

## Report of the Head of Planning & Enforcement Services

**Address** WILLIAM OLD CENTRE DUCKS HILL ROAD NORTHWOOD

**Development:** Change of use of ground floor from Use Class B1(a) (Offices) to D1 (Non-Residential Institutions) for use as a health clinic involving alterations to rear elevation.

**LBH Ref Nos:** 67902/APP/2011/1594

**Drawing Nos:** ALPL0001 Rev. A  
ALGA0003 Rev. A  
ALGA0001 Rev. A  
ALGA0002 Rev. A

**Date Plans Received:** 29/06/2011                      **Date(s) of Amendment(s):**  
**Date Application Valid:** 12/07/2011

### 1. SUMMARY

The application is for the change of use of a recently constructed building that has a permitted use for office purposes (B1a), to a D1 clinic use. The proposal also involves the installation of an additional window in the rear elevation of the building, the provision of two additional disabled parking spaces and the provision of a waste disposal area.

The proposed change of use of the ground floor is considered acceptable and the use would not generate any significant amount of activity and vehicle movements compared with that of the permitted office use. There would be no impact on the openness of the Green Belt and no adverse impact on the amenities of the neighbouring properties and uses.

### 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            H7                      **Parking Arrangements (Residential)**

The parking provision shown on the approved plans, shall be constructed, designated and allocated for the sole use of all users associated with the building (including patients and visitors), prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

#### REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 3            HLC3                      **Hours of Use**

The use hereby approved shall only operate between the hours of 08.00 hours and 20.00 hours Mondays to Fridays, between 08.00 hours and 14.00 hours on Saturdays and at no time on Sundays and Bank Holidays.

**REASON**

To ensure that the amenity of the occupiers of adjoining or nearby properties is not adversely affected in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**4 E3 Use Within Same Use Class**

That part of the building hereby permitted to be used as a health clinic shall only be used for such purposes and with no more than 7 treatment rooms and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes Order 1987).

**REASON**

To ensure that the nature of the use is appropriate to the site and to ensure that the parking provision is appropriate in accordance with Policies BE19, AM7 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**5 DIS2 Access to Buildings for People with Disabilities**

Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

**REASON**

To ensure that people with disabilities have adequate access to the development in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policies (July 2011).

**6 RPD12 Restrictions - Enlargement of Industrial/Warehouse Buildings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the building shall not be extended without the prior written consent of the Local Planning Authority.

**REASON**

To enable the Local Planning Authority to assess all the implications of the development in relation to the Green Belt and the amenities of the adjoining occupiers, and in accordance with Policy OM1, BE13 and BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**7 NONSC Non Standard Condition**

The premises shall not be used for deliveries and collections, including waste collections other than between the hours of 08:00 and 18:00, Mondays to Fridays, 08:00 to 13:00 Saturdays and not at all on Sundays and Bank and Public Holidays.

**REASON**

To safeguard the amenity of surrounding areas, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20

of the London Plan (February 2008).

## INFORMATIVES

### 1 152 **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).

### 2 153 **Compulsory Informative (2)**

The decision to GRANT 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.

OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R15	Use of residential accommodation for medical/health care facilities
R16	Accessibility for elderly people, people with disabilities, women and children
AM1	Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons

### **3            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.

### **4            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.

### **5            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.

### **6            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 relates to a newly constructed building located on the north-western side of Ducks Hill Road, opposite Rising Hill Close. The site is known as the William Old Centre and comprises a two storey brick built building, recently constructed for B1(a) purposes. It reads in conjunction with a more historical building located to the east, in use as a solicitors office.

The building is substantially complete, although at the time of writing this report construction works are still on-going and the landscaping works around the building have not been implemented.

The new building backs onto a cricket ground, and a car parking area associated with the proposed building lies to the southwest. This car park is linked to a significantly larger car park associated with a substantial health and fitness centre/golf course that lies to the south of the site and which utilises the same access off Ducks Hill Road as the application site. The site is within Green Belt land.

### **3.2 Proposed Scheme**

The proposal is for the change of use of a building that has recently been constructed. The building was originally proposed to be used for purposes associated with B1(a) uses (although the applicant indicates that it was to be used for A2 financial and professional services), as granted under reference 272/EK/99/0802. The building is substantially complete with the exception of internal fitting out and external landscaping works.

The current proposal seeks to change the use of the ground floor of the building into a D1 non-residential institution to be used as a clinic. 6 treatment rooms are indicated, together with 2 waiting areas and a consultation room. The application does not indicate the nature of the clinic although the agent has verbally confirmed that the proposed use would be as a dermatology clinic. The upper floor would remain as office accommodation.

The only external change proposed is the installation of an additional window in the upper rear elevation of the building. 2 disabled parking spaces are also proposed, together with a waste store.

### **3.3 Relevant Planning History**

272/APP/2004/2800      Park Farm House Ducks Hill Road Northwood  
ERECTION OF A TWO STOREY SIDE/REAR EXTENSION TO OFFICE BUILDING

**Decision:** 03-05-2005    Approved

272/APP/2004/3233      Park Farm House Ducks Hill Road Northwood  
DETAILS OF MATERIALS IN COMPLIANCE WITH CONDITION 8 OF PLANNING  
PERMISSION REF:272EK/99/0802, DATED 29/05/2002 (DEMOLITION OF EXISTING 411M<sup>2</sup>  
OFFICE BUILDING AND ERECTION OF DETACHED TWO STOREY OFFICE BUILDING OF  
418M<sup>2</sup>)

**Decision:** 09-12-2004    Approved

272/EG/98/0941      Park Farm House Ducks Hill Road Northwood  
Demolition of existing 411m<sup>2</sup> office building and erection of a two storey office building of  
450m<sup>2</sup>

**Decision:** 04-09-1998    Refused

272/EK/99/0802      Park Farm House Ducks Hill Road Northwood  
DEMOLITION OF EXISTING 411 SQ.M OFFICE BUILDING AND ERECTION OF DETACHED

## TWO STOREY OFFICE BUILDING OF 418 SQ.M

**Decision:** 29-05-2001    Approved

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

272/EK/99/0802 granted planning permission for the demolition of an existing 411m<sup>2</sup> office building and the erection of a detached two storey office building of 418m<sup>2</sup>. The site at that time was known as Park Farm House. It is the development under that application that has been substantially completed on site. That permission is also subject to a number of conditions, notably in relation to the permitted hours of use and landscaping.

## **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:

OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R15	Use of residential accommodation for medical/health care facilities
R16	Accessibility for elderly people, people with disabilities, women and children
AM1	Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes

- AM14 New development and car parking standards.  
AM15 Provision of reserved parking spaces for disabled persons

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

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

## **6. Consultations**

### **External Consultees**

11 adjoining and neighbouring occupiers have been notified of the application, no representation have been received.

The Northwood Residents Association have also been notified of the application, although no comments have been received.

### **Internal Consultees**

ACCESS OFFICER:

Drawings for the above application have been examined and the following comments are provided either as advisory statements, or with reference to specific areas requiring changes in terms of creating or improving on access and facilities for disabled people.

The information provided does not show sufficient detail to allow detailed comments to be made.

Plans submitted would suggest that this building and its facilities would be inaccessible to disabled people using wheelchairs. Whilst it is appreciated that this is an existing building, the Equality Act 2010 seeks to protect people accessing goods, facilities and services from direct 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.

The following observations are provided:

1. Accessible car-parking bays should be sited within 40m of the entrance. They should be a minimum of 4.8m x 2.4m and marked and signed in accordance with BS 8300.
2. A suitable access route to the building should be provided from the car parking area. Paths forming access routes should be a minimum of 1.2m clear wide, no steeper than 1:20 (unless designed as a suitable ramp), non-slip, well lit and clearly defined using texture and visual contrasts. Paths should include suitably dropped kerbs at key crossing points.
3. Level access and adequate front door width are assumed. If this is not the case, level access should be provided and a minimum door width of 1000mm for a single door or 1800mm for a double door.
4. Accessible toilets should be designed in accordance with the guidance given in Approved

Document M to the Buildings Regulations 2004.

5. The accessible toilet should be signed either Accessible WC or Unisex. Alternatively, the use of the wheelchair symbol and the words Ladies and Gentlemen or Unisex would be acceptable.
6. Layout of treatment rooms should be conducive to the access needs of wheelchair users.
7. The waiting area should be laid out to provide a convenient space for wheelchairs to sit alongside a non-disabled companion.
8. Consideration should be given to ensure that arrangements exist to provide adequate means of escape for all, including wheelchair users. Fire exits should incorporate a suitably level threshold and should open onto a suitably level area.
9. Advice from a suitably qualified Fire Safety Officer concerning emergency egress for disabled people should be sought at an early stage.

#### Recommended Informatives

10. Induction loops should be specified to comply with BS 7594 and BS EN 60118-4, and a term contract planned for their maintenance.
11. Care must be taken to ensure that overspill and/or other interference from induction loops in different/adjacent areas does not occur.
12. Flashing beacons/strobe lights linked to the fire alarm should be carefully selected to ensure they remain within the technical thresholds not to adversely affect people with epilepsy.

#### Conclusion:

Further details to clarify the above observations/recommendations should be requested and a pre-requisite to any planning approval.

(OFFICER COMMENT: The majority of the external arrangements as indicated above can be secured via an appropriate condition on any planning permission.)

## **7. MAIN PLANNING ISSUES**

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

The proposal does not result in the creation of any additional development within the Green Belt, moreover it is a change of use of an existing building previously granted.

The proposed nature of the use is consistent with that previously approved and would not have any further impact on the Green Belt than the approved use. Similarly the Council does not have any policies to protect office uses in this type of location.

Therefore, subject to other material planning considerations the principle of a change of use is considered acceptable in this location.

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

Not applicable to this application.

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

Not applicable to this application given that it is a change of use of an existing building.

### **7.04 Airport safeguarding**

Not applicable to this application.

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



The proposal does not result in any fundamental changes to the building, and as such there would be no impact on the openness of the Green Belt.

The new window opening, disabled parking spaces and bin store would have no appreciable impact on the Green Belt.

#### **7.06 Environmental Impact**

The proposed change of use would not have any significant environmental impact over and above that already considered acceptable in the granting of the original building.

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

The proposal does not result in any fundamental changes to the building, and as such there would be no impact on the character and appearance of the area.

The proposal does include an additional window to the rear first floor, overlooking the cricket green. This is considered acceptable and would cause no harm to the character and form of the building, or its appearance when viewed from the surrounding area (the cricket green).

similarly the refuse store and disabled parking arrangements would have no appreciable impact.

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

The proposed use would sit comfortably with the commercial and recreational premises nearby, including solicitors office, health and fitness/golf club and the cricket green.

There would be no adverse impact on the amenities of the adjoining occupiers through loss of light privacy or outlook, nor would there be any overlooking concerns.

The potential change in activity on the site is unlikely to cause any significant disturbance, although it is recommended that appropriate conditions be imposed to restrict the hours of use of the premises (as per the previous permission) and the nature of the D1 use to that specified.

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

Not applicable to this development.

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

The site is adjacent to a large car park, and the proposal envisages a slight change to the layout of the car park spaces allocated to the development site to provide an additional two disabled parking spaces. This is considered acceptable.

12 parking spaces plus 2 disabled parking spaces are proposed for the development (an addition of 2 disabled spaces compared with the approved office building). This is considered appropriate for the 7 consulting rooms and staff associated with both the ground and the unchanged first floor uses. There would also appear to be some flexibility in terms of the possible use of the adjoining car park if required.

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

The slight changes to the rear of the building and the car parking layout are negligible and would have no adverse impact on the design and form of the overall building and its surroundings.

The access arrangements to the building are considered satisfactory, as granted under the previous permission.

The proposal does not give rise to any safety or security concerns.

**7.12 Disabled access**

The change of use of the building would not result in any additional requirements for disabled access provision, although an appropriate condition is recommended to address the concerns of the Access Officer.

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

Not applicable to this development.

**7.14 Trees, Landscaping and Ecology**

There would be no impact on trees, and the detailed landscaping around the building will be implemented as per the conditions relating to the original planning permission.

The refuse area and additional two disabled parking spaces now proposed would not unduly affect the extent or form of the landscaping around the building.

**7.15 Sustainable waste management**

Not applicable to this development.

**7.16 Renewable energy / Sustainability**

Not applicable to this development.

**7.17 Flooding or Drainage Issues**

Not applicable to this development.

**7.18 Noise or Air Quality Issues**

The proposed change of use would not result in concerns in relation to noise or air quality.

**7.19 Comments on Public Consultations**

None received.

**7.20 Planning Obligations**

Not applicable to this development.

**7.21 Expediency of enforcement action**

Not applicable to this development.

**7.22 Other Issues**

None.

**8. Observations of the Borough Solicitor**

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

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

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

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of

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

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

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

Not applicable to this development.

#### **10. CONCLUSION**

The proposed change of use of the ground floor is considered acceptable and the use would not generate any significant amount of activity and vehicle movements compared with that of the permitted office use. There would be no impact on the openness of the Green Belt and no adverse impact on the amenities of the neighbouring properties and uses.

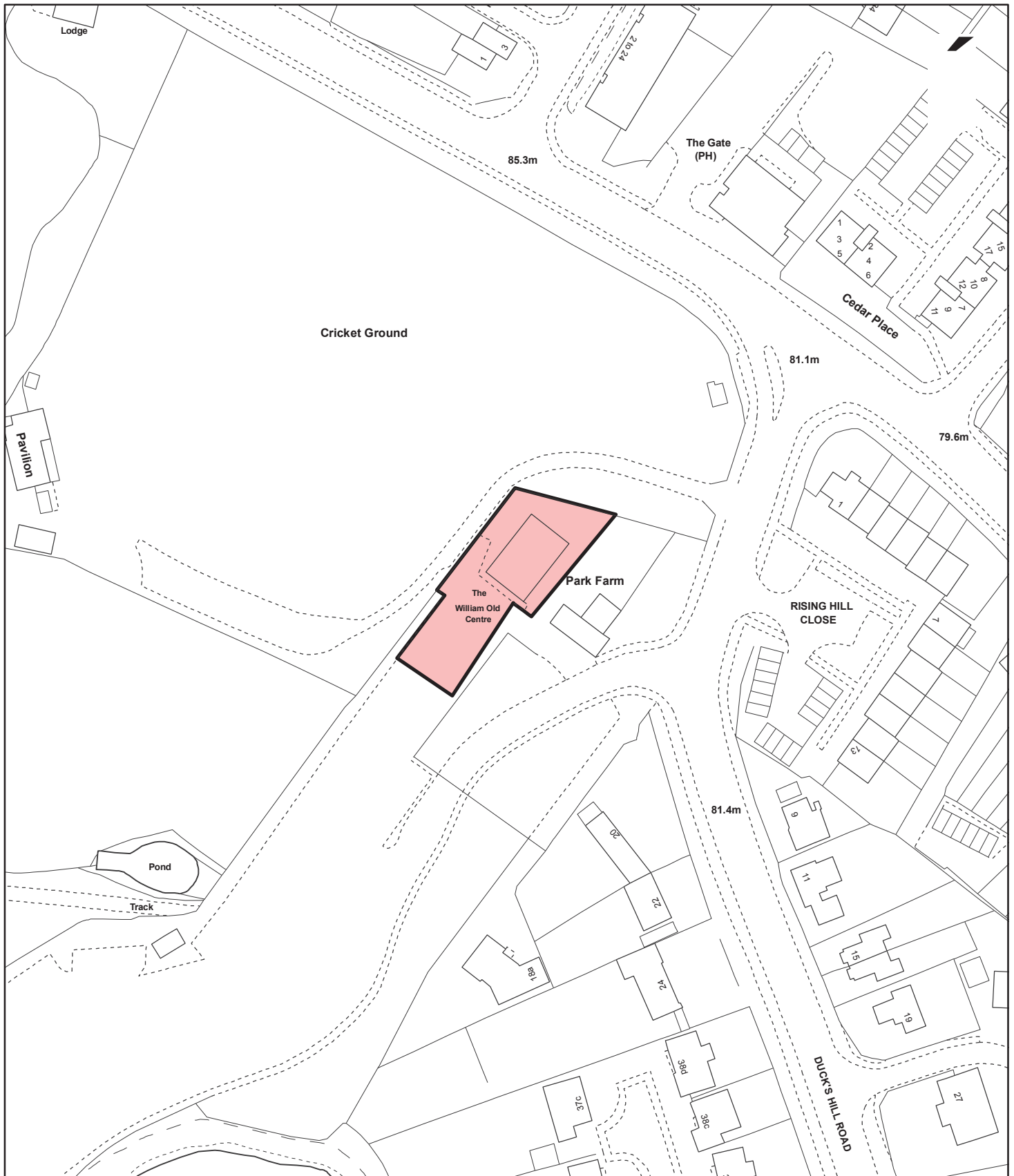
Subject to appropriate conditions to control the extent and the nature of the use, the proposal is recommended for approval.


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

London Plan 2011.  
Hillingdon Unitary Development Plan (Saved Policies September 2007).  
Planning Policy Guidance Note 2 - Green Belts.

**Contact Officer:** Warren Pierson

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<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>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).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100019283</p>	<p>Site Address</p> <p><b>William Old Centre, Ducks Hill Road, Northwood</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b> Planning, Environment, Education &amp; Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p><b>67902/APP/2011/1594</b></p>	<p>Scale</p> <p><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p><b>North</b></p>	<p>Date</p> <p><b>September 2011</b></p>	
		