

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

**Address** SWEETCROFT DENTAL PRACTICE, 267 LONG LANE HILLINGDON

**Development:** Conversion of part ground floor and part first floor residential flat (Use Class C3) to create additional floorspace for dental surgery (Use Class E(e))

**LBH Ref Nos:** 4479/APP/2021/905

**Drawing Nos:** Parking Survey Report Letter dated 14 October 2021  
Parking Survey dated August 2019  
Design and Access Statement Rev. A dated October 2020  
267 LL/P1/07 Rev. A  
267 LL/P1/04 Rev. C  
267 LL/P1/03  
267 LL/P1/02 Rev. B  
267 LL/P1/06  
267 LL/P1/01  
267 LL/P1/08 Rev. B

**Date Plans Received:** 09/03/2021

**Date(s) of Amendment(s):** 10/03/2021

**Date Application Valid:** 09/03/2021

### 1. SUMMARY

The proposal seeks permission for the conversion of part of the ground floor and first floor residential flat (Use Class C3) to create additional floorspace for the existing dental surgery (Use Class E(e)).

Whilst the proposed development would result in the loss of a residential unit, it would retain and improve a health services of the local area and as such the proposal is considered to be acceptable in principle.

The majority of the works are internal and the proposed external alterations only involves the marking of car parking spaces to the existing area to the front and would not impact on the character and appearance of the existing building and the Hillingdon Court Park Area of Special Local Character. Nor would the proposal harm the amenity of the neighbouring properties. For the reasons set out within this report, the application is recommended for approval.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

#### 1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

#### 2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete

accordance with the details shown on the submitted plans, numbers 267 LL/P1/04 Rev. C, 267 LL/P1/07 Rev. A and 267 LL/P1/08 Rev. B and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

### **3 COM5 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:

Parking Survey Report Letter dated 14 October 2020

Parking Survey dated August 2019

Design and Access Statement Rev. A dated October 2020

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

#### REASON

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

### **4 COM12 Use Within Same Use Class**

The premises shall be used as a dental surgery and for no other purpose (including any other purpose in Class E(e)) of the Schedule to the Town and Country Planning (Use Classes) Order 1987) as amended or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

#### REASON

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMCI 1	Retention of Existing Community Sport and Education Facilities
DMCI 2	New Community Infrastructure
DMH 1	Safeguarding Existing Housing
	Heritage Assets

DMHB 1	
DMHB 5	Areas of Special Local Character
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP HC1	(2021) Heritage conservation and growth
LPP S2	(2021) Health and social care facilities
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.5	(2021) Non-residential disabled persons parking
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment

### **3 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.

### **4 I5 Party Walls**

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

### **5 I6 Property Rights/Rights of Light**

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

### **6 I15 Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.'

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

**7            147            Damage to Verge - For Council Roads:**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

**8            170            LBH worked applicant in a positive & proactive (Granting)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from 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.

**9**

The proposed plan does not currently include any WC provision for disabled people and at least one accessible unisex toilet should be provided.

**10**

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.

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The applicant should be mindful of their legal obligation to ensure that disabled people are not denied access to a unique service, e.g. a hygienist, only provided on the first floor.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application property is a large detached former dwelling on the western side of Long Lane near to its junction with Sweetcroft Lane. The application premises has an established use as a private dental practice with a two bed apartment above. The wider area is residential in character consisting of a mix of large detached properties and large semi-detached dwellings, as well as various community facilities and neighbourhood services. The application is located opposite to a church and church hall, and other community facilities.

The application property is located within Hillingdon Court Park Area of Special Local Character and is covered by a Tree Preservation Order. The site and wider area are characterised by large properties set within established gardens with mature trees which line the street scene.

The application property set back from the highway by a considerable distance (approximately 23m), similar to the neighbouring properties south of the application site. The neighbouring property to the north is set forward of the application property.

There is an existing single storey rear extension with a flat roof, which wraps around the south-western flank elevation. There is also an existing single storey front extension with a flat roof that projects forward of the front elevation of the original house.

The forecourt area is used for parking up to 9 cars including 1 reserved for the 2-bedroom flat. The rear garden is well kept but under used. There is a single front access to the dental practice and current flat.

The application site is located within the Hillingdon Air Quality Management Area, critical drainage area and is at risk of surface water. It also has a Public Transport Access Level (PTAL) of 2 (which is low). The nearest station to the site is Hillingdon Underground Station which is 650m away on the north.

#### 3.2 Proposed Scheme

The application seeks planning permission for the change of use to the part ground floor and part first floor residential flat (Use Class C3) to create additional floorspace for the dental surgery (Use Class E(e)).

The scope of works includes:

Ground Floor

- convert flat's kitchen/dining to consultation room and CBCT Room (X-Ray)
- removal of fence between surgery and flat

#### First Floor

- convert the two bedrooms into two surgery rooms
- convert bathroom to WC
- convert lounge to a decontamination room and staff room

#### External Alteration

- a total of 9 marked car parking spaces has been proposed with disabled car parking bay and cycle parking

### 3.3 Relevant Planning History

4479/APP/2015/4590      267 Long Lane Hillingdon

Part two storey, part single storey side extension and first floor front extension to extend the dental surgery at ground floor level and allow for conversion of first floor flat to 2 x 1-bed self contained flats

**Decision:** 07-03-2016    Refused

4479/APP/2019/2690      267 Long Lane Hillingdon

Change of use of first floor from residential (Use Class C3) to create additional floorspace for dental surgery (Use Class D1), and single storey rear extension to existing ground floor residential floorspace, to be used as a studio flat

**Decision:** 16-06-2020    Refused

4479/APP/2020/3410      267 Long Lane Hillingdon

Change of use of first floor from residential (Use Class C3) to create additional floorspace for dental surgery (Use Class E(e))

**Decision:** 14-01-2021    Refused

#### Comment on Relevant Planning History

1. Planning application ref: 4479/APP/2015/4590 was refused dated 07-03-16 for a part two storey, part single storey side extension and first floor front extension to extend the dental surgery at ground floor level and allow for conversion of first floor flat to 2 x 1-bed self contained flats.

2. Planning application ref: 4479/APP/2019/2690 was refused dated 16-06-20 for the change of use of first floor from residential (Use Class C3) to create additional floorspace for dental surgery (Use Class D1), and single storey rear extension to existing ground floor residential floorspace, to be used as a studio flat.

3. Planning application ref: 4479/APP/2020/3410 was refused dated 14-01-21 for the change of use of first floor from residential (Use Class C3) to create additional floorspace for dental surgery (Use Class E(e)).

The reason for refusal:

'The proposal will result in the loss of existing self-contained housing which is not to be replaced with at least equivalent residential floorspace. As such the proposal is contrary to Policy DMH 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).'

#### **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 West London Waste Plan (2015)

The London Plan (2021)

##### **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.

#### **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.HE1 (2012) Heritage

PT1.CI1 (2012) Community Infrastructure Provision

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

DMCI 1 Retention of Existing Community Sport and Education Facilities

DMCI 2 New Community Infrastructure

DMH 1 Safeguarding Existing Housing

DMHB 1 Heritage Assets

DMHB 5 Areas of Special Local Character

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP HC1 (2021) Heritage conservation and growth

LPP S2 (2021) Health and social care facilities

LPP T5 (2021) Cycling

LPP T6 (2021) Car parking

LPP T6.5 (2021) Non-residential disabled persons parking

NPPF- 16 NPPF-16 2018 - Conserving & enhancing the historic environment

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

**5.1** Advertisement Expiry Date:- **8th April 2021**

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

## **6. Consultations**

### **External Consultees**

A site notice was displayed to the front of the application site and a total of 27 neighbouring owners/occupiers were consulted. No comments were received.

### **Internal Consultees**

PLANNING POLICY TEAM:

Principle of Development

The proposal would involve the loss of one two-bedroom residential unit, which is currently split over the ground and first floor. There is no proposed re-provision of this residential unit. Policy DMH 1 of the Local Plan: Part 2 (2020) outlines that the net loss of existing self-contained housing will be resisted unless the housing is replaced with at least equivalent residential floorspace. The proposal would therefore conflict with this policy. It would also conflict with other broader policies around increasing housing supply, which includes Policy H1 of the Local Plan: Part 1 (2012) and Policy H1 of the London Plan (2021). However, Paragraph 4.5 of the Local Plan: Part 2 (2020) does outline that the Council recognised that exceptional circumstances may exist which outweigh the loss of residential units and deliver other Local Plan policy objectives. Each case for exceptional circumstances will be assessed on its merits.

The loss of the residential unit is to facilitate an expansion of the existing dental practice, to facilitate additional dental surgeries, a decontamination room, an x-ray area and a staff room. A letter of support has been provided which highlights that this expansion will allow for a better quality of care to be provided and reduce the number of patients referred for x-ray to Hillingdon hospital. Policy DMCI 2 of the Local Plan: Part 2 (2020) outlines that proposals for the re-use of existing premises for community facilities will be supported. Paragraph 7.23 also highlights that medical and health services in former residential dwellings will be supported provided they do not result in unacceptable noise, traffic and other sources of disturbance to residential areas. Other policies in the Development Plan (including CI1 of the Local Plan: Part 1 (2012) and S2 of the London Plan (2021)) also support proposals for new and enhanced health facilities, subject to them being in accessible locations by public transport, cycling and walking. Whilst the site only has a PTAL rating of 2, it is served by multiple bus routes. The catchment area for the facility is also likely to be relatively local, noting its scale, therefore making the probability of cycling and walking more likely.

No objection is therefore raised to the principle of development for this proposal.

TREES/LANDSCAPE OFFICER:

This site is occupied by a two-storey house which has been converted into a dental surgery on the west side of Long Lane, close to the junction with Sweetcroft Lane. The site lies within the area covered by TPO 60 and, according to the schedule, there are several protected trees at this address. A recent site visit confirmed that a few of the protected trees remain on, or close to, the site: T15 an off-site Corsican pine on the front boundary with number 267, T19 a Corsican pine in the front drive, close to the front door and T16 and T17, two flowering cherries on the rear boundary.

COMMENT: This site has been the subject of recent applications including ref. 2019/2690. No trees



will be directly affected by the proposed change of use of part of the existing building to provide additional surgery space. According to the information submitted, no additional car parking is proposed so there should be no impact on existing trees or the landscape.

RECOMMENDATION: No objection.

HIGHWAYS OFFICER:

#### Site Characteristics & Background

The site is located within a residential catchment in north Hillingdon located on Long Lane (a 'Classified' Road) in proximity to Sweetcroft Lane/Ryefield Avenue traffic signalled junction. The address consists of an existing detached dental surgery with 3 surgeries and a 2-bedroom residential flat split between the ground and first floor. There are 9 on-plot parking spaces on the frontage. The intention is to expand the surgery by converting the 2-bedroom flat to 2 additional surgery rooms. This would facilitate an increase from 3 to 5 surgeries.

The roadway exhibits a mix of some parking restrictions operating for the working day with unrestricted areas which facilitate 'free of charge' on-street parking. An existing access and carriageway crossing that serve the site envelope will remain unaltered.

In terms of planning history, in 2020 a planning application (4479/APP/2019/2690 - expansion from 3 surgeries to 5 with one studio flat) with the same on-plot parking quantum (9 spaces) was refused but not on highway related grounds. This was also the case for a comparable planning application (4479/APP/2020/3410) refused earlier this year.

#### 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.

The Council's maximum standard requires at least 2 on-plot spaces per consulting room to be provided in order to comply with the adopted parking standard. In line with this standard, the on-plot parking requirement for the additional consulting rooms would therefore demand a quantum of 4 spaces for the expanded surgery use.

In total 9 on-plot spaces exist on-site inclusive of 1 disabled compliant space and a single residential provision and this quantum is to remain. When considering the 4-space requirement for the proposal and the demand generated by the 3 existing surgeries (which would require 6 spaces) totalling 10 spaces, there is a very marginal on-plot parking under-provision of 1 space for the overall surgery component.

In terms of parking demand, it is relevant that policies C1 of the Local Plan: Part 1 (2012) and S2 of the London Plan (2021) are supportive of new and enhanced health and welfare facilities, subject to a location being accessible via sustainable modes of travel. Although this site scores a below average public transport accessibility level (PTAL) index of 2, in practice the 'real world' PTAL is considered somewhat higher due the relative proximity of Hillingdon LU Station to the north and a plethora of local bus routes serving the locality. The probability of sustainable travel modes such as walking and/or cycling to and from the address is also more likely given that surgery catchment areas tend to be local.

It is also noted that for the previously refused permission (4479/APP/2019/2690), the applicant undertook on-street parking stress surveys in order to determine whether the capacity of the local road network could safely absorb any parking associated with an intensified use if it should arise. The findings are still considered valid and indicate that there appears to be adequate spare parking capacity which can be legitimately used on the surrounding roadways if the need arises. As there is

no evidence to the contrary as confirmed by random checks by Council officers, the findings are considered robust and acceptable.

Therefore, based on the above reasoning, the proposal is considered acceptable on parking provision grounds albeit slightly below standard.

#### Electric Vehicle Charging Points (EVCP's)

In line with the Local Plan: Part 2 Policy DMT 6 (Appendix C), within any final parking quantum there is a requirement for a minimum of 5% 'passive' and 5% 'active' EVCP provision. In this case, it is recommended that 1 'passive' & 1 'active' space be provided and secured via planning condition.

#### Cycling Provision

In terms of cycle parking there should be a requirement of 2 secure and accessible spaces for each of the new consulting rooms in order to conform to the adopted borough cycle parking standard. The total equates to 4 spaces. This is not indicated on plan but can be secured via a suitable planning condition.

#### 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.

The proposal is unlikely to measurably increase traffic generation to and from the site as compared to the existing dental and residential use specifically during the most crucial peak morning and afternoon traffic hours during which surgery attendance is generally anticipated to be of little consequence given the scale of proposal and typical attendance profiles. Peak period traffic movement generated by the overall proposal would not be expected to exceed a rise of up to 2-3 vehicle movements during both peak periods. Hence this uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

#### Operational Refuse Requirements

Bin storage and collection arrangements will continue as for the existing build without significant alteration. A suitably located bin store has been indicated in proximity of the public highway which conforms to refuse collection requirement distance parameters. There are no further observations.

#### 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 Policies T4, T5 and T6 of the London Plan (2021).

#### ACCESS OFFICER:

The premises from which this dental practice operates was originally a residential dwelling house constructed before accessibility standards were a requirement in such premises. It is unclear from the submitted drawings whether access for wheelchair users is possible via the surgery entrance. The proposed works include conversion of the ground and first floor flat for additional surgery space to provide an x-ray and consultation room. Conversion of the first floor would provide for a staff room and decontamination area. The Design and Access Statement refers to level access from the footpath and an access ramp adjacent to a disabled parking space, however, it has not been possible to ascertain the standard of access as existing from the application details. Given that the premises is used to provide a service to members of the public and so would be subject to compliance with the Equality Act 2010, the following informatives should be attached to any

approval:

1. The proposed plan does not currently include any WC provision for disabled people and at least one accessible unisex toilet should be provided. As building works are planned, the opportunity to construct an accessible toilet on the ground floor.
2. 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.
3. The applicant should be mindful of their legal obligation to ensure that disabled people are not denied access to a unique service, e.g. a hygienist, only provided on the first floor.

Conclusion: acceptable

## **7. MAIN PLANNING ISSUES**

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

Policy DMH 1 of the Local Plan: Part Two (2020) advises that the net loss of existing self-contained housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent residential floorspace.

Policy DMCI 1 of the Local Plan: Part Two (2020) outlines that the Council will support the retention and enhancement of existing community facilities.

Policy DMCI 2 of the Local Plan: Part Two (2020) states the Council will support proposals for the refurbishment and re-use of existing premises for community facility and provision of new community facilities where they are located within the community/catchment that they are intended to serve.

Policy S2 of the London Plan (2021) states that development proposals that support the provision of high-quality new and enhanced health and social care facilities to meet identified need and new models of care should be supported and new facilities should be easily accessible by public transport, cycling and walking.

The application proposal involves the loss of a residential unit which is contrary to Policy DMH 1 of the Local Plan: Part Two (2020). The proposed loss of a residential unit needs to be balanced against the need to expand the existing dental practice. The applicant has provided a letter of support stating that the practice serves NHS patients and the proposed expansion includes a decontamination room, x-ray area, staff room and 2 additional surgeries. The decontamination area is a requirement for best practice, allowing an area for sterilisation and the x-ray area is to provide comprehensive diagnosis for orthodontic treatment, diagnosis of cancers, cysts etc. on site rather than having to refer patients to Hillingdon hospital, unnecessarily clogging up their service, and resulting in delayed diagnoses. Furthermore, due to COVID-19, the expansion would allow staff to safely social distance during the day. It is noted that due to the high demands of patients, appointment times per patients have been shortened. This proposal would allow the practice to increase appointment times and provide a safer and improved quality of service to the local community.

The Policy Officer has commented on the application and raised no objection to the change of use. Although the proposal is a departure from Policy H1 of the Local Plan: Part 1 (2012), Policy DMH 1 of the Local Plan: Part Two (2020) and Policy H1 of the London

Plan (2021) due to the loss of an existing 2-bedroom unit, Paragraph 4.5 of the Local Plan: Part 2 (2020) recognises that exceptional circumstances may exist which outweigh the loss of residential units and deliver other Local Plan policy objectives. As stated above, a letter of support has been provided and is considered acceptable. The proposal would support Policy DMCI 2 of the Local Plan: Part 2 (2020), Policy CI 1 of the Local Plan: Part 1 (2012) and S2 of the London Plan (2021).

On the basis of the above and taking all matters into consideration it is concluded that on balance this proposal is acceptable in principle.

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

Not applicable to this application.

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

The application site is located within the Hillingdon Court Park area of special local character. Only minor soft landscaping is proposed as part of this application. The majority of the changes includes interior alterations and the change of use, as such, would not impact on the character and appearance of the site or the surrounding area.

#### **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**

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 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) re-emphasises the importance of good design in new development requiring all new buildings 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.

There are no exterior changes proposed to the existing building. The scope of works focuses on the interior alterations and the change of use therefore, the proposal would be unlikely to impact on the character and appearance of the area in general. As such, it is considered acceptable and in accordance with Policy BE1 of the Local Plan: Part One (2012) and Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

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

Policy DMHB 11 of the 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. It should also not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space. 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 or onto private open spaces. A minimum of 21m separation distance between windows of habitable rooms will be required to maintain privacy. The Council will also

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.

There are no changes to the exterior elevations of the application site. The existing rear elevation is measured 26m from the property boundary line and the distance from the front elevation to the public pedestrian footpath is 23m. Therefore, the proposal would unlikely to impact on the amenity of the neighbouring occupiers by reason of overbearing, loss of outlook or loss of privacy. As such, the proposal is considered to comply with Policy DMHB 11 of the Local Plan: Part Two - Development Management Policies (2020).

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

Not applicable to this application.

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

Policy DMT 2 of the Local Plan: Part Two (2020) notes development proposals must ensure that safe and efficient vehicular access to the highways network is provided to the Council's standards. Policy DMT 6 of the Local Plan: Part Two (2020) states that development proposals must take into account relevant parking standards.

The proposal for an additional practice could potentially produce an increase in traffic generation to and from the site as compared to the existing surgery however any such activity would be distributed throughout the day thereby avoiding concentrated impact on any one period especially during the most sensitive morning and afternoon/evening peak traffic times. Hence any uplift would be considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

#### **CAR PARKING**

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 harmful impact on the surrounding road network.

In order to comply with the Local Plan, at least 2 car spaces are required per consultation room therefore, for the additional 2 surgery rooms, a quantum of 4 spaces are required, hence a total of 10 spaces should be provided for the entire development. The existing and proposed on-plot car spaces of the application site is 9 car spaces including 1 disable spot. Although there is a very marginal under-provision of 1 car space, the applicant has provided a parking survey in support of this application. The findings of the parking survey indicate there are adequate spare parking capacity in the surrounding roadways to accommodate of additional cars if the need arises.

As stated in Policies CI1 of the Local Plan: Part 1 (2012) and S2 of the London Plan (2021), new facilities should be easily accessible by public transport, cycling and walking. Although the site has a public transport accessibility level (PTAL) of 2, however it should be noted that the site is 650m away from Hillingdon Underground Station (10-13 minutes by foot) and the surrounding area is served by the local bus routes. The Highways Officer has assessed the proposal and recognises that the surgery is more likely to serve the locals within the surrounding area, therefore, the possibility of sustainable travel modes including walking and/or cycling to and from the address is also more likely.

Following the receipt of revised Proposed Parking Plan, two electrical vehicle charging

points are proposed as part of this application, hence the proposal is in accordance with the Local Plan Part 2.

In conclusion, the Council's Highways Officer is 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 Policies T4, T5 and T6 of the London Plan (2021).

## **CYCLE SPACE**

In terms of cycle parking, there would be a requirement to provide at least 2 secure cycle spaces per new consulting room in order to accord with the Council's adopted minimum cycle parking standard. However, with the receipt of a revised plan, 2 secured cycle stores are proposed to the rear garden, adjacent to the gates and 4 additional cycle parking spaces are located adjacent to the disabled spot, which is openly visible from the reception room. The officer is now satisfied with the proposal.

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

Refer to Section 07.07 of this report.

### **7.12 Disabled access**

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

There are no changes to the access of the site. An existing ramp adjacent to the disabled parking is present for accessibility purposes. The Council's Access Officer has assessed this application and no objections are raised subject to informatics.

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

Not applicable to this application.

### **7.14 Trees, Landscaping and Ecology**

Policy DMHB 14 of the Local Plan: Part Two (2020) notes all developments will be expected to retain or enhance the existing landscape, trees, biodiversity and natural features of merit. Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees.

The Council's Trees/Landscape Officer has reviewed this application and no objections are raised. The site lies within the area covered by TPO 60. There are no changes to the use of the site for car parking (accommodate up to 9 parked cars) and no new landscaping works are proposed. Hence, the proposed development is in accordance with Policy DMHB 14 of the Local Plan: Part Two (2020).

### **7.15 Sustainable waste management**

No changes are proposed to the existing arrangement of waste storage and collection. Clinical and recycled waste are collected by private contractor.

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

Not applicable to this application.

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

The site is located within a critical drainage area and risk of surface water, however no external building changes are proposed as part of this application. The minor front garden works would only involve a small corner plot of soft landscaping hence, the proposal is considered unlikely to impact on flooding or drainage issues.

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

## NOISE

Paragraph 180 of the NPPF (2019) expects planning decisions to ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Paragraph 182 of the NPPF (2019) requires planning decisions to ensure new development can be integrated effectively with existing businesses. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development in its vicinity, the applicant should be required to provide suitable mitigation before the development has been completed.

Policy EM8 of the Local Plan: Part One (2012) seeks to ensure noise sensitive developments are only permitted if noise impacts can be adequately controlled and mitigated.

The existing ground floor dental surgery has been in operation for a number of years. The proposed change of use on the first floor will be the same as the existing use. No changes are proposed to the operating hours or the services provided that would raise concerns of noise. As such, it is considered that the proposal would comply with Policy EM8 of the Local Plan: Part One (2012).

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

No public comments received.

### **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**

The proposal seeks permission for the conversion of part of the ground floor and first floor residential flat (Use Class C3) to create additional floorspace for the existing dental surgery (Use Class E(e)).

Whilst the proposed development would result in the loss of a residential unit, it would retain and improve a health services of the local area and as such the proposal is considered to be acceptable in principle.

The majority of the works are internal and the proposed external alterations are minor and would not impact on the character and appearance of the existing building and the Hillingdon Court Park Area of Special Local Character. Nor would the proposal harm the



amenity of the neighbouring properties.

The application is recommended for approval.

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

The Local Plan: Part 1 - Strategic Policies (2012)

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

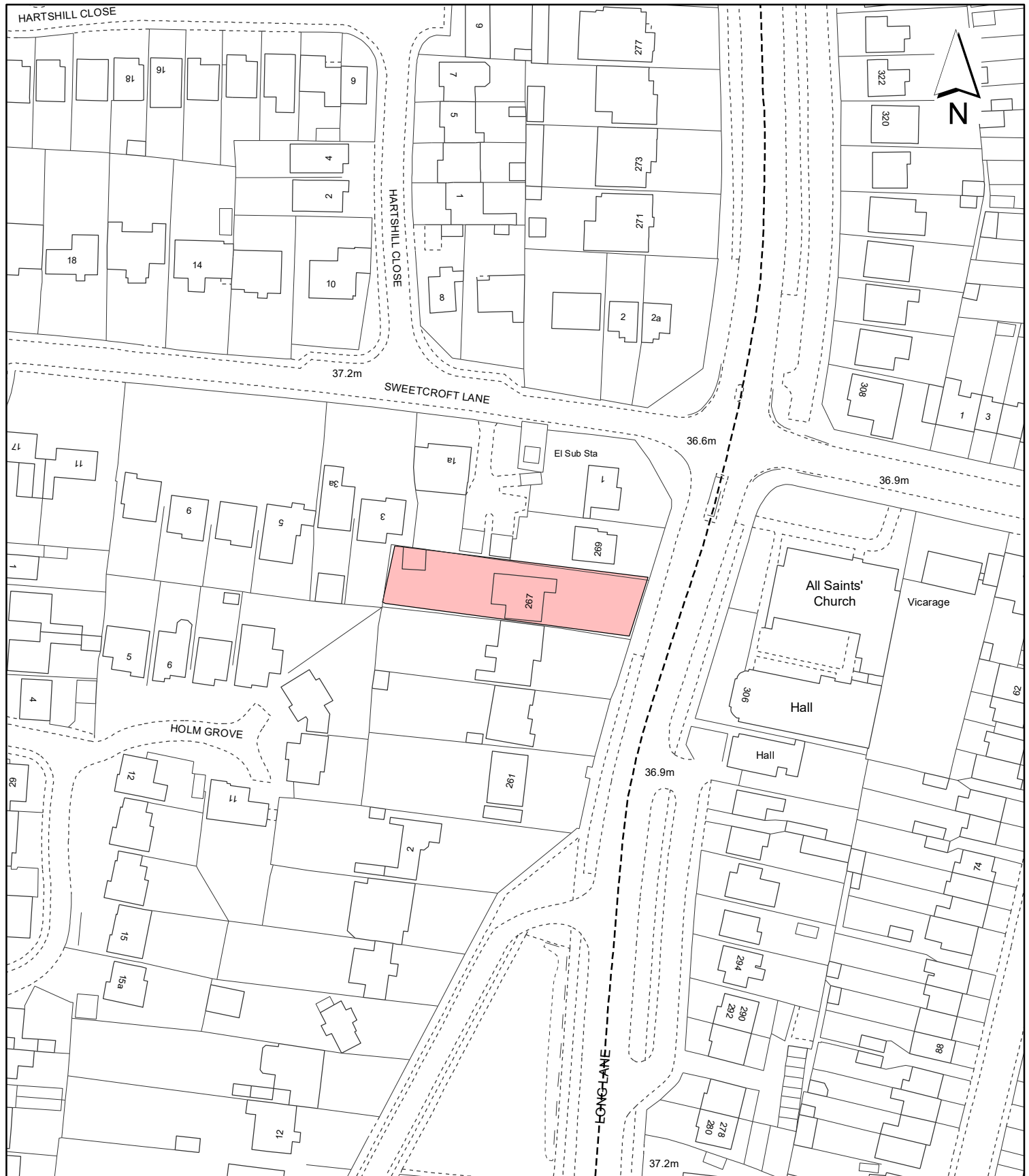
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)

National Planning Policy Framework (2019)

The London Plan (2021)

**Contact Officer:** Rebecca Lo

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# Notes:

 Site boundary

For identification purposes only.

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Site Address:

**Sweetcroft Dental Practice  
267 Long Lane**

Planning Application Ref:

**4479/APP/2021/905**

Planning Committee:

**Central & South**

Scale:

**1:1,250**

Date:

**April 2021**

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

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**HILLINGDON**  
LONDON