

## Report of the Head of Planning & Enforcement Services

**Address** LAND AT 30 - 32 CHESTER ROAD NORTHWOOD

**Development:** Demolition of 30-32 Chester Road and development of Residential Care Home, alterations to access and associated landscaping

**LBH Ref Nos:** 13800/APP/2011/1140

**Drawing Nos:** Tree Survey Report  
13/10/2011  
04A/10/2011  
04/10/2011 Rev. A  
05/10/2011 Rev. A  
09/10/2011 Rev. A  
Design and Access Statement  
Access Statement  
Planning Statement  
Crime Impact Statement  
Transport Assessment  
Renewable Energy Assessment  
03/10/2011  
06/10/2011  
01/11/2010  
07/10/2011  
08/10/2011  
10/10/2011  
12/10/2011  
23/10/2011  
02/10/2011

**Date Plans Received:** 11/05/2011                      **Date(s) of Amendment(s):**

**Date Application Valid:** 01/06/2011

### 1. SUMMARY

This application follows on from a previous refusal for a similar form of development for a care home, subsequently dismissed on appeal earlier this year.

The application now seeks permission to demolish the pair of semi-detached houses whose last authorised use was as a children's home, to be replaced by a two storey block with a part lower ground floor and accommodation in the roof to provide a 22 bedroom care home for the elderly with three parking spaces, including a disabled space to the front.

The site falls within the Old Northwood Area of Special Local Character.

The proposal would be adjacent to two care homes that have both been allowed at appeal and are currently under construction, replacing three former houses.

A previous scheme for a 24 bedroom care home on the application site was refused by the Council in 2010, and a subsequent appeal was also dismissed earlier this year. The Inspector found that that scheme would have resulted in a development that would fail to

harmonise adequately with its context creating a locally incongruous and cramped streetscene, thereby harming the character and appearance of Chester Road and the Area of Special Local Character. He did however find that there would be no harm to highway safety, that the Council's renewable energy requirements could reasonably be controlled by condition, that access for the disabled was satisfactory, and that a health care contribution was appropriate. He also found that the relationship with the adjoining neighbours in terms of the impact on their amenities would be acceptable. Therefore the only reason for refusal of the Council that he supported was in respect of the impact on the character of the area.

This further planning application amends the previous appeal scheme through alterations to the width and design of the building, and in particular the removal of a mansard roof that was previously proposed.

It is considered that this revised scheme satisfactorily addresses the Inspectors concerns, and it is therefore recommended that planning permission be granted for the development.

## **2. RECOMMENDATION**

### **APPROVAL subject to the following:**

#### **1 T8 Time Limit - full planning application 3 years**

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 OM1 Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

#### **REASON**

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **3 M1 Details/Samples to be Submitted**

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority. This shall include the design details of the decorative balcony features, the detailed design of the windows (including bay windows), dormers and external doors. The details shall be implemented as approved prior to the first occupation of the development.

#### **REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **4 M3 Boundary treatment - details**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials

and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

REASON

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**5 MCD10 Refuse Facilities**

No development shall take place until details of facilities to be provided for the covered, appropriately sign posted, secure and screened storage of refuse at the premises have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

REASON

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan 2011 Policy 7.1.

**6 NONSC Non Standard Condition**

The development hereby approved shall not be occupied until the parking area has been laid out, surfaced and drained in accordance with details first submitted to, and approved in writing by, the Local Planning Authority and shall be permanently maintained and available for the parking of vehicles at all times thereafter to the Authority's satisfaction.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**7 NONSC Non Standard Condition**

The development hereby approved shall not be occupied until the means of vehicular access has been constructed in accordance with the details first submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policies AM7 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**8 NONSC Non Standard Condition**

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policies AM7 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**9 TL1 Existing Trees - Survey**

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- (v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

#### REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **10 TL2 Trees to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with

BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **11 TL21 Tree Protection, Building & Demolition Method Statement**

Prior to development commencing on site, a method statement outlining the sequence of development on the site including demolition, building works and tree protection shall be submitted to and approved by the Local Planning Authority, and the scheme thereafter

implemented in accordance with the approved method statement.

#### REASON

To ensure that trees can be satisfactorily retained on the site in accordance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **12 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **13 TL5 Landscaping Scheme - (full apps where details are reserved)**

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

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

The scheme shall also include details of the following: -

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

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities

of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**14 TL6 Landscaping Scheme - implementation**

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

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

**REASON**

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

**15 TL7 Maintenance of Landscaped Areas**

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

**REASON**

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

**16 SUS5 Sustainable Urban Drainage**

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

**REASON**

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 5.13 of the London Plan 2011.

**17 SUS1 Energy Efficiency Major Applications (full)**

The measures to reduce the energy demand and carbon dioxide emissions of the development and to provide 20% of the sites energy needs through renewable energy

generation contained within the submitted report entitled Renewable Energy Assessment shall be integrated into the development and thereafter permanently retained and maintained.

**REASON**

To ensure that the development incorporates appropriate energy efficiency measures in accordance with policies 5.1, 5.3, 5.4, 5.5, 5.7, 5.9, and 5.10 of the London Plan 2011.

**18 NONSC Non Standard Condition**

Before the development hereby permitted is commenced, a scheme shall be submitted to, and approved in writing by the Local Planning Authority detailing how local healthcare facilities will be provided within a 3 miles radius of the site in order to address the need for such facilities arising from the proposed development. This shall include a timescale for the provision of the additional/improved facilities. The approved means and timescale shall then be implemented in accordance with the agreed scheme.

**REASON:**

To ensure the development provides an appropriate contribution to healthcare facilities within the surrounding area, arising from the proposed development, in accordance with Policy R17 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Council's Supplementary Planning Guidance.

**19 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 7.1 and 7.3 of the London Plan.

**20 DIS1 Facilities for People with Disabilities**

All the facilities designed specifically to meet the needs of people with disabilities that are shown on the approved plans shall be provided prior to the occupation of the development and thereafter permanently retained.

**REASON**

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3.1, 3.8 and 7.2.

**21 H16 Cycle Storage - details to be submitted**

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage for staff have been submitted to and approved in writing by the

Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the occupation of the development and thereafter permanently retained.

**REASON**

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

**22 NONSC Non Standard Condition**

Notwithstanding the submitted plans, further details of a refuge area for fire safety which is adequately signed and a fire rated lift shall be submitted to and approved in writing prior to the commencement of any work on site.

**REASON**

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3.1, 3.8 and 7.2.

**23 TL20 Amenity Areas (Residential Developments)**

None of the rooms/units hereby permitted shall be occupied, until the outdoor amenity area serving the development as shown on the approved plans has been made available for the use of residents of the development. Thereafter, the amenity areas shall so be retained.

**REASON**

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

**INFORMATIVES**

**1**

It is contrary to section 163 of the Highways Act 1980 for surface water from private land to drain onto the highway or discharge into the highway drainage system.

**2 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).

**3 I53 Compulsory Informative (2)**

The decision to GRANT/REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

- |      |  |
|------|--|
| BE5  | New development within areas of special local character        |
| BE13 | New development must harmonise with the existing street scene. |



BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
H10	Proposals for hostels or other accommodation for people in need of care
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.2	(2011) Improving health and addressing health inequalities
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 3.14	(2011) Existing Housing - Efficient use of stock
LPP 3.17	(2011) Health and social care facilities
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.10	(2011) Urban Greening
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.13	(2011) Sustainable drainage
LPP 6.13	(2011) Parking
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
PPS3	Housing
PPS5	Planning for the Historic Environment
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

**4            11            Building to Approved Drawing**

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed

precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

## **5            115            Control of Environmental Nuisance from Construction Work**

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours 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 and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) 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.

## **6            12            Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

## **7            123            Works affecting the Public Highway - Vehicle Crossover**

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

## **8            125A            The Party Wall etc. Act 1996**

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) 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. Building Control

will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

### **9 13 Building Regulations - Demolition and Building Works**

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

### **10 16 Property Rights/Rights of Light**

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

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The application site is located on the southern side of Chester Road, some 50m to the west of its junction with Reginald Road. It comprises a pair of large semi-detached, two storey houses that are internally linked and appear to be currently in use as multiple occupation. No. 30 has a two storey side and rear extension and No. 32 has a side garage. There are a number of mature trees in the rear gardens.

The adjoining site to the east, formally occupied by No. 34, is currently a vacant site with permission for redevelopment to provide a 12 bedroom Care Home. The applicant has stated that this development has already commenced with foundations and drainage in place. This development would comprise a detached three storey building with a mansard roof and dormer windows.

The redevelopment of 36 and 38 Chester Road has also recently taken place to provide a 24 bedroom Care Home. This is now substantially complete. This development was allowed on appeal and again comprises a three storey building with mansard roof and dormer windows in the upper level.

26-28 Chester Road are two storey, semi-detached houses with accommodation in the roofspace.

Chester Road forms part of a traditional residential area mainly dating from the Victorian and Edwardian periods with large detached and semi-detached houses of varied design, a number of which have been converted to flats with some plots having been re-developed with more modern flatted blocks and town house schemes. However, two-storey detached and semi-detached properties with small front gardens but overall generous plots tend to dominate. The overall impression is of an established traditional residential area, with

individual detached and semi-detached properties, with a regular pattern and distinctive separation gaps between each building.

The site forms part of the Old Northwood Area of Special Local Character.

### 3.2 Proposed Scheme

This application seeks permission to demolish the existing pair of semi-detached houses (their last authorised use being a children's home) and to erect a 22-bedroom residential care home for the elderly. There is therefore a reduction of two beds in comparison to the previous appeal scheme.

One of the primary concerns of the Inspector in respect of the previous appeal was that it would have only a narrow separation from its side boundaries. This current application therefore seeks to address this concern through the revised design of the development, and an increase in the separation distance with the flank wall of No.34 to 2.1m (previously 1.25m).

The proposed two storey building would have accommodation in the roof space and incorporates a lower ground floor/basement level towards part of the rear of the building.

The building would be set back 6.595m from the back edge of the pavement, broadly in line with the existing building, and in line with that at Nos. 34-38. It would protrude slightly in front of No.28.

To the front, the building would have the appearance of two storeys with accommodation in the roofspace, and would be similar to Nos. 26 and 28 adjoining. To the rear a basement level would be created, including a central two storey rear wing that would protrude into the rear garden to the same depth as that allowed on the adjoining properties.

The building would have a tiled, hipped roof, incorporating a flat roof element. There would be four gable dormers on the front elevation, two on the rear elevation of the main building, and a further one on the rear of the projecting wing.

Three off-street car parking spaces including a disabled persons space are proposed to the front of the new building, with cycle and bin storage provision being made in the rear garden. Pedestrian access would be provided either side of the building. A patio area is also proposed to the rear of the projecting rear wing.

### 3.3 Relevant Planning History

13800/APP/2010/623 Land At 30 - 32 Chester Road Northwood

Demolition of 30-32 Chester Road and development of 24-bedroom residential care home, alterations to access and associated landscaping.

**Decision:** 01-09-2010 Refused

**Appeal:** 10-02-2011 Dismissed

#### Comment on Relevant Planning History

With respect to the application property, No. 30 Chester Road, permission for a two storey side and rear extension to a residential home was approved on the 2/6/89 under reference 4152/B/89/436. This was followed on the 5/3/97, when permission was granted to extend the home again, by allowing the change of use of the adjoining attached property, No. 32

Chester Road from Class C3 (residential) to Class C2 (children's home), incorporating an internal link (ref. 3800/A/96/1624).

In September 2010 the Council refused planning permission for the erection of a 24 bed residential care home on the site under reference 13800/APP/2010/623. This was refused by the Council for the following reasons:

1. The site forms part of the Old Northwood Area of Special Local Character, which denotes that the area is a designated heritage asset for the purposes of PPS5. This advises that there should be a presumption in favour of the conservation of designated heritage assets and in the absence of any information that justifies the demolition of the pair of semi-detached houses and that their re-use/adaptation has been thoroughly explored, the proposal is contrary to PPS5.

2. The proposal would result in the demolition of two further houses adjacent to a row of three former houses that have already been demolished, to be replaced by a row of three similarly designed blocks which would incorporate large mansard roofs with oversized dormers and would now occupy an extensive 50m wide frontage on Chester Road, with only narrow, sub-standard undeveloped gaps to break up the building mass. As such, the proposal would add another incongruous building to this part of Chester Road, the cumulative impact of which would be to create a symmetrical architectural 'set piece' around the central block at No. 34, resulting in a very cramped and overdeveloped street scene. The proposal therefore fails to harmonise with the mixed architecture and spacious character and appearance of the Old Northwood Area of Special Local Character, contrary to Policies BE5, BE13, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's HDAS: 'Residential Layouts'.

3. The submitted transport statement fails to provide correct information on the Council's car parking requirements and does not deal with the issue of parking demand and availability. In the absence of an accurate, comprehensive and current transport statement, the Local Planning Authority has been unable to assess the individual and cumulative highway impact of the proposal, having regard to the adjoining care homes at Nos. 34 - 38 Chester Road that are currently being implemented. There are real concerns that the proposal could cause on-street parking problems to the detriment of highways and pedestrian safety. The proposal therefore fails to comply with Policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (February 2008).

4. The application has failed to demonstrate that the development would integrate sufficient measures to minimise emissions of carbon dioxide, including provision of a 20% reduction in carbon dioxide emissions through on site renewable energy generation, in accordance with the Mayor's Energy Hierarchy. The proposal is therefore contrary to Policies 4A.1, 4A.3, 4A.4, 4A.6 and 4A.7 of the London Plan (February 2008).

5. The development is estimated to give rise to additional demands being placed on local health care facilities and additional provision would need to be made in the locality to maintain the existing service provision. Given that a legal agreement at this stage has not been offered or secured, the proposal is considered to be contrary to Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the adopted London Borough of Hillingdon Planning Obligations Supplementary Planning Document (July 2008).

6. The proposed layout fails to satisfactorily consider fully the needs of disabled people, as such the proposal is contrary to policy R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's Supplementary Planning Document: Accessible Hillingdon (January 2010).

As detailed in the summary of this report a subsequent appeal was dismissed. However, the Inspectors concern was only with regard to the design of the development and its impact on the character of the area.

As noted by the Inspector, it was/is important to consider the application in respect of the adjoining developments that are now being implemented at Nos.34 and 36-38 Chester Road. This can be summarised as follows:

Permission was refused on the 14/9/04 for a 43-bedroom residential care home on this site (ref. 50613/APP/2004/1907). Following the Council's initial refusal of permission for the erection of a 24-bedroom care home with refurbishment and alterations to No. 34 Chester Road (involving the demolition of Nos. 36 and 38), a subsequent appeal was allowed on the 27/7/06 under reference 50613/APP/2005/758. This was followed by an application for the erection of a new 32-bedroom care home, involving the demolition of all three properties, but this application was withdrawn. Subsequently, permission for the erection of a three storey building with mansard roof to provide 12 single en-suite rooms for use as a residential care home, involving the demolition of No. 34 Chester Road was initially refused, before an appeal was allowed on the 17/9/07 under reference 50613/APP/2006/2768.

Subsequently, two applications, one for a new 40-bedroom care home, the other for a new 36-bedroom care home on the entire site at Nos. 34 to 38 Chester Road, both involving the demolition of No. 34 Chester Road (Application Nos. 50613/APP/2007/395 and 397 refer respectively) were both refused. Subsequent appeals were both dismissed on the 17/9/07.

A residential scheme, comprising 3 terraced and 2 semi-detached three storey houses with mansard roofs and lower ground floors to 3 of the dwellings was refused on the 25/9/08 under reference 50613/APP/2008/2051.

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

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

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

- |      |   |
|------|---|
| BE5  | New development within areas of special local character               |
| BE13 | New development must harmonise with the existing street scene.        |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations.                                 |
| BE21 | Siting, bulk and proximity of new buildings/extensions.               |
| BE22 | Residential extensions/buildings of two or more storeys.              |

BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
H10	Proposals for hostels or other accommodation for people in need of care
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.2	(2011) Improving health and addressing health inequalities
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 3.14	(2011) Existing Housing - Efficient use of stock
LPP 3.17	(2011) Health and social care facilities
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.10	(2011) Urban Greening
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.13	(2011) Sustainable drainage
LPP 6.13	(2011) Parking
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
PPS3	Housing
PPS5	Planning for the Historic Environment
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

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

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

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

## **6. Consultations**

### **External Consultees**

65 neighbouring properties have been consulted. 4 petitions objecting to the proposal have been received, together with 14 individual responses.

The first petition with 84 signatories states:

"This application supersedes application 13800/APP/2010/623 which was rejected by LBH. Seymour Homes' appeal against this rejection was dismissed by the Planning Inspectorate on 10 February 2011.

We the undersigned, urge the London Borough of Hillingdon North Planning Committee to reject this current application for the following reasons:

The flanks of the building are bulkier in depth than the adjoining property at 28 Chestern Road and exceed the scale of the present buildings at Nos.30-32 in that respect. This will have negative implication for the quality of life of those living at No 28, also upon the privacy of Roy Road residents whose gardens also border the site.

If approved, the proposed care home will bring the total occupancy of all three care homes to 58, plus staff. The impact will be a massive increase in road traffic, not only visitors' parking problems but also staff, delivery and emergency vehicles arriving and departing, creating considerable disturbance to existing residents. Parking is already "tight" after working hours and is exacerbated at weekends and on many occasions when weekend services and other mid-week functions are held at Emmanuel Church.

Chester, Halowell, Roy and Reginald Roads form part of an area designated as being of "Special Local Character". A large commercial enterprise in a residential area is hardly sympathetic to this designation and will further erode the character of this road."

A further petition with 37 signatories repeat the above concerns with an additional paragraph stating "In the planning application no account has been taken of visitor parking (visitors may be too old or infirm to use public transport and walk from Northwood centre), service and supply vehicles and medical vehicles".

A further petition with 46 signatories states:

"We the undersigned are opposed to Application 13800/APP/2011/1140 claimed by the appellant to be a resubmission of application 13800/APP/2011/623 dated 18/3/2010, which was refused by both the London Borough of Hillingdon Planning Committee and the Government Inspector.

It is important to note that if this application is successful five perfectly sound Edwardian houses will have been demolished to provide limited space for a combination of three Care Homes with 58 bedrooms"

A fourth petition with 85 signatories states the following:

"We the undersigned are opposed to the above proposal on the grounds that the advent of a further 22 elderly residents plus care staff (in addition to the 36 residents plus care staff. Already sanctioned by the Planning Inspectorate in respect of Nos. 34 - 38), will inevitably cause traffic chaos in Chester Road and surrounding streets when extra delivery vehicles and visitors try to access the already difficult parking conditions in this residential area.



If approved, this additional development will further impinge on the fairly peaceful environment enjoyed by existing residents in an area already designated as being of 'Special Local Character'.

The individual responses object to the application and raise the following concerns:

1. The proposal is too large, high and imposing with the extent of the rear element presenting a huge wall which would remove light and appear ugly.
2. Overdevelopment with excessive bulk to the rear.
3. Detrimental to the amenities of the occupiers of No.28.
4. Visually intrusive from the properties at the rear of the site in Roy Road.
5. The combination of three care homes together is unacceptable.
6. Adverse impact arising from increased traffic generation and demand for parking.
7. Overlooking and blocking of light from other properties.
8. Noise and vibration disturbance from underground plant, laundry etc.
9. Impact on trees within the site.
10. Clearly a commercial use in a residential area.
11. Loss of two original character houses.
12. There are already too many care homes in the area.
13. Local infrastructure (water and sewerage etc) will not be able to cope.
14. A more acceptable solution would be to convert the existing building.
15. The designated Area of Local Character should be retained as it is.
16. The property would not be an independent residential care home in that there is no kitchen or laundry shown on the plans. It would appear to be the intention of the applicant to use the kitchen or laundry at 34 or 36/38 Chester Road and this is unacceptable.
17. The Council need to consider this application in the context of the outstanding application for 36/38 Chester Road (ref 50613/APP/2011/397).

#### NORTHWOOD RESIDENTS ASSOCIATION:

The Northwood Residents' Association wishes to object to this application on the grounds that it ostensibly a repetition of the application refused by the Council in 2010. We believe it fails to comply with the UDP (Saved Version) policies BE5, BE13, BE19, BE22, H10 and OE1.

#### WARD COUNCILLOR:

I would like to register my objections to the above planning application for the same reasons stated in the petition recently submitted, namely:

1. The flanks of the proposed building are bulkier in depth than the adjoining property at No 28 and exceed the present building, affecting the privacy of residents in Roy Road and exacerbated by the removal of trees.
2. The proposed care home will bring total occupancy to 58 people plus staff, causing an increase in road traffic with little off-road traffic catered for.
3. A large commercial enterprise in a wholly residential area is not sympathetic to the area.

#### THAMES WATER:

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

Services will be required. With regard to water supply, this comes within the area covered by the Veolia Water Company.

### **Internal Consultees**

URBAN DESIGN/CONSERVATION OFFICER:

COMMENTS: The site, which currently includes a pair of semi detached early 20th century two storey houses, is located in the Old Northwood Area of Special Local Character. This part of Chester Road is characterised by large mostly semi-detached, substantial good quality late Victorian and Edwardian houses of varied design. Whilst Nos. 30-32 are quite modest, they are nevertheless attractive and contribute positively to the general character and appearance of the street. In a recent decision notice, a Planning Inspector, did not however agree with this view and as such it would be difficult to sustain an objection to the demolition of these buildings. The Inspector did, however, agree that the design of the previous scheme was not acceptable as it did not maintain the architectural variety and interest of the street, or the characteristic spaces between the properties.

The current scheme is considered to be a significant improvement on the previous proposals and no objection is raised in principle to the design, height and massing of the new building. If photovoltaic cells are to be used at roof level, then these should be shown on the drawings at this stage so that their impact on the appearance of the building can be assessed.

If considered acceptable, then conditions should be attached to the approval covering the agreement of samples of all external materials, the submission of design details of the decorative balcony features, the detailed design of the windows (including bay windows), dormers and external doors; the landscape and layout of the frontage area (including hard landscaping materials, means of delineating parking bays and signage) and boundary treatment.

CONCLUSION: No objection subject to the above.

TREE OFFICER:

There is a mass of trees on and close to the site, behind the existing houses. The trees have been surveyed and those in the middle of the site(rear garden) have low or very low values and are not, in terms of Saved Policy BE38, features of merit and do not constrain the development of the site. In contrast, with the exception of one poor quality Chestnut(tree 2), the larger trees on and close to the southernmost part of the site are features of merit and should be retained as part of any development. The trees in the rear gardens of neighbouring properties provide some screening of the site.

The site layout plan details the retention of all of the valuable trees on the southernmost part of the site, and two trees of lower value nearer to the proposed building. In that context, there is no objection to the loss of the trees, mostly conifers, in the middle of the site.

The layout of the parking at the front of the site, and the landscape concept for the whole site, are similar to the schemes for the development of 34-38 Chester Road.

Subject to conditions TL1, TL2, TL3, TL5, TL6, TL7 and TL21, the application is acceptable in terms of Saved Policy BE38 of the UDP.

HIGHWAY ENGINEER:

The proposals include three off-street car parking spaces including a disabled bay at the front and cycle parking to the rear of the proposed building.

There have been parking problems along Chester road and neighbouring streets, resulting in the establishment of a parking management scheme in parts of this locality.

Whilst the site is considered to be sustainable from the public transport point of the view, which would be useful to mitigate the shortfall in staff car parking and may also cater for some visitors trips as well. However, given the type of the visitor trips likely to be associated with the proposals, the proposals could have a parking demand, which would inevitably result in on street parking.

The previous application on this site for a 24 bed residential car home was refused on a number of grounds including Highways/Parking. The Appeal Inspector found the proposals to be satisfactory from the Highways point of view.

The revised application proposes a 22 bed residential car home instead of 24 bed previously proposed, keeping the car parking provision to 3 spaces and cycle parking to the rear as previously proposed, which was considered acceptable by the Planning Inspector.

A 6.4m wide vehicular crossover is proposed, which is considered to be excessively long and should be reduced to 3.5m (max). Pedestrian visibility splays of 2.4m x 2.4m should be provided on both sides of the proposed access. Hardstanding area must be designed and constructed in such a way that no surface water from private land drains onto the highway or discharge into the highway drainage system.

Given the Inspector's comments on the appealed application, if this application was to be refused on highways ground, the refusal is unlikely to be sustained at a future appeal.

The following conditions and informatives should be applied:

#### Conditions

1. The development hereby approved shall not be occupied until the area has been laid out, surfaced and drained in accordance with details first submitted to, and approved in writing by, the Local Planning Authority and shall be permanently maintained and available for the parking of vehicles at all times thereafter to the Authority's satisfaction.
2. The development hereby approved shall not be occupied until the means of vehicular access has been constructed in accordance with the details first submitted to and approved in writing by the Local Planning Authority.
3. The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

#### Informatives

1. It is contrary to section 163 of the Highways Act 1980 for surface water from private land to drain onto the highway or discharge into the highway drainage system.
2. The applicant is advised to contact the Council's Highways Team in respect of the construction of the vehicle crossover.

ACCESS OFFICER:

In assessing this application and framing the following recommendations, reference has been made to the Accessible Hillingdon SPD (adopted January 2010) and BS 8300: 2009.

The following observations are provided:

1. Accessible parking bays should be sited within 50m of the entrance. They should be a minimum of 4.8m x 2.4m and marked and signed in accordance with BS 8300:2009.
2. Given the nature of the proposed development, at least one enlarged accessible parking bay, 3m x 6m, should be provided. In accordance with BS 8300:2009, clause 4.2.1.1, a setting down point and parking space, 4.8m x 8m, for taxis, Dial-a-Ride and accessible minibus vehicles with tail lifts, should be provided in close proximity to the main entrance.
3. A proportion of ensuite bathrooms should be designed to allow independent use by wheelchair users. Reference to BS 8300:2009 should be made.
4. A refuge area does not appear to be shown on plan. Advice from an appropriate fire safety officer or agency should be sought at an early stage to ensure that adequate and appropriate refuge areas are incorporated into the scheme as a whole. Refuge areas provided should be sized and arranged to facilitate manoeuvrability by wheelchair users (Refer to BS 9999). Refuge areas must be adequately signed and accessible communication points should also be provided in the refuge area.
5. A fire rated lifts should be incorporated into the scheme. The lift should be designed and integrated to support Horizontal Evacuation and:
  - a. must be clearly identifiable and have appropriate signage.
  - b. should be situated within a protected enclosure.
  - c. should consist of lift well and protected lobby at every level.
  - d. should be provided with a switch marked "Evacuation Lift" at Exit level. (This switch should cause the lift to return to the final exit & then become controllable.) Alternatively, the lift could be interfaced to the fire alarm system, returning to ground when the alarm sounds.
  - e. must feature an exclusive primary electricity supply from a sub-main circuit.
  - f. must have an alternative back-up power that should start automatically in an emergency to prevent potential interruption to the electricity supply. The cables should be separate from those of the primary supply and routed through an area of low fire risk.
  - g. must have power switches or isolators that are clearly identifiable and labeled at the main switchboard and alternative power supply to indicate the location of the other supply.
  - h. must connect to any electrical sub-station, distribution board, generator, hydraulic pump or other apparatus that is fire protected for a period not less than that of the lift shaft.
  - i. have a minimum load capacity of not less than 400kg.
  - j. should have doors that have a minimum of 2 hours fire resistance.
6. Fire exits should incorporate a suitably level threshold and should open onto a suitably level area.

#### WASTE SERVICES:

I would make the following comments on the above application regarding waste management.

a) I would estimate the waste arising from the development to be as follows assuming the waste produced is equivalent to a one star rating of hotel:

Projected Weekly Waste per bedroom - 150 litres

Waste produced from all bedrooms - 3,000 litres

Number of 1,100 litre eurobins required - 3

I would therefore recommend that at least three bulk bins are used to contain the waste arising from the development.

- b) Recyclable waste should be separated; in particular glass, paper, cardboard, metal cans, and plastic bottles. Some of the waste containers should be allocated to collect recyclable items.
- c) The bin enclosure must be built to ensure there is at least 150 mm clearance in between the bulk bins and the walls of storage area. The size and shape of the bin enclosures must also allow good access to bins.
- d) Arrangements should be made for the cleansing of the waste storage area with water and disinfectant. A hose union tap should be installed for the water supply. Drainage should be by means of trapped gully connected to the foul sewer. The floor of the bin store area should have a suitable fall (no greater than 1:20) towards the drainage points.
- e) The material used for the floor of the waste storage area must be able to withstand the weight of the bulk bins 100 mm. Ideally the walls of the bin storage area should be made of a material that has a fire resistance of one hour when tested in accordance with BS 472-61.
- f) If 1,100 litre bulk bins are used for the collection of certain waste streams these should not have to be moved more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard).
- g) The gradient of any path that the bulk bins (1,100 litre) have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the storage area is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.
- h) The client for the building work should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.

## **7. MAIN PLANNING ISSUES**

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

Paragraph 3.3 of the Council's Supplementary Planning Document (SPD) HDAS: Residential Layouts advises that in order to safeguard the traditional residential character of residential roads, it is unlikely that proposals will be acceptable where more than 10% of the houses in a street have been converted or redeveloped to provide flats or other forms of more intensive housing, including care homes. Chester Road already greatly exceeds this figure, being at approximately 25%. However, it is considered that as the authorised use of these two properties is already as a children's care home, the proposal would not result in any increase in the proportion of properties which have been converted, redeveloped for flats or being used for other uses such as care homes.

The previous application was not refused on the principle of loss of family dwellings and the appeal Inspector did not object to the principle of the development, and considered the application in the context of recent planning policy and guidance relating to backland and garden development. As before, it is considered that the additional take up of garden land would not be so significant as to justify a reason for refusal and an adequate and extensive area of rear garden would remain.

Thus, the principle of a care home on the site is considered acceptable.

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

Not applicable to this application.

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

Given the authorised use of the pair of semi-detached buildings as a children's home, it is unlikely that the use of the site as a care home for the elderly would have a greater material impact in terms of the character of the Old Northwood Area of Special Local Character.

The proposed building would maintain the general building line in Chester Road and align with the two approved adjoining care home buildings so as not to appear unduly prominent in the street scene.

The proposed gaps between the buildings would be consistent with that considered acceptable by the Inspectors on the adjoining development, as would the parking arrangements to the front of the property.

The application site is within the Old Northwood Area of Special Local Character. Whilst it is noted that such a designation does not afford any statutory protection to the area, it does denote that the area is a designated heritage asset for the purposes of the Government's latest policy guidance, PPS5: Planning for the Historic Environment, which was published on 23 March 2010. At Paragraph HE9.1, PPS5 states that there should be a presumption in favour of the conservation of designated heritage assets which can have cultural, environmental, economic and social impacts and loss affecting any designated heritage asset should require clear and convincing justification.

The previous appeal Inspector made significant comment on the status of the area, its character, and the cumulative effect of the three consecutive developments as follows:

"7. Nevertheless, the effect of the appeal scheme upon the character and appearance of Chester Road and the ASLC remains important. Chester Road is a traditional residential street containing a predominance of apparently Victorian and Edwardian dwellings. A pleasant residential characteristic is maintained with well proportioned buildings positioned towards the front of their relatively generous plots; the majority are set-back from the road with a broadly consistent building line and larger rear gardens. There is a notable variety in the design styles and details of buildings albeit with a broad similarity in their scale; the separation gaps between buildings, particularly at first floor level, play an important role in the articulation of the streetscene, breaking up the form of the buildings and providing views through to the rear thereby enhancing the residential spaciousness of the locality.

8. I have noted the planning history of the site and its surroundings. The appeal scheme would replace Nos 30-32 Chester Road with a new building very similar to that approved and under construction at Nos 36-38. In between, a detached building has been allowed to replace No 34 (now demolished) which would reflect closely the scale and design elements of the appeal scheme and its eastern neighbour; it is apparent from the submitted evidence that the appellant anticipates the full implementation of the latter development. In reaching their respective decisions on the above nearby schemes, my colleagues noted the residential character of the locality including the variety in the size, type and design of properties; albeit, in the assessment of the scheme at No 34, with a preponderance of two storey detached and semi-detached houses with a distinctive separation between buildings.

9. The previous appeal decisions are an important material consideration but, unlike my colleagues, I am considering a proposal which represents the third consecutive redevelopment site in Chester Road which would erect a building to broadly replicate the form of the buildings under construction at Nos 36-38 and that allowed at No 34. I consider the cumulative effect of such schemes to be important.

10. Based upon the available evidence, it would seem that Nos 30-32 could be demolished without the need for the permission of the local planning authority. Nevertheless, they do reflect the typical building types of the locality, albeit eroded in their value to the streetscene by previous alterations. As individual structures they make a broadly neutral contribution to the streetscene but share positive and locally distinctive traits, particularly in that they reflect the form of local buildings and, in the case of No 32, the two storey flank wall is generously set back from its side boundary.

11. The proposal would have an essentially two storey mass with accommodation in the mansard roof. Whilst following the established front building line, the proposal would create deep, two storey flank walls facing each side boundary that would uncharacteristically narrow the degree of separation between buildings and their property boundaries. Mansard roofs, whilst present within the ASLC, are not common. No acceptable local precedents for developments which would have the collective frontage length of Nos 30-38 Chester Road have been identified to me and certainly none which would contain buildings of such a similarity of design and finished materials and which would reflect the appellant's design aspirations for a symmetrical section of streetscape.

12. Notwithstanding the proposed quality of finished materials and associated detailing, the scheme would create a repetitive building form that would not be characteristic of the distinctive and pleasant variety seen within Chester Road and the wider locality. The proposal would have only a narrow separation from its side boundaries, particularly towards the building proposed at No 34 at first floor level and, although less obvious, towards No 28 at the rear. Unlike the current scenario, the degree of separation would be narrow and rather tunnel like, extending at full height for the full depth of the new building. Whilst the allowed building at No 34 was found to be adequately separated from its neighbours, the current appeal scheme would alter this situation further; I am not persuaded that the proposal before me would have anything other than a cumulatively corrosive effect upon the locally distinctive spacious residential character of the locality."

The scheme has been revised so that it now reduces the width of the building, replaces a mansard type roof with a more traditional roof form, increased the separation between the site and the adjoining property and the design has been amended which whilst reflecting the traditional appearance of the Victorian/Edwardian properties would add variety to the streetscene in a manner that would now respect it. Given these changes the Council's Conservation Officer does not now object to the design, scale or massing of the proposal, which is now considered to comply with Policies BE5, BE13, BE19 and BE22 of the saved UDP.

**7.04 Airport safeguarding**

Not applicable to this application.

**7.05 Impact on the green belt**

Not applicable to this application.

**7.06 Environmental Impact**

Apart from the impact of the proposal upon existing trees on and close to the site, which is discussed below, no other material environmental impacts are raised by this development.

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

This is considered in Section 7.03.

**7.08 Impact on neighbours**

As before, the proposed building would align with the rear building lines of the adjoining care homes at Nos. 34 and 36-38. Furthermore, the approved care home at No. 34 does not contain any habitable room windows in its side elevation that would face the application site. As such, the future residents of the care home would not be adversely affected by the proposal.

The Inspector in respect of the previous application considered the impact of that development on the occupants of No.28 Chester Road. He concluded that the effect of the flank wall was to some extent mitigated by a reduction in the overall length of the building and as such did not warrant grounds for refusal in isolation.

The existing two storey rear extension at No. 30 already projects by approximately 5m beyond the main two storey rear elevation of the neighbouring residential property and approximately 1.5m from its extended ground floor on this side.

With this revised scheme, which includes a larger gap between properties and the removal of the mansard roof, the impact would be less than the previous scheme and thus less than that which the Inspector considered did not warrant a reason for refusal.

The projecting two storey rear wing, although it projects further into the rear garden, would be set in 8.6m from the side of No.28. At this distance, the rear wing would not appear unduly dominant and the proposed building would not encroach upon any 45° line of sight taken from No.28's rear facing windows.

The flank elevation of No. 28 does contain a ground floor projecting bay window feature which serves a kitchen/dining area. Although this room also has a rear facing window, this is small, the side window is the principal window serving this room due to its size and the bay also has small front and rear facing windows in its sides. The flank wall of the existing property is some 4m away from this window, this would close to approximately 3m with the proposal. However, as before, it is considered that such an impact would not be so significant as to justify an additional reason to refuse the application, particularly as the window would receive some benefit from the reduction in the depth of the building on this side. All the other windows in the side elevation of this property either serve non-habitable rooms or are secondary windows such as the side dormer.

Given the relationship of adjoining properties, the proposal would not result in any significant loss of sunlight to justify a refusal of permission.

The proposed care home would only contain non-habitable side windows that can be conditioned to be non-opening and obscure glazed to protect the privacy of the neighbouring properties.

As regards the properties that front Roy Road and adjoin the application site at the rear, the rear elevations of these properties are typically some 80m away from the rear elevations of properties on Chester Road so that they would be too remote from the proposal to be affected by overlooking, greatly in excess of the Council's recommended 21m distance, and the rear boundary is also marked by mature trees that would screen the proposal. A garden depth of 37m would be maintained from the rear of the main building.

The proposed 22 bedroom elderly person care home would replace the authorised use of the pair of semi-detached houses as a 12 bedroom children's home. It is considered that the potential for additional noise and general disturbance over and above that generated by the children's home would not be so significant as to justify a refusal of permission.

As before, it is considered that the proposal would not adversely affect the amenities of surrounding residential properties by reason of noise and general disturbance, dominance, loss of sunlight or overlooking, in accordance with policies OE1, BE20, BE21 and BE24 of the saved UDP.

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

The residents' bedrooms would be of a reasonable size, typically over 16m<sup>2</sup> and face to the front and rear so that they would have an adequate outlook and natural lighting.



A good sized dining room and lounges are provided on the ground floor, together with an activity room in the basement. A separate servery is also proposed at ground floor level adjacent the dining room, and there would be further service rooms within the basement area.

The applicant has not suggested that the kitchen facilities would be provided in a different building or that the uses would be combined with those to be provided next door. Whilst it can be assumed that there will be some interaction between the 3 sites, it is assumed that all cooking facilities would be provided within each individual site, and in this case in the servery area indicated.

The development would also retain an extensive rear garden in excess of 37m in length and 600m<sup>2</sup> in area. Although there are no adopted standards for care homes, this provision would exceed the shared amenity space required for 22 one-bedroom flats.

It is therefore considered that the proposal would provide suitable accommodation for its residents.

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

With regard to highway and parking issues the Inspector commented as follows:

"The Supplementary Transport Assessment submitted by the appellant identifies the existing parking arrangements along Chester Road, the availability of public transport, the proximity of services and facilities and the absence of prescriptive parking standards within the development plan for the proposed use. This evidence, which considers the individual and cumulative effects of the proposal and includes the results of a parking survey, is persuasive. I therefore find, with due regard to the advice of Planning Policy Guidance Note 13 'Transport', that the proposal would be sustainably located, reasonably well served by public transport with adequate arrangements for parking such that the scheme would not harm highway safety. I find no conflict with UDP Policies AM7 and AM14."

Given these conclusions, the Council's Highway Engineer considers the proposals to be acceptable in the light of the Inspector's decision, subject to appropriate conditions.

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

The issue relating to urban design is considered in Section 7.03.

As regards security, the proposals are considered acceptable. Whilst there would be pedestrian access to the side of the new building, gates and fences can be erected to maintain an adequate level of security for the new residents and the adjoining properties.

#### **7.12 Disabled access**

The Access Officer has made a number of comments on issues relating to accessibility arrangements and these are noted. The majority of the comments made are in respect of internal arrangements and the Inspectors comments on this issue stated:

"16. The appellants Access Statement identifies that the proposal would comply with the relevant legislation, including the criteria of the Health and Social Care Act 2008 and Building Regulations, and would be implemented accordingly. Based upon this information and other available details, the proposed layout would address adequately the needs of disabled people and thus would not contravene the objectives of the UDP, particularly as expressed by Policy R16 as supported by the Council's Accessible Hillingdon Supplementary Planning Document."

Thus, the Inspector concluded that the proposal would provide adequate access and facilities for the disabled and the applicants Access Statement, in support of the current proposal, also identifies that the proposal would comply with the relevant legislation, including the criteria of the Health and Social Care Act 2008 and Building Regulations and is thus considered acceptable. Conditions are included to address the particular issues raised by the Access Officer.

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

Not applicable to this application.

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

The Council's Trees Officer advises that the layout of the parking at the front of the site, and the landscape concept for the whole site, are similar to the care home schemes for the re-development of Nos. 34-38 Chester Road.

Furthermore, the Tree Officer does not raise any objection to the Tree Survey submitted with the application which advises that the trees in the middle of the site (rear garden) have low or very low amenity value and, in terms of Saved Policy BE38, are not features of merit and do not constrain the development of the site. In contrast, with the exception of one poor quality Chestnut (tree 2), the larger trees on and close to the southernmost part of the site are features of merit and should be retained as part of any development.

The site layout plan details the retention of all of the valuable trees on the southernmost part of the site, and two trees of lower value nearer to the proposed building. In this context, there is no objection to the loss of the trees, mostly conifers, in the middle of the site.

Subject to appropriate conditions, the scheme is acceptable in terms of Saved Policy BE38 of the UDP.

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

A condition can be attached to any planning permission to require appropriate facilities to be provided for the secure and covered storage for waste recycling.

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

In the appeal scheme the Inspector commented on this issue:

"15. With regard to renewable energy, the appellant has provided a Renewable Energy Assessment. I have no reason to doubt its content or its conclusion that a 20% reduction in CO2 emissions could be secured by the recommended use of a biomass boiler and/or solar photovoltaic panels. Such an outcome could be secured by the use of reasonable and necessary planning conditions and therefore the provisions of the development plan, as expressed by Policies 4A.1, 4A.3, 4A.4, 4A.6 and 4A.7 of The London Plan would be satisfied."

Thus, the Inspector concluded that the proposal would meet the sustainability objectives required by the development and the applicants Renewable Energy Assessment, in support of the current proposal, also concludes that a 20% reduction in CO2 emissions could be secured by the use of a biomass boiler and/or solar photovoltaic panels and this 20% reduction in CO2 emissions is secured by condition.

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

This is not an area that has been identified as a flood risk area.

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

The proposed development as a care home for the elderly within an established residential area does not raise any issues in terms of noise or air quality.

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

The comments raised by the petitioners and objectors have been addressed as appropriate in this report, taking into account the comments made by the previous appeal Inspector.

#### **7.20 Planning Obligations**

Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) is concerned with securing planning obligations to mitigate against the impacts of development upon the provision of recreational open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations. This UDP Policy is supported by more specific supplementary planning guidance.

It is likely that the re-development of this site as a care home for the elderly would place an additional demand for services from local health care facilities. The applicant has submitted a Unilateral Undertaking in this respect.

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

The proposal does not raise any specific enforcement issues.

#### **7.22 Other Issues**

This application does not raise any other relevant planning issues.

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

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

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

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

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

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

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

This is not applicable to this application.

**10. CONCLUSION**

The proposal has been sufficiently revised to make it of an acceptable form in the light of the previous appeal decision.

It is considered that it would therefore not be harmful to the character of the area, and that there are no other material planning considerations that would enable the Council to refuse planning permission for a scheme that previous appeal Inspectors have otherwise found acceptable.

The application is therefore recommended for approval.

**11. Reference Documents**

PPS3: Housing (as amended)

PPS5: Planning for the Historic Environment

London Plan 2011

Hillingdon Unitary Development Plan Saved Policies (September 2007)

Mayor's Interim Housing Supplementary Planning Guidance, April 2010

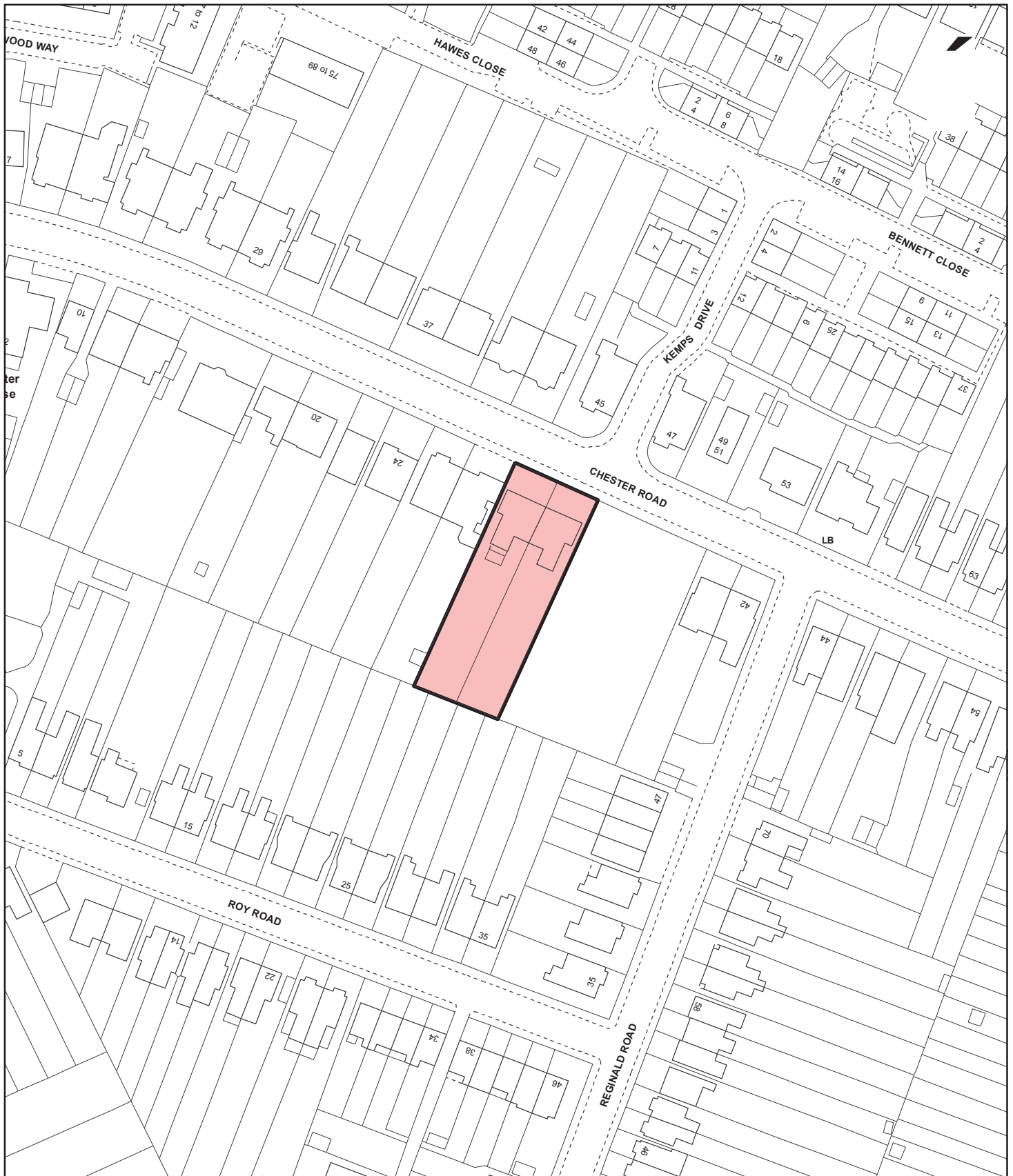
Council's HDAS: Residential Layouts (July 2006) & Accessible Hillingdon (January 2010)

Council's Planning Obligations Supplementary Planning Document, July 2007

Consultation responses

**Contact Officer:** Warren Pierson

**Telephone No:** 01895 250230



**Notes**



Site boundary

For identification purposes only.

This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).

Unless the Act provides a relevant exception to copyright.

© Crown copyright and database rights 2011 Ordnance Survey 100019283

Site Address

**Land at 30 - 32 Chester Road,  
Northwood**

Planning Application Ref:

**13800/APP/2011/1140**

Planning Committee

**North**

Scale

**1:1,250**

Date

**September  
2011**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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



**HILLINGDON**  
LONDON