

## Report of the Head of Planning, Sport and Green Spaces

**Address:** 82 DUCKS HILL ROAD NORTHWOOD

**Development:** Three storey building to hold 3 x 4-bed self contained supported living flats with associated parking

**LBH Ref Nos:** 39262/APP/2013/2285

**Drawing Nos:** Design and Access Statement  
04j  
02d  
10a  
06b  
Arboricultural Report and Method Statement  
01  
05e  
07a  
Tree Protection Plan  
Tree Constraints Plan  
Photosheet for Supporting Statement

<b>Date Plans Received:</b>	09/08/2013	<b>Date(s) of Amendment(s):</b>	09/08/0013
<b>Date Application Valid:</b>	04/09/2013		15/08/0013
			15/08/2013

### 1. SUMMARY

The application seeks planning permission for the erection of a three storey building with an additional floor space provided at basement level. The building would provide 3 x 4 bedroom units which would provide supported living flats.

The application site is a roughly quadrilateral 761 square metre plot of land located on the northwestern side of Ducks Hill Road, Northwood. Contained previously within the site was a two storey detached dwelling with a hipped roof, which has since been demolished.

The assisted living flats will provide accommodation for predominately young adults within an age range of 19 - 35 with profound and multiple learning and physical disabilities.

A new vehicular access way would be provided from Manor House Drive to the rear of the site, making use of the existing turning head to create the access point. Within the site, four parking spaces are proposed in front of the principal elevation using the original vehicular access and two parking spaces would be created to the rear. An area of soft landscaping would be retained within the rear of the site, which could be utilised as communal amenity space.

The proposed provision of 6 car parking spaces for the number of residents and staff is considered unacceptable and would result in displacement of parking to the surrounding residential streets. Furthermore, the development fails to provide acceptable servicing arrangements, parking for ambulances or cycle storage. The overall bulk of the building is considered to be out of character with the surrounding area and would cause harm to

the appearance of the street scene. The layout of the proposed building would fail to provide an acceptable level of residential amenity for future occupiers and the application has not addressed the flood risk / drainage issues associated with basement development or how waste will be stored and collected from the site. Therefore, the application is recommended for refusal.

## 2. **RECOMMENDATION**

**REFUSAL for the following reasons:**

### 1 NON2 **Non Standard reason for refusal**

The proposed development, by reason of its overall size, depth and design, would result in a building which would be overly bulky and incongruous to the streetscene, causing harm to the visual amenities of the surrounding area. The proposal is, therefore, contrary to Part 1 Policy BE1 and Part 2 Policies BE13 and BE19 of the Hillingdon Local Plan (November 2012).

### 2 NON2 **Non Standard reason for refusal**

The proposed development fails to provide sufficient off street parking provision, ambulance parking and servicing arrangements to meet the needs of the proposed use. The development would therefore lead to additional on street parking to the detriment of public and highway safety and is therefore contrary to Policies AM7 and AM14 of the Hillingdon Local Plan (November 2012).

### 3 NON2 **Non Standard reason for refusal**

The proposed window arrangement for bedroom 1 & 2 and the layout of the building give rise to a substandard form of living accommodation for future occupiers, due to poor outlook and light received contrary to Policy BE20 of the Hillingdon Local Plan (November 2012) & Policy 3.5 of the London Plan (July 2011).

### 4 NON2 **Non Standard reason for refusal**

The proposal has failed to provide adequate cycle parking provision in accordance with the Council's adopted standards. Therefore, the proposal is contrary to Policy AM9 of the Hillingdon Local Plan (November 2012).

### 5 NON2 **Non Standard reason for refusal**

In the absence of geotechnical or hydrological surveys the application has failed to satisfy the issues regarding flood risk and drainage that may arise due to the proposed basement level. The proposal is therefore contrary to Policy OE7 & OE8 of the Hillingdon Local Plan (November 2012).

## **INFORMATIVES**

### 1 I52 **Compulsory Informative (1)**

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

### 2 I53 **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon 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.

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
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.
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.
H3	Loss and replacement of residential accommodation
H11	Provision of affordable housing
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.12	(2011) Flood risk management
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 7.3	(2011) Designing out crime
LPP 7.6	(2011) Architecture

### 3 159 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 site is a roughly quadrilateral 761 square metre plot of land located on the northwestern side of Ducks Hill Road, Northwood. Contained previously within the site was a two storey detached dwelling with a hipped roof, which has since been demolished.

The topography of the land and surrounding area is sloped, running downhill from southwest to northeast. The surrounding area largely consists of two storey detached dwellings, with the exception of the neighbouring site to the northwest, which has been recently developed into a pair of semi-detached dwellings. Other larger flatted developments have also been approved and developed in recent years on Ducks Hill Road. To the rear of the site is Manor House Drive, a relatively new backland development of two storey detached dwellings in an arts and crafts style. Directly to the rear of the application site is a turning head in the highway of Manor House Drive, which erodes slightly into the footprint of the application site.

The application site is located within a Developed Area as designated by the Hillingdon Local Plan (November 2012). In addition, the site has a PTAL score of 1.

#### **3.2 Proposed Scheme**

The application seeks planning permission for the erection of a three storey building with an additional floor space provided at basement level. The building would provide 3 x 4 bedroom units which would provide supported living flats (Use Class C2).

The assisted living flats would be operated by HSN Care Ltd and will provide accommodation for predominately young adults within an age range of 19 - 35 with profound and multiple learning and physical disabilities.

The building would have a maximum width of 12.50 metres by a maximum depth of 19.27 metres and would have three storey gable end features in the principal and rear elevations. The roof form would consist of sunken crown roofs, set either side of the pitched roofs above the gable ends. The building would have a maximum height of 10.7 metres above ground level to the ridge of the pitched roof in the principal elevation.

Each floor would provide four en-suite bathrooms, staff room and a day room with kitchen. The flats on the first and second floor would also be provided with a Jacuzzi room and therapy room respectively. The basement level would provide a staff room, staff shower and toilet facilities, plant room, store room and a meeting room.

A new vehicular access way would be provided from Manor House Drive to the rear of the site, making use of the existing turning head to create the access point. Within the site, four parking spaces are proposed in front of the principal elevation using the original vehicular access and two parking spaces would be created to the rear. An area of soft landscaping would be retained within the rear of the site, which could be utilised as communal amenity space.

The applicant has stated in the application that the proposal would create 12 full time jobs.

However, additional information submitted during the course of the application states that 1 member of staff would be required at the site for 1 resident at all times. This ratio would increase to 2 members of staff during transition times, as staff would be required to be on-site before other staff could leave the premises. The staffing levels during the night would be 0.5 members of staff per resident.

### 3.3 Relevant Planning History

39262/A/94/0148                      82 Ducks Hill Road Northwood  
Erection of a detached double garage

**Decision:** 24-06-1994    Refused

#### Comment on Relevant Planning History

The previous planning application at the site is not relevant to determination of the current application.

## 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
- PT1.EM2        (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.H1         (2012) Housing Growth

Part 2 Policies:

- AM2            Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- 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.
- 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.
H3	Loss and replacement of residential accommodation
H11	Provision of affordable housing
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
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LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 7.3	(2011) Designing out crime
LPP 7.6	(2011) Architecture

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

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

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

## **6. Consultations**

### **External Consultees**

8 neighbouring properties and the Northwood Residents Association were notified of the proposed development on 5th September 2013 and a site notice was erected adjacent the site. By the close of the consultation period 6 neighbouring residents had objected to the proposed development and a petition with 34 signatures was received (it is noted that one signature on the petition came with a note, which appear to indicate that they were 'for' the development, as such this has not been counted)

The objections can be summarised as the following:

- i) Loss of privacy to neighbouring dwellings;
- ii) Loss outlook and loss of light to neighbouring dwellings;
- iii) Under provision of parking;
- iv) Traffic impact & harm to highway safety;
- v) Unacceptable access from Manor House Drive;
- vi) Overdevelopment of the site;



- vii) Harm to character and appearance of the surrounding area;
- viii) Creation of commercial development within a residential area;
- ix) Increased noise disturbance;
- x) Potential Flooding and Drainage issues related to the basement;
- xi) Impact to trees

The Northwood Residents Association object to the scheme in terms of impact on street scene, insufficient amenity space, impact on neighbours, parking and additional traffic.

A Ward Councillor has also written to say they support local residents' objections.

Case Officer Comments: These above concerns will be considered in the main body of the report.

The objections also raised concerns regarding the safety of children in the area. However, there is no evidence that, or reason to believe, that the proposed facility would have any implications with regard to the safety of children.

Concerns raised relating to impact on house prices which is not a material planning consideration.

#### **Internal Consultees**

##### **HIGHWAYS OFFICER**

The development is for the construction of a three storey building to provide supported living accommodation for 12 residents with profound disabilities. As part of the proposals a total of 36 staff will be employed at the site, with 15 staff on site at any one time. Six car parking spaces will be provided with the site for the use of staff and visitors, which will be accessed from Ducks Hill Road and Manor House Drive. There are no proposals to provide parking facilities within the site for servicing or medical (doctors/ambulance) vehicles. Cycle parking will be provided for 3 cycles.

When undertaking assessment of the proposals, it is noted that the PTAL index within the area is 1a, which is classified as very poor. As a result, it is likely that the development would generate a high demand for car parking from staff and visitors, leading to overspill parking along Ducks Hill Road, which is a classified highway and a main distributor route.

In addition, as there are no servicing facilities provided within the site, servicing will be undertaken from the adjacent kerbside.

Therefore, as the applicant has failed to demonstrate that adequate car/cycle parking and serving facilities will be provided to serve the proposals, and the development would be contrary to Policies AM7, AM9, AM14 and H10 of the adopted Hillingdon Local Plan, 2012, Part 2. As a result, an objection is raised in relation to the highway and transportation aspect of the proposals.

##### **FLOODWATER MANAGEMENT OFFICER**

No geotechnical or hydrological surveys have been submitted to assess the impact of the proposed basement level on drainage and flood risk in the area.

## **7. MAIN PLANNING ISSUES**

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

The applicant has stated on the application form that the proposal is for the creation of 3 x 4 bedroom supported living flats, which falls under Use Class category C2. Whilst the layout is of 4 flats, it is considered that the layout is more akin to a single care homes with 12 bedrooms, as it would be unlikely that the Treatment and Jacuzzi rooms on the first and second floor respectively would only be utilized by residents living within these respective flats.

Policy H10 of the Hillingdon Local Plan states proposals for change of use or redevelopment to provide accommodation for people in need of care (eg. nursing homes, residential care homes or sheltered housing schemes) will normally be expected to:-

- (i) be conveniently located for local shops, services and public transport facilities;
- (ii) comply with the council's car parking standards and have regard to the council's amenity guidelines as set out in supplementary planning guidance; and
- (iii) in respect of sheltered housing schemes, have regard to the recommendations on design set out in supplementary planning guidance.

The site has a PTAL score of 1 and is located 1km (as the crow flies) from the nearest designated retail area of Green Lane Northwood Town Centre and is not considered to be conveniently located for local shops, services or public transport facilities.

As detailed in section 7.10 of the report, the proposal fails to meet the required parking standards. Therefore, the proposal fails the two requirements of Policy H10 and is not acceptable in principle.

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

The proposed development would have a density of 52.5 units per hectare and 197.12 habitable rooms per hectare. Policy 3.4 of the London Plan requires developments within areas suburban area with PTAL scores of 1 to be within 30-55 units per hectare and 150 - 200 habitable rooms per hectare. Therefore, the development would be in accordance with this Policy.

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

The site is not in a Conservation Area, Area of Special Local Character and is not a Listed or Locally Listed Building.

#### **7.04 Airport safeguarding**

There are no airport safeguarding concerns with regards to this development.

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

The development would be sufficiently distanced from the Green Belt land to the west to ensure it would not have any adverse impact on the Green Belt.

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

The proposed development would provide a building with a maximum width of 12.50 metres by a maximum depth of 19.27 metres. When compared to the footprints of the two adjoining buildings, No.80 Ducks Hill Road which is a two storey residential dwelling and No.84/a Ducks Hill Road which is a pair of semi-detached dwellings, the footprint is larger than these neighbouring buildings, but not to an unacceptable extent. However, once the composition of these footprints is reviewed, it becomes clear that the proposed building is overly bulky and uncharacteristic of the area. No.80 Ducks Hill Road has a two storey rear extension and single storey rear extension, with the main section of the building having a depth of 12 metres narrowing to 9.8 metres. The proposed building is three storeys in height with a depth of more than 6 metres deeper than this neighbouring property and is uncharacteristic of the overall bulk of the neighbouring properties. The adjacent building to the north east, No.84/a Ducks Hill Road is a recent development which has been designed to minimise the overall bulk of the building via a s-shaped design and pitched roof forms.

The proposed development does successfully respect the stepped ridgeline on Ducks Hill Road and the appearance of the front and rear of the building is considered acceptable.



However, the overall bulk and resulting incongruous roof forms would be out of character with the surrounding area and would cause harm to its visual amenity. Therefore, the proposed development is considered contrary to Part 1 Policy BE1 and Part 2 Policies BE13 & BE19 of the Hillingdon Local Plan (November 2012).

The building would be set 1 metre from the side boundary lines in accordance with Policy BE22 of the Hillingdon Local Plan (November 2012).

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

##### **LIGHT AND OUTLOOK**

The proposed development has been designed to respect the 45 degree guideline when taken from the nearest first floor windows in the rear elevations of both No.80 and No.84/a Ducks Hill Road. The ground floor window in the side elevation of No.80 provides light into a kitchen, which is also serviced by the large glazed area to the rear of the building at ground floor level. Therefore, it is considered that the proposed development would not result in an unacceptable loss of light to any neighbouring occupier.

The occupiers of No.80 have also objected due to a loss of outlook from their ground floor room at the rear of the building. Whilst the proposed development would be prominent, this room has large levels of glazing and would still retain sufficient outlook and no reason for refusal could be sustained on these grounds. Therefore, the proposed development is considered to comply with Policies BE20 & BE21 of the Hillingdon Local Plan (November 2012).

##### **PRIVACY**

The proposed development would include a number of windows in the side elevations which would service bedrooms, Jacuzzi room or therapy room. However, the windows serving the bedrooms could be obscure glazed (further consideration of this is section 7.09 of this report) as these are secondary windows or would serve the non-habitable Jacuzzi room or therapy room, where privacy through obscure glazing would be beneficial. Therefore, with this condition attached, the proposed development would not significantly overlook the occupiers of No.80 & 84/a Ducks Hill Road.

The development would retain a distance separation of over 35 metres from the front elevations of the dwellings on Manor House Road, ensuring no significant overlooking would occur. Therefore, the proposed development would comply with Policies BE24 of the Hillingdon Local Plan (November 2012).

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

Policy BE20 states that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them and the amenities of existing houses are safeguarded. Furthermore, Policy 3.5 of the Local Plan (July 2011) requires developments to be of the highest quality internally and externally.

Bedrooms 1 and 2 on each floor level would be served by a small window in the rear elevations, with an assortment of other windows provided in the side elevations, which, as previously discussed, would be required to be obscure glazed to protect the privacy of neighbouring occupiers and the occupiers of the proposed development.

The light and outlook to these rooms would be considered unacceptable, especially bedroom 2 on each level, which would never receive any direct sunlight given the orientation of the building. The concern over the living conditions would be further exacerbated by the provision of the day room to the rear of the building, which would again rarely be provided with any direct sunlight. Therefore, the building would fail to

provide a communal or private room where the occupant of bedroom 2 would receive direct sunlight. Furthermore, the outlook from the small windows which serve bedrooms 1 and 2 in the rear elevation would be unacceptable, given the screening effect the three storey projecting section would have. For the reasons stated above, the proposal would fail to provide a suitable living condition for future occupiers contrary to Policies BE20 of the Hillingdon Local Plan (November 2012) and Policy 3.5 of the London Plan (November 2012).

131 square metres of external communal amenity space would be provided to the rear of the building, which would provide sufficient outdoor amenity space for the future occupiers of the proposed building, in accordance with Policy BE23 of the Hillingdon Local Plan (November 2012).

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

##### **CAR PARKING**

The proposed development would provide 6 off-street parking spaces within the application site. The Highways Officer has reviewed the proposal and considers this parking provision as unacceptable. The site would have 12 residents living at the site and at least 12 members of staff on the premises during the day, with this rising to up to 24 staff during transition times. The site has a PTAL score of 1 and has poor public transport links. Therefore the provision of 6 parking spaces within the site is considered a substantial under provision, which would likely result in additional on-street parking within Manor House Road and Ducks Hill Road. The level of additional parking would prejudice highway safety, especially on Ducks Hill Road which is a classified highway and a main distributor route.

Furthermore, the proposal fails to provide any spaces for ambulances, which will no doubt be required, or parking spaces for servicing vehicles. Therefore, the proposed development is considered contrary Policy AM7 & AM14 of the Hillingdon Local Plan (November 2012).

##### **TRAFFIC IMPACT**

The applicant has provided no transport statement in support of the application. However the Highways Officer has raised no objection to the proposal on the grounds of traffic generation. The proposed use of the rear access from Manor House Road was discussed at pre-application stage and considered acceptable. The turning head in this neighbouring road was provided to allow emergency /refuse vehicles to turnaround in Manor House Road. During the time of the site visit this space was being used as off-street parking, as there is no restriction against this. Therefore, by allowing the turning head to be used to create an access, this would result in cars not being able to block access into the site and would free up the space for its intended purpose of a turning head. Therefore, no objection is raised to the proposal of a creation of a vehicular access in this instance, given the existing turning head arrangement in the street. The current proposal would provide only two parking spaces to the rear, therefore, the number of vehicle movements using Manor House Road would be limited to an acceptable level. Therefore, the proposed development is considered to comply with Policy AM2 of the Hillingdon Local Plan (November 2012).

##### **CYCLE STORAGE**

The development proposes 3 cycle spaces for the site. The adopted Parking Standards requires the provision of 1 cycle space per 2 staff for a C2 Care Facility use. Given the poor public transport and lack of parking the under provision of cycle spaces is considered unacceptable and contrary to Policy AM9 of the Hillingdon Local Plan (November 2012).

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

The proposed development raises no urban design or access issues. A Secure by Design condition would be added to any approval to ensure the development would comply with these principles.

#### **7.12 Disabled access**

The proposed unit would provide specialist care accommodation for predominately young adults within an age range of 19 - 35 with profound and multiple learning and physical disabilities. The building largely adheres to the principles of the Lifetime Homes Standards, however, some internal layout issues would not, such as the arrangement between the toilets and shower in bedrooms 2 & 3 and the provision of level access into the building. However, these details could be secured by way of a suitable pre-commencement condition, as such, no objection is raised in this regard.

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

Not applicable to this application.

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

The application has been submitted with a tree survey and tree protection plan. The trees within the site are not protected by virtue of a TPO and are not within a Conservation Area. The creation of a vehicular access into the site would result in the loss of four trees within the site (3 x oak trees and 1 x ash tree), none of which were considered A category trees. Whilst the loss of these trees is regrettable, there is no protection in place to ensure their retention and the landowner could remove these at present without consent. Therefore, no objection is raised to their removal as part of the development, subject to replacement planting by way of a suitably worded condition.

The land in front of the dwelling would measure 223 square metres. However, only 41 square metres would be retained as soft landscaping. Policy BE38 of the Hillingdon Local Plan (November 2012) states that development proposals will be expected to retain and utilise topographical and landscape features of merit and provide new planting and landscaping wherever it is appropriate. The proposed ratio of hardstanding to soft landscaping at the front of the building would ordinarily be unacceptable. However, this ratio would accord with the appearance of the neighbouring sites and would be considered acceptable, in this instance.

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

The application has failed to provide any indication of the storage of waste and recycling awaiting collection or any details of how this waste could be collected. Therefore, the impacts on the visual amenities of the surrounding area and traffic impacts during collection times cannot be assessed and the proposal is considered contrary to Policies BE13, BE20 & AM7 of the Hillingdon Local Plan (November 2012).

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

The applicant has provided no details over the sustainability of the proposed building. However, this could be secured by way of a suitable condition in order to ensure the development would comply with Policies 5.1, 5.2 & 5.3 of the London Plan (July 2011).

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

The proposed development would include the creation of a basement level within the site. No geotechnical or hydrological surveys were submitted as part of the application, therefore, it has not been possible to determine that the development would not have an unacceptable impact on drainage and flood risk in the area. Therefore, the proposed development is considered contrary to Policies OE7 & OE8 of the Hillingdon Local Plan (November 2012).

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

The proposed development would increase the number of vehicle movements to and from the site. However, the quantity of vehicle movements, with the as shown six parking spaces, would not give rise to a level of noise disturbance which would warrant a refusal of the application. Therefore, the proposed development is considered to comply with Policy OE1 of the Hillingdon Local Plan (November 2012).

**7.19 Comments on Public Consultations**

No further comments with regards to public consultation.

**7.20 Planning Obligations**

None required.

**7.21 Expediency of enforcement action**

None required.

**7.22 Other Issues**

The National Planning Policy Framework requires the Economic, Social and Environmental considerations of each application to be assessed. Whilst the economic benefits of job creation and the social benefits of additional assisted living units are considered, the level of weight afforded to these would not outweigh the harm caused by the other issues addressed in this report.

**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**

None received.

**10. CONCLUSION**

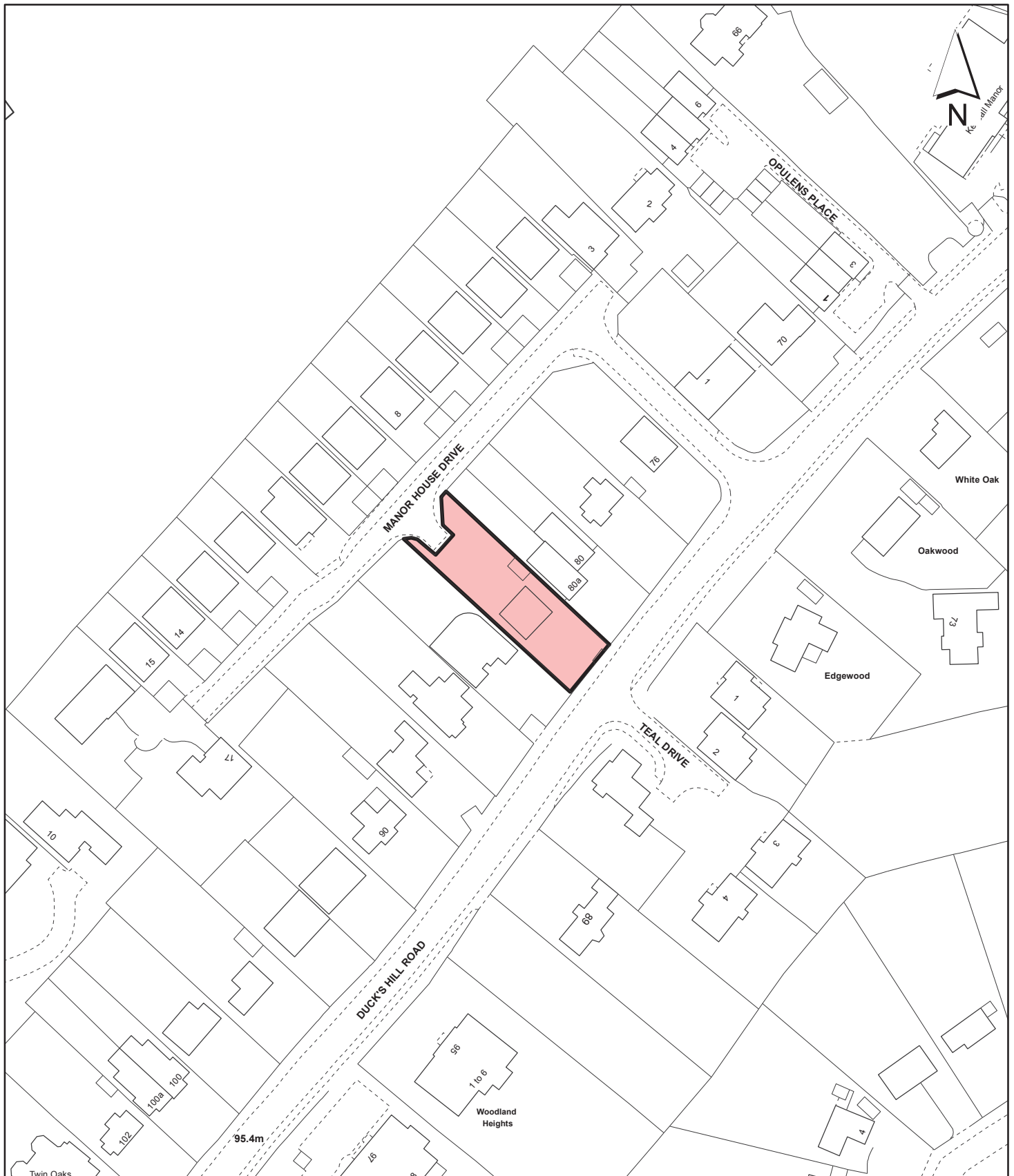
The proposed provision of 6 car parking spaces for the number of residents and staff is considered unacceptable and would result in a significant displacement of parking to the surrounding residential streets. Furthermore, the development fails to provide acceptable servicing arrangements, parking for ambulances or cycle storage. The overall bulk of the building is considered to out of character with the surrounding area and would cause harm to its visual amenities. The layout of the proposed building would fail to provide an acceptable level of residential amenity for future occupiers and the application has not address the flood risk / drainage issues associated with basement development or how waste will be stored and collected from the site. Therefore, the application is recommended for refusal.

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

Hillingdon Local Plan (November 2012);  
The London Plan (July 2011);  
National Planning Policy Framework;  
Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006);  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon (May 2013);  
GLA's Supplementary Planning Guidance - Housing.

**Contact Officer:** Alex Smith

**Telephone No:** 01895 250230



**Notes**

 Site boundary

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Site Address

**82 Ducks Hill Road  
 Northwood**

Planning Application Ref:

**39262/APP/2013/2285**

Planning Committee

**North**

Scale

**1:1,250**

Date

**November  
 2013**

**LONDON BOROUGH  
 OF HILLINGDON**

**Residents Services**

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



**HILLINGDON**  
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