have the ability to terminate the head lease with Annington as this lease requires the MOD to terminate a minimum of twenty properties which we are unable to do.

This provisional arrangement is therefore considered the only viable option and is an opportunity of bringing the property back into effective occupation rather than it remain empty."

The leasing arrangements between the MoD and Annington is not a good planning reason to allow the loss of scarce residential units, given the shortage of such units within the Borough and across London. There is also a concern that, if approved, this would result in a strong precedent for other units with similar leasing arrangements to be converted to non-residential use resulting in a further loss of residential units.

Subsequently, it is considered that the applicant has failed to provide sufficient information and evidence to demonstrate that this case could be considered as an exceptional circumstance which would warrant the loss of residential units. Therefore, the proposal is unacceptable, in principle.

Consequently the proposal would result in the loss of the existing residential units, which

are suitable with or without adaptation for residential use and would thus result in the diminution of the Council's existing housing stock to the detriment of the future housing needs of the borough. The proposal is therefore contrary to Policy DMH 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy 3.14 of the London Plan (2016).

**7.02 Density of the proposed development**

Not applicable to this application.

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

Not applicable to this application.

**7.04 Airport safeguarding**

Not applicable to this application.

**7.05 Impact on the green belt**

Not applicable to this application.

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

The NPPF (2019) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy 7.1 of the London Plan states that "design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood".

Policy 7.4 of the London Plan states, "Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area".

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'. Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that: A) All development, including extensions, alterations and new buildings, will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context; ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and undesignated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

The proposal is for the change of use from residential to Class F1a as a small independent day school and as there will not be any external alterations there will no adverse impact on the street scene.

## **7.08 Impact on neighbours**

Policy DMHB 11 B) of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to safeguard the amenities of neighbouring residents in terms of loss of light, loss of outlook, sense of dominance and loss of privacy.

New Community Infrastructure Provision

7.7 Development/redevelopment of social and strategic infrastructure should be designed to meet the needs of their intended occupants, taking into account any appropriate regulations and national design and space standards. New development should not unduly harm residential amenity, the environment or transport infrastructure in line with all the policies in this document. They must also be appropriate for their surroundings in terms of scale, character and mix of uses.

No external alterations or extensions are proposed however, the use could give rise to potential adverse affects on the amenities of the neighbouring properties within this primarily residential area.

With regards to the impact on neighbouring residential amenity, the proposal is for a therapeutic day school for 20 young people. No further information on the use is provided, but it is presumed that the proposal includes the use of the rear gardens for playground/recreation. The site is surrounded on all sides by residential properties and is in a secluded and quiet location. Its use as a school, including the comings and goings and the use of the rear areas, allied to the number of pupils proposed would result in a significant increase in noise and disturbance to nearby residential properties, and as such would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. Therefore, the proposal would be contrary to Policy 7.15 of the London Plan (March 2016), Policy EM8 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

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

Not applicable to this application.

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

Highways Officer commented as follows:

Site Characteristics & Background

The address consists of a pair of semi-detached 3-bedroom dwellings located within a residential MOD housing estate catchment in Uxbridge. The applicant states that the address has been utilised as a child nursery but no further detail has been provided. It is proposed to convert the two dwellings to a small school F1(a) use class for 20 'troubled' teenagers and 8 FTE staff in attendance operating during weekdays only between the hours of 8.30am to 4.30 pm.

There are no direct on-plot parking provisions but 4-5 perpendicular spaces front the dwellings on what is un-adopted private (MOD) highway. 2 of the said spaces are included within the submitted 'red-line' site boundary and would be dedicated to the proposed use. The unadopted status applies to Dowding Road in its entirety which does not exhibit any parking controls and is relatively narrow in width. The site address exhibits a low public transport accessibility level (PTAL) rating of 1b which is considered as very poor which therefore heightens dependency on the use of private motor transport.

## 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.

Assessment related to parking provisions (including vehicular trip generation) for F1 (formally D1) planning use classes is undertaken on a 'case by case' basis via a transport assessment and travel plan.

The applicant states that 20 pupils (ages 11-17) would attend the address during weekdays only between the hours of 8.30am to 4.30 pm. Given the age demographic which is unlikely to generate use of private motor transport by patrons, it is highlighted that attendees would usually arrive by 'shared' taxi funded by this borough's educational services. This would result in approximately 4 taxis dropping off and picking up at staggered periods during the morning and afternoon respectively. The two dedicated parking spaces on the frontage (within the red-line site boundary) would be utilised for this purpose reverting to general parking provisions for the local and immediate community outside of the above-mentioned weekday operational hours.

8 'FTE' staff are indicated and there are no specific parking allocations presented for this aspect of the proposal. Although the applicant states that staff would not be allowed to park on-site, it is considered that the poor PTAL rating is likely to encourage some private car use which would potentially generate several cars parked in the vicinity as a result.

The surrounding residential properties are predominantly devoid of on-plot parking facilities which places parking burden on the roadway thereby reducing on-street parking capacity which would potentially give rise to a conflict in demand if the proposal proceeds. As the applicant has not provided any detail or evidence with regard to the level of present on-street parking demand and whether any spare capacity exists which could satisfactorily accommodate parking displacement generated by the proposal, the default position is a refusal on insufficient on-plot parking grounds as private car dependency generated by the proposal is likely to be high due to the very poor PTAL rating which can potentially result in undue loss of on-street parking provision for local residents and injudicious parking displacement onto the unrestricted public highway. Understandably the Council has a duty of care to prevent such eventualities wherever possible.

## 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 considered that as the dominant 'taxi' bound mode of attendance by students is realistic, the level of this mode of activity combined with staff attendance is anticipated to be marginal in traffic generation terms and therefore does not raise any specific highway concern or objection.

## Cycling Provision

In terms of cycle parking there should be a provision of at least '1 secure and accessible space per 10 staff or students' in order to conform to the adopted minimum borough cycle

parking standard. 3 spaces are therefore required and cycle racks are proposed. However, no detail is presented hence this aspect should be secured via planning condition.

Conclusion

Refusal on insufficient on-plot parking grounds is recommended as follows:-

"The proposed development fails to provide sufficient on-plot parking resulting in substandard car parking provisions, potentially leading to undue on-street parking demand to the detriment of on-street parking capacity and public/highway safety contrary to Local Plan: Part 2 Development Plan (2020) Policies DMT 1, DMT 2 & DMT 6 and Policies 6.3 and 6.13 of the London Plan (2016).

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

Access officer commented as follows:

This proposal to convert two existing dwelling houses into an independent school has been assessed with reference to the 2016 London Plan and its contained policy 7.2, as well as the obligations on the Local Planning Authority to give due regard to its Equality Act 2010, Public Sector Duty.

The existing dwelling houses are considered to be inaccessible to wheelchair users, however as their Use Class would change if granted permission, and as alterations to the internal are proposed to allow its use as a school, then the opportunity must be taken to make the building as accessible as a reasonably practicable for a disabled pupil using a wheelchair.

If the council is to approve this proposal, the following provisions should be secured on a revised set of plans:

1. The proposed plan does not currently include any WC provision for disabled people and at least one accessible unisex toilet should be provided. The accessible toilet should be designed in accordance with the guidance given in Approved Document M to the Building Regulations 2010 (2015 edition).
2. Level or suitably ramped access should be detailed on a dedicated scale drawing of 1:50, to include ramp width, handrail detail, intermediary landings, top and bottom landings, and intended gradient.

The following Informative should be attached to any approval:

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

Conclusion: revised plans should be requested prior to any approval

#### **7.12 Disabled access**

As discussed above

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

- Not applicable to this application.
- 7.14 Trees, Landscaping and Ecology**
- Not applicable to this application.
- 7.15 Sustainable waste management**
- Not applicable to this application.
- 7.16 Renewable energy / Sustainability**
- Not applicable to this application.
- 7.17 Flooding or Drainage Issues**
- Not applicable to this application.
- 7.18 Noise or Air Quality Issues**
- The issue of noise has been discussed above. There are no air quality implications.
- 7.19 Comments on Public Consultations**
- The concerns raised following public consultation have been addressed within the relevant sections of this report.
- 7.20 Planning Obligations**
- Not applicable to this application.
- 7.21 Expediency of enforcement action**
- Not applicable to this application.
- 7.22 Other Issues**
- None.

## **8. Observations of the Borough Solicitor**

### **General**

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

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

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

### **Planning Conditions**

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

### **Planning Obligations**

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act

1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### **Equalities and Human Rights**

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

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

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

#### **9. Observations of the Director of Finance**

Not applicable to this application.

#### **10. CONCLUSION**

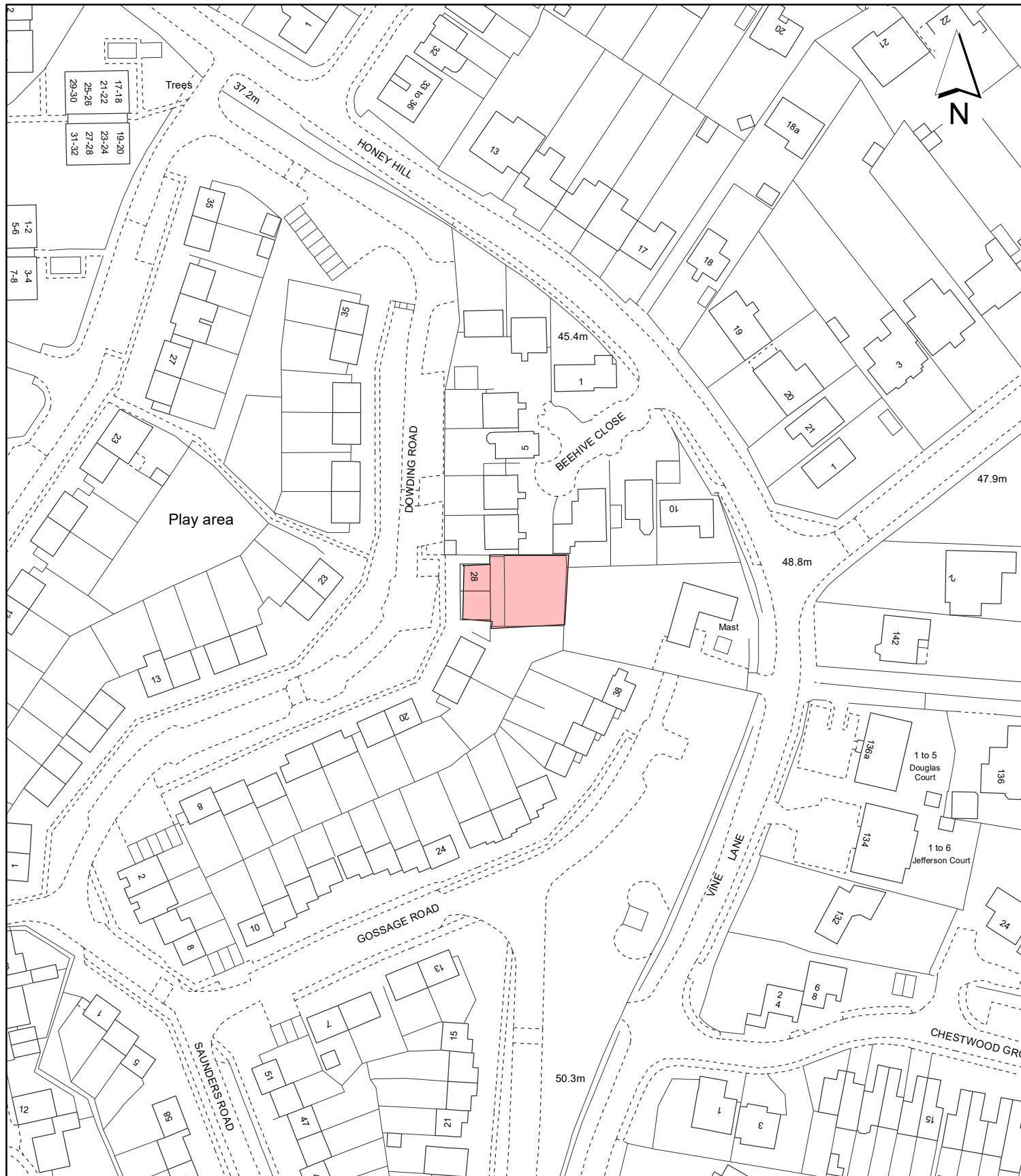
This application seeks the change of use of the building to provide educational facilities and would result in the loss of residential units. In addition it would be harmful to the neighbouring amenity and the local highways network. For the reasons explained in this report, the application is recommended for refusal

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

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan Part 2  
The London Plan (2016)  
Supplementary Planning Document 'Accessible Hillingdon'  
National Planning Policy Framework

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# Notes:

 Site boundary

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Site Address:

**26-28 DOWDING ROAD  
HILLINGDON**

Planning Application Ref:

**75328/APP/2020/3570**

Planning Committee:

**Central & South**

Scale:

**1:1,250**

Date:

**February 2021**

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

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**HILLINGDON**  
LONDON