

Report of the Head of Planning, Sport and Green Spaces

Address 98 POLE HILL ROAD HILLINGDON

Development: Part two storey, part single storey rear extension and roof extension to create additional habitable roofspace and change of use from residential (Use Class C3) to a 10-bedroom Nursing Home (Use Class C2 - residential institutions)

LBH Ref Nos: 10668/APP/2013/2344

Drawing Nos: Transport Assessment
Design and Access Statement
2695-09/MT Rev. A
2695-01/MT
2695-02/MT
2695-03/MT
2695-04/MT Rev. B
2695-05/MT
2695-06/MT
2695-07/MT Rev. A
2695-08/MT Rev. A

Date Plans Received: 15/08/2013 **Date(s) of Amendment(s):**

Date Application Valid: 15/08/2013

1. SUMMARY

The application seeks planning permission for a part two storey, part single storey rear extension and roof extension to create additional habitable roofspace and change of use from use class C3 (Residential) to use class C2 (Residential Institutions) to be used as a 10-bedroom Nursing Home.

Having regard to the excessive size and bulk of the proposed extensions and to their inappropriate details of design, the proposal would fail to respect the architectural integrity of the host building. It would result in an incongruous form of development within the streetscene which would detract from the residential amenities of occupants of adjacent properties. Furthermore, the application has failed to demonstrate that sufficient off street parking/manoeuvring/access arrangements would be provided, leading to possible on-street parking/queuing to the detriment of public and highway safety.

The application is therefore recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 **Non Standard reason for refusal**

The proposed rear extensions, by virtue of their excessive size, scale, bulk and inappropriate design, are considered to have an unacceptable impact on the architectural integrity of the host dwelling and a detrimental impact on the visual amenities, character and appearance of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2 NON2 Non Standard reason for refusal

The proposed rear dormer, by virtue of its excessive size, scale, bulk and design, would have an unacceptable impact on the architectural integrity of the host dwelling and a detrimental impact on the visual amenities, character and appearance of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

3 NON2 Non Standard reason for refusal

The proposal has not demonstrated that sufficient off street parking/manoeuvring/access arrangements would be provided, and therefore the development is considered to result in sub-standard car parking provision to the Councils approved car parking standard, leading to on-street parking/queueing to the detriment of public and highway safety, contrary to policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

4 NON2 Non Standard reason for refusal

The proposed rear extensions, by virtue of their excessive size, scale and bulk, would be detrimental to the residential amenities of the adjoining occupiers at numbers 96 and 100 Pole Hill Road, by reason of overdomination and loss of outlook. The proposals are therefore contrary to Policies BE19 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

5 NON2 Non Standard reason for refusal

The proposed change of use of the property by reason of its remote location in terms of local facilities (shops and services) and poor level of public transport accessibility, would be detrimental to the amenities of future occupiers and visitors contrary to Policy H10 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 3.8 of the London Plan (2011).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
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.
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.
H10	Proposals for hostels or other accommodation for people in need of care
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.3	(2011) Sustainable design and construction

3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

3. CONSIDERATIONS

3.1 Site and Locality

The application property comprises of a detached two storey dwelling located on the eastern side of Pole Hill Road, within the Developed Area with a PTAL score of 1a (Very poor) as identified within the Hillingdon Local Plan (November 2012). The property is set back back from the road and is constructed of red brick under a hipped roof. The loft has been converted with two rooflights in the front roofslope and one to the rear. The property has been previously extended by way of two rear conservatories. The rear garden slopes down to the east towards the driveway serving 100a, 102a and 104a Pole Hill Road to the rear. The area is residential in character.

3.2 Proposed Scheme

The application seeks planning permission for a part two storey, part single storey rear extension and roof extension to create additional habitable roofspace and change of use from use class C3 (Residential) to use class C2 (Residential Institutions) to be used as a 10-bedroom Nursing Home.

The proposed rear extension would project 4m with a flat roof measuring 3m in height either side of a central two storey element which would 3.2m with a pitched roof

measuring 6.45m in height. The central part of the rear extension would also involve a ground floor living/dining room which would project 7m from the rear wall of the host dwelling. The proposal also involves the insertion of a large box dormer, centrally within the rear loft space and above the proposed two storey rear extension which would measure 5.1m in width by 2.4m in height. The proposed alterations and extensions to this property are intended to create a care home with 10 bedrooms and associated facilities. 4 car parking spaces are shown to be provided within the frontage along with bin storage.

3.3 Relevant Planning History

10668/APP/2013/1473 98 Pole Hill Road Hillingdon

Part two storey, part single storey rear extension and roof extension to create additional habitable roofspace and change of use from use class C3 (Residential) to use class C2 (residential institutions) to be used as a 10-bedroom Nursing Home

Decision: 01-07-2013 Withdrawn

Comment on Relevant Planning History

Planning application reference 10668/APP/2013/1473 for a similar development was recently withdrawn to allow the submission of a Transport Assessment.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

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.

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.

H10 Proposals for hostels or other accommodation for people in need of care

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.3	(2011) Sustainable design and construction

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

16 letters dated 20.8.13 were sent out to neighbouring properties and a site notice was displayed to the front of the site on 2.9.13.

9 letters, including a petition with 62 signatures have been received from neighbouring properties objecting on the following grounds:

1. Inadequate parking provision;
2. Increased congestion in the area which is already congested due to the location of two nearby schools;
3. Out of keeping with the residential character of the area;
4. loss of light;
5. Use of shared driveway unacceptable;
6. Increased noise and disturbance.

Internal Consultees

HIGHWAYS OFFICER:

A transport assessment has been submitted but it does not provide an indication of the development trip generation nor does it show the daily demand for on site parking. The Council's parking standards require the level of parking to be established by a transport assessment.

The TA states that weight should be accorded to a similar proposal approved in 2008 at 236 Kingshill Avenue/268 Lansbury Drive which provides 4 on site parking spaces for a similar number of bedrooms. However this site is not comparable as it has a PTAL of 2 whereas the current application site has a very poor PTAL of 1a.

The site is on a narrow part of Pole Hill Road where on street parking results in only one lane of traffic. In addition this section of Pole Hill Road suffers severe congestion during school drop off and pick up times. The existing cross-over is not shown on plans and it has also not been demonstrated that ambulances can manoeuvre in and out of the site with cars parked on the highway.

As such the application cannot be supported on highway grounds.

EPU:

Recommends conditions relating to noise emitted from the property and sound insulation and the control of environmental nuisance from construction work informative.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application property comprises of a detached residential property located within the Developed Area as identified within the Hillingdon Local Plan Part Two Saved UDP Policies. Policy H10 of the Hillingdon Local Plan allows for the redevelopment or change of use of residential dwellings as long as i) the site is conveniently located for local shops, services and public transport facilities and ii) complies with the council's car parking and amenity guidance. The location of the property is some 800m from the nearest local shops and the site is within an area with a Public Transport Accessibility Level (PTAL) of 1a, which is classed as very poor. The site is thus neither conveniently located for local shops nor public transport facilities and has not demonstrated compliance with the council's parking or amenity requirements. It is therefore unacceptable in principle and contrary to Policy H10 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The proposed extensions to this detached dwelling would result in an incongruous form of development which would fail to respect the architectural integrity of the host dwelling and the locality. Whilst located to the rear of the property, the dormer extension and the scale of the rear extensions would be highly visible from surrounding properties. The land slopes down to the south and therefore the bulky addition to the central part of the rear elevation and the dormer would be particularly highly visible. The proposed extension at ground floor of some 7m, along with the incongruous design of the first floor extension with the flat roofed and extremely large dormer above, located tight against the margins of the main hipped roof, would appear contrived. The ground floor element of the proposal would grossly exceed the 4m maximum depth as stated within the SPD HDAS: Residential Extensions for a single storey rear extension. Furthermore, the proposed dormer would not be set in 1m from the roof margins, again as required by the SPD HDAS: Residential Extensions.

Therefore, the extensions, by virtue of their excessive size, scale, bulk and inappropriate details of design, are considered to have an unacceptable impact on the architectural integrity of the host dwelling and would have a detrimental impact on the visual amenities of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted SPD HDAS: Residential Extensions.

7.08 Impact on neighbours

Policies BE19 BE20 and BE21 seek to ensure that new developments are not over dominant in relation to neighbouring properties and maintain an adequate level of daylight and sunlight.

The proposed extension would span across the full width of the rear elevation of the dwelling at ground floor level with a first floor extension and dormer extension above restricted to the central section of the property. The extensions would be characterised with a flat roof to the ground floor and dormer, a monopitched roof to the first floor and a pyramidal roof to the living/dining room.

Whilst the two storey element of the proposed extension along with the 7m ground floor projection is restricted to the central section of the original dwelling, providing some degree of separation to the boundaries, it is considered that the occupants of the two adjacent properties, namely numbers 100 and 96 Pole Hill Road, would experience an unacceptably oppressive and overbearing outlook which would be detrimental to their residential amenities, due to the overall size and depth of the proposed extensions. The proposals are therefore considered to be contrary to Policies BE19 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Policy BE24 of the Hillingdon Local Plan seeks to protect residential amenity by ensuring that neighbouring properties do not suffer any undue loss of privacy. Whilst small obscure glazed windows are proposed to be inserted in both flank elevations to the original property, these would not result in any loss of privacy. Furthermore, the views from the rear facing windows proposed in the extensions would be at an oblique angle and would not result in an unacceptable loss of privacy. As such the proposal would accord with Policy BE24 of the Local Plan.

7.09 Living conditions for future occupiers

It is considered that all the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan (2011).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The submitted plans show 4 car parking spaces provided within the site frontage. The existing cross-over is not shown on plans and it has also not been demonstrated that ambulances can manoeuvre in and out of the site with cars parked on the highway.

A transport assessment has been submitted to support the application which states that weight should be accorded to a similar proposal approved in 2007 at 236 Kingshill Avenue/268 Lansbury Drive which provided 4 on site parking spaces for a similar number of bedrooms. However, it should be noted that this site is not comparable as it has a PTAL score of 2, whereas the current application site has a very poor PTAL of 1a.

As such the Council's Highways Officer has advised that the application cannot be supported on highway grounds.

The proposal has not therefore demonstrated that sufficient off street parking/manoeuvring/access arrangements would be provided, and therefore the development is considered to result in sub-standard car parking provision to the Councils approved car parking standard, leading to possible on-street parking/queuing to the detriment of public and highway safety and contrary to policy AM14 of the Hillingdon Local Plan Part Two Saved UDP Policies (November 2012).

7.11 Urban design, access and security

Issues relating to design have been addressed within the 'Impact on the character &

appearance of the area' section above. Issues relating to access have been addressed within the 'Disabled Access' section below.

7.12 Disabled access

Policy 3.8 of the London Plan (2011) and guidance within the HDAS - Accessible Hillingdon requires new residential developments to achieve Lifetime Homes Standards. This could be secured via an appropriate condition.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

The site is not covered by a TPO and the application does not propose the loss of any trees from within the site. Therefore, no objections are raised with regard to landscaping and the application is considered to comply with Policy BE38 of the Hillingdon Local Plan (November 2012).

7.15 Sustainable waste management

The proposal would provide adequate provision for the storage of waste and recycling within the bin store in the front garden area.

Subject to a condition to secure details, no objection to the proposed development in terms of suitability of the proposed facilities for refuse and recycling storage.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The neighbour objections are discussed within previous sections of the report.

7.20 Planning obligations

Not applicable to this application

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No further issues for consideration.

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 application.

10. CONCLUSION

Having regard to the excessive size and bulk of the proposed extensions and to their inappropriate details of design, the proposal would fail to respect the architectural integrity of the host building. It would result in an incongruous form of development within the streetscene which would detract from the residential amenities of occupants of adjacent properties. Furthermore, the application has failed to demonstrate that sufficient off street parking/manoeuvring/access arrangements would be provided, leading to possible on-street parking/queuing to the detriment of public and highway safety.

The application is therefore recommended for refusal.

11. Reference Documents

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

HDAS: Residential Layouts.

HDAS: Residential Extensions.

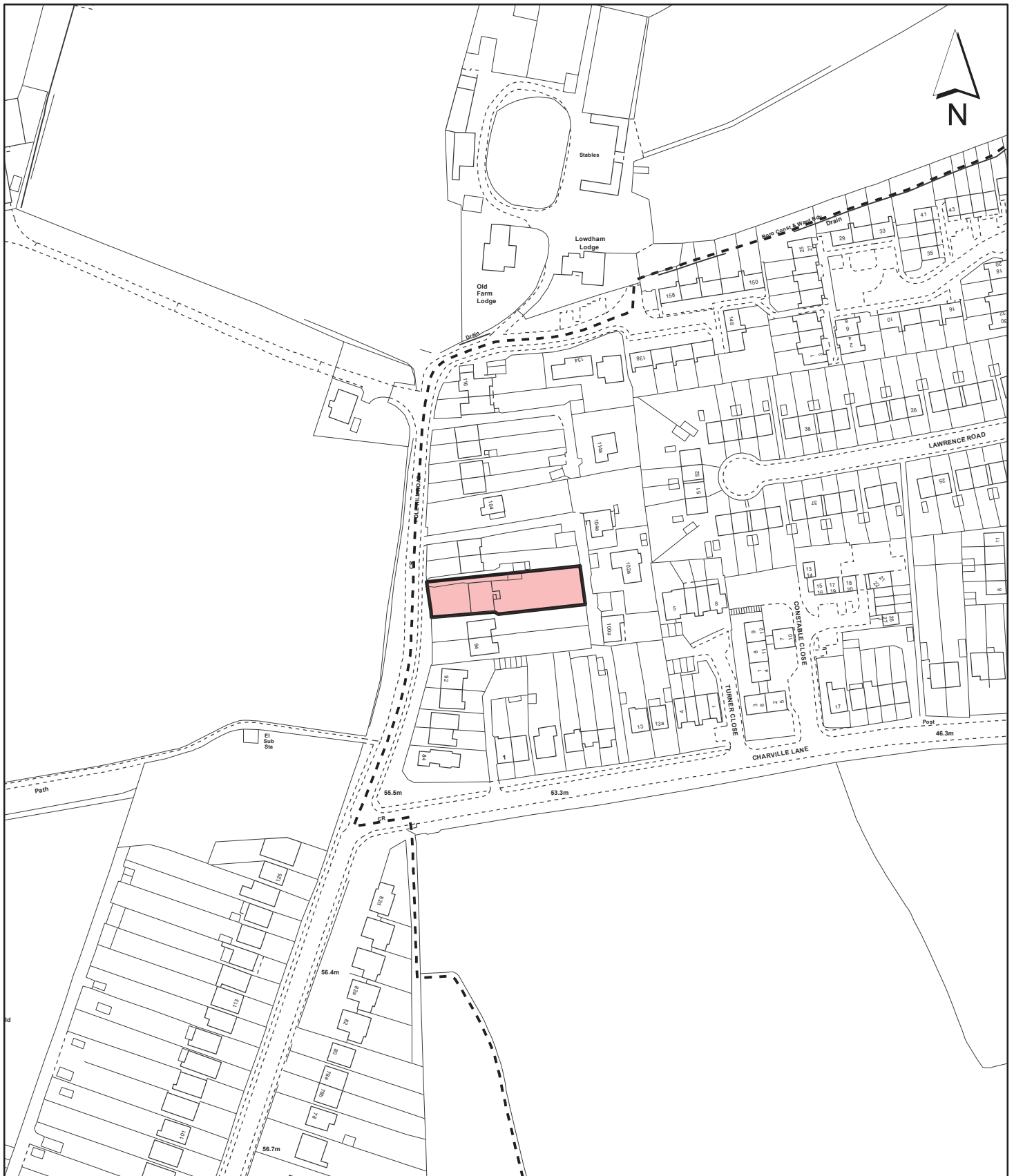
The London Plan 2011.

Supplementary Planning Document - Noise (May 2006).

Supplementary Planning Document - Accessible Hillingdon (January 2010).

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Notes

 Site boundary

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Site Address

**98 Pole Hill Road
 Hillingdon**

Planning Application Ref:
10668/APP/2013/2344

Planning Committee
Central & South

Scale
1:2,000

Date
November 2013

**LONDON BOROUGH
 OF HILLINGDON
 Residents Services**

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



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