

Report of the Head of Planning, Sport and Green Spaces

Address CHARLES CURRAN HOUSE BONIFACE ROAD ICKENHAM

Development: Demolition of existing care home and construction of 6 semi-detached 4-bed dwellings, together with associated car parking, landscaping and new pedestrian access.

LBH Ref Nos: 1022/APP/2013/2347

Drawing Nos: 2013/D115/P/01 Site Location Plan
2013/D115/P/02 Existing Site Plan Topographical & Tree Survey
2013/D115/P/04 Proposed Floor & Roof Plans
Tree Report
2013/D115/P/07 Typical Section
2013/D115/P/08 Locally Listed Wall New Opening
Design & Access Statement
Cabinet Report - Consultation on Disabilities Commissioning Plan
2013-D115-P-05 Rev B Proposed Elevations
2013-D115-P-06 Rev B Proposed Sectional Elevations
2013/D115/P/03 Rev A Proposed Site Plan

Date Plans Received:	15/08/2013	Date(s) of Amendment(s):	30/09/2013
Date Application Valid:	15/08/2013		16/09/2013
			15/08/2013
			26/11/2013

1. SUMMARY

Planning permission is sought for the demolition of an existing care home and the construction of six semi-detached 4-bed dwellings, together with associated car parking, landscaping and new pedestrian access.

It is not considered that the proposed development would have a detrimental impact on the locally listed wall or on the character of the Ickenham Village Conservation Area. The proposal would provide adequate levels of internal floor space and private amenity space for future occupiers.

The proposal complies with Policies AM14, BE4, BE8, BE10, BE13, BE19, BE20, BE21, BE23 and R11 of the Hillingdon Local Plan: Part 2- Saved UDP Policies (November 2012) and the Hillingdon Design and Accessibility Statement: Residential Layouts. It is therefore recommended that the application is approved.

2. RECOMMENDATION

1. This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall ensure only for the benefit of the land.

2. That the Council enter into a Statement of Intent/Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) or other appropriate legislation to secure the following:

1: A contribution of £82,366 to be used towards capacity enhancements in near by educational facilities made necessary by the development

2: Project Management and Monitoring Fee: in line with the SPD if a s106 agreement is entered into then a contribution equal to 5% of the total cash contributions should be secured to ensure the management and monitoring of the resulting agreement.

C. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

D. If the Legal Agreement/s have not been finalised within 3 months, delegated authority be given to the Head of Planning, Sport and Heritage to refuse planning permission for the following reason:

'The applicant has failed to provide contributions towards the capacity enhancements in nearby educational facilities made necessary as a consequence of demands created by the proposed development. The proposal therefore conflicts with Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).'

E. That if the application is approved, the following conditions be attached:

1 RES3 Time Limit

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

REASON

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

2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans,

2013/D115/P/01 Site Location Plan
2013/D115/P/02 Existing Site Plan Topographical & Tree Survey
2013/D115/P/03 Rev A Proposed Site Plan
2013/D115/P/04 Proposed Floor & Roof Plans
2013-D115-P-05 Rev B Proposed Elevations
2013-D115-P-06 Rev B Proposed Sectional Elevations
2013/D115/P/07 Typical Section
2013/D115/P/08 Locally Listed Wall New Opening

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the London Plan (July 2011).

3 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces have

been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

4 RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. 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.

Thereafter, the development shall be implemented in accordance with the approved details. 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:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e 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 can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

5 RES9 Landscaping (car parking & refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

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

2. Details of Hard Landscaping

2.a Refuse Storage

2.b Cycle Storage (for 12 bicycles)

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts for 12 cars (including demonstration that 3 parking spaces are served by electrical charging points and 1 parking space is designed and allocated for disabled persons)

2.e Hard Surfacing Materials

2.f External Lighting

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

5. Other

5.a Existing and proposed functional services above and below ground

5.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (July 2011)

6 RES10 Tree 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 BS 3998:2010 'Tree work - Recommendations' 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

7 RES15 Sustainable Water Management (changed from SUDS)

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

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

REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 5.12.

8 RES16 Code for Sustainable Homes

The dwelling(s) shall achieve Level 4 of the Code for Sustainable Homes. No development shall commence until a signed design stage certificate confirming this level has been received. The design stage certificate shall be retained and made available for inspection by the Local Planning Authority on request.

The development must be completed in accordance with the principles of the design stage certificate and the applicant shall ensure that completion stage certificate has been attained prior to occupancy of each dwelling.

REASON

To ensure that the objectives of sustainable development identified in London Plan (July 2011) Policies 5.1 and 5.3.

9 RES18 Lifetime Homes/Wheelchair Units

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards.

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (July 2011) Policies 3.1, 3.8 and 7.2

10 NONSC Non Standard Condition

No unit hereby approved shall be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the parking shall remain allocated for the use of the units in accordance with the approved scheme and remain under this allocation for the life of the development.

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) and Chapter 6 of the London Plan (July 2011).

11 RES24 Secured by Design

The dwelling(s) shall achieve '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). No dwelling shall be occupied until accreditation has been achieved.

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 London Plan (July 2011) Policies 7.1 and 7.3.

12 RES12 No additional windows or doors

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), no additional windows, doors or other openings shall be constructed in the flank walls or roof slopes of any of the dwellings hereby approved.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

13 RES13 Obscure Glazing

The first floor bathroom windows in the dwellings hereby approved shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

14 RES14 Outbuildings, extensions and roof alterations

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); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies BE13, BE21, BE23 and BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

15 RES6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

16 NONSC Non Standard Condition

Prior to the commencement of any works to the locally listed wall, precise and detailed plans at a scale of 1:20 of the new gate shall be submitted to, and approved in writing by, the Local Planning Authority.

Thereafter the gate shall be installed and maintained in full accordance with the approved details for the life of the development.

REASON

To ensure that the works to the locally listed wall and the final appearance of the structure is appropriate in compliance with Policies BE8 and BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (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.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
BE10	Proposals detrimental to the setting of a listed building
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.
R11	Proposals that involve the loss of land or buildings used for education, social, community and health services
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities

3

You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy. At this time the Community Infrastructure Levy is estimated to be £3,867.58 which is due on commencement of this development. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require further information please refer to the Council's Website www.hillingdon.gov.uk/index.jsp?articleid=24738

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

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

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

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

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

5 159 **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.

6 143 **Keeping Highways and Pavements free from mud etc**

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.

7 147 **Damage to Verge**

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

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

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

8 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.

9 115 **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 which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

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

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

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section

61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

10 I25A 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.

11 I32 Trees in a Conservation Area

As the application site is within a conservation area, not less than 6 weeks notice must be given to the Local Planning Authority of any intention to cut down, top, lop or uproot or otherwise damage or destroy any trees on the application site. Please contact the Trees & Landscape Officer, Planning & Community Services, 3N/02, Civic Centre, Uxbridge, UB8 1UW for further advice.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the northern side of Swakeleys Road. 6-8 Swakeleys Road (The Coach House) is located east of the site whilst the Grade II Listed Appletree Cottage, 20 Swakeleys Road, is located west of the site. The site backs onto the rear gardens of 22-28 Boniface Road located north of the site. Access to the application site is via Boniface Road. The site is covered by TPO 4 and is located within the Ickenham Village Conservation Area, as identified in the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012). The site also contains a locally listed wall along the south site boundary and part of the west site boundary.

3.2 Proposed Scheme

Planning permission is sought for the demolition of an existing care home and the construction of six semi-detached 4-bed dwellings, together with associated car parking and landscaping. A new pedestrian access would be installed in the locally listed wall facing onto Swakeleys Road.

3.3 Relevant Planning History

1022/AC/76/1014

25-99 (Odds) Boniface Road Ickenham

Res.dev - Hostel/Boarding/Guest house (Outline)(P) (Charles Curran House, 36 Boniface

Road).

Decision: 06-10-1976 Approved

1022/AF/78/1964 25-99 (Odds) Boniface Road Ickenham

Reserved mats. of outline 1022/4526 (P) (Charles Curran House, 36 Boniface Road).

Decision: 09-05-1979 Approved

1022/AG/79/0127 25-99 (Odds) Boniface Road Ickenham

Reserved mats. of outline 1022/4526 (P) (Charles Curran House, 36 Boniface Road).

Decision: 09-05-1979 Approved

1022/AH/79/0905 25-99 (Odds) Boniface Road Ickenham

Reserved mats. of outline 1022/4526 (P) (Charles Curran House, 36 Boniface Road).

Decision: 27-11-1979 ADH

1022/AJ/86/1632 25-99 (Odds) Boniface Road Ickenham

Householder dev. (small extension,garage etc) (P) (Charles Curran House, 36 Boniface Road).

Decision: 15-10-1986 ALT

1022/APP/2013/2345 Charles Curran House Boniface Road Ickenham

Conservation Area Consent for the demolition of existing care home.

Decision:

39824/C/91/1608 Charles Curran House Boniface Road Ickenham

Retention of garden shed

Decision: 21-11-1991 ALT

Comment on Relevant Planning History

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.HE1 (2012) Heritage

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE4 New development within or on the fringes of conservation areas

BE8 Planning applications for alteration or extension of listed buildings

BE10 Proposals detrimental to the setting of a listed building

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.

R11 Proposals that involve the loss of land or buildings used for education, social, community and health services

R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **25th September 2013**

5.2 Site Notice Expiry Date:- Not applicable

19th September 2013

6. Consultations

External Consultees

Consultation letters were sent to 35 local owners/occupiers and a site notice was displayed. 3 responses were received making the following comments/objections:

- i) Resident was not consulted
- ii) There is no area for storage/collection of refuse
- iii) The sliding gate to the car park could restrict access to the fence at the rear of 22-28 Boniface Road for their occupiers
- iv) There will be a significant impact on the appearance of the Ickenham Village Conservation Area
- v) The 'new pedestrian access' is a breach in the main structure of the locally listed wall - private, lockable gate for the sole use of the development

One petition regarding parking restrictions for The Buntings was received, raising concerns over increased parking caused by the proposed dwellings.

Ickenham Residents Association:

The proposed site plan shows two of the three semi-detached 4-bed dwellings facing Swakeleys Road, i.e. set very far forward facing a 3.8 m locally listed brick wall with a new pedestrian access operated by a push-button lock system. We feel it would be a far better arrangement, if the said two dwellings would be facing the other way - into the site - with their back gardens towards the south brick wall.

This would also mean that it would be much easier for the occupants to use the proposed parking spaces at the top of the plot (north/east) which would then be a lot nearer. If not, it would be more than likely that occupants would park their vehicles in Swakeleys Road and use the newly proposed pedestrian access.

We understand that pedestrian and vehicular access will be off Boniface Road, with which we would agree, but are concerned that the existing restrictions on vehicular traffic using the gated exit to Swakeleys Road (closest to the listed building of The Coach House) should be maintained.

We are completely in the hands of your Planning Team with their greater expertise and facilities to arrive at the correct decision.

Ickenham Conservation Area Panel:

No response received.

Internal Consultees

Conservation Officer:

The most remarkable feature on this site in Ickenham Conservation Area is the tall, brick boundary wall, which is locally listed.

The proposal would involve the building of two pairs of semi-detached houses immediately behind the wall, with another pair to the rear at right angles. It would be necessary to insert a new gateway within the wall for access, but this has been designed sensitively. Minor amendments have been sought to the design of the roofs and front facades of these houses, and these have been received.

RECOMMENDATIONS: Acceptable

Highways:

The development proposals are for the demolition of the existing care home and the construction of 6 x 4 bedroom dwellings within the site. As part of the proposals 12 car parking spaces will be provided to serve the development with vehicle access maintained from Boniface Road. In addition, cycle parking will be provided within the rear garden area of each dwelling.

When undertaking assessment of the proposals, it is noted that the PTAL index within the area is 2, which is classified as poor. As a result, the maximum car parking provision of 2 car parking spaces per dwelling is considered acceptable.

In addition, it is clear that based on the scale of the existing use at the site, there would be no increase in traffic generation or the servicing requirements associated with the proposals.

Therefore, it is considered that the development would not be contrary to the Policies of the adopted Hillingdon Local Plan, 2012, Part 2 and no objection is raised in relation to the highway and transportation aspect of the proposals.

Section 106 Officer:

Proposed Heads of Terms:

1. Highways: in line with the SPD any and all highways works as required by the highways engineers are to be implemented with the full cost met by the developer. Please liaise with highways in the first instance.

2. Education: in line with the SPD a contribution in the sum of £82,366 should be secured as a result of this proposal.

3. Project Management and Monitoring Fee: in line with the SPD if a s106 agreement is entered into then a contribution equal to 5% of the total cash contributions should be secured to ensure the management and monitoring of the resulting agreement.

Waste Strategy:

The plan does not appear to show that a space has been allocated for the storage of waste from the properties. Hillingdon is not a wheeled bin borough. Bins or other containment would have to be provided by the developer.

The current waste and recycling collection systems are: -

- Weekly residual (refuse) waste - using sacks purchased by the occupier
- Weekly dry recycling collection - using specially marked sacks provided by the Council.
- Weekly green garden waste collection - three specially marked reusable bags - approximately 80 litre in volume - provided by the Council free of charge.

The waste and recycling should be presented near the curtilage of the property on allocated collection days.

Trees and Landscape Officer

LANDSCAPE CHARACTER / CONTEXT:

The site is occupied by a part single, part two-storey care home (now vacant) situated behind, and largely hidden from view by, a high brick wall to the north of Swakeleys Road. Accessed via Boniface Road, the site is particularly verdant due to trees and shrubs within the garden which

surrounds the building, together with off-site trees along the northern boundary and to the north-east of the site entrance.

Trees on the site are protected by virtue of their location within the Ickenham Village Conservation Area and specific trees in the vicinity are protected by Tree Preservation Order No. 4. (The only tree affected by the TPO is T17, a flowering Cherry, which no longer exists on site.)

PROPOSAL:

The proposal is to demolish the existing care home and construct 6No. semi-detached, 4-bed dwellings, together with associated car parking, landscaping and new pedestrian access.

LANDSCAPE CONSIDERATIONS:

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- A Tree Report, by John Cromar, dated 12 August 2013, assesses the condition and value of 41No. individual trees, groups and larger shrubs on, and close to, the site which may be affected by the proposed development.
- The table of tree data concludes that there are no 'A' grade trees on (or close to) the site. 16 No. trees are considered to be 'B' grade trees (fair), 22No. are graded 'C' (poor) and 3 No. are 'U' grade trees whose removal is justified on the grounds of sound arboricultural management.
- The Proposed Site Plan, Hillingdon drawing No. 2013/D115/P/03 shows the site layout with six dwellings arranged as three pairs of semi-detached houses, together with private gardens and a communal parking court on the northern boundary. A new secure entrance is to be provided in the wall, providing pedestrian access directly on to Swakeleys Road.
- All off site trees have been retained, as have the better quality ('B' grade trees). However, Hillingdon drawing 2013/D115/P/02 indicates that a number of poor quality trees will be retained, contrary to the recommendations of the tree report. The retention of these poor quality trees is ill-advised. In the short term they will constrain the demolition and construction operations. In the longer term they will do little to enhance the appearance site (or value of the new houses) and will be more difficult to remove once the scheme is complete.
- The Arboricultural Report includes a proposed site layout drawing No. 1-38-3265P3 which indicates the trees which are worthy of retention and the opportunities for new / replacement tree planting. These recommendations should be followed.
- The same drawing has a key to all of the Tree Protection Proposals which are specified in section 06 of the report. The adherence to the tree protection measures and supervision by the tree surveyor at critical parts of the development - including prior to demolition- should be confirmed by condition.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

RECOMMENDATIONS:

No objection subject to the above comments and conditions RES6, RES7, RES8 (parts 1,2,5 and 6), 10

INFORMATIVE:

- All tree work should be carried out in accordance with the recommendations of BS3998:2010 'Tree Work-Recommendations'.
- The Wildlife and Countryside Act 1981: Note that it is an offence under the Wildlife and Countryside Act 1981 to disturb roosting bats or nesting birds or other species. It is advisable to consult your tree surgeon/consultant to agree an acceptable time for carrying out any work.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy R11 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

states that:

"The local planning authority will assess proposals which involve the loss of land or buildings used or whose last authorised use was for education, social, community and health services by taking into account whether:-

- (i) there is a reasonable possibility that refusal of permission for an alternative use would lead to the retention and continued use of the existing facility;
- (ii) adequate accessible alternative provision is available to meet the foreseeable needs of the existing and potential users of the facility to be displaced;
- (iii) the proposed alternative use accords with the other policies of this plan and contributes to its objectives".

The site has previously been used as a care home and is currently vacant. There has been considerable change in the way care is delivered in the borough over the last few years, with accessible and adequate care being provided in different locations within the borough. The existing care facilities at Charles Curran House is thereby surplus to requirements. Given this, it is not considered that refusal of permission would lead to the retention or continued use of the existing facility.

Policy R11 also requires that the proposed alternative use accords with the other policies of this plan, and consideration of this matter is set out in the remaining sections of this report.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2011) advises that Boroughs should ensure that development proposals achieve the highest possible intensity of use compatible with local context and the site's public transport accessibility. The London Plan provides a density matrix to establish a strategic framework for appropriate densities at different locations.

The site has a PTAL of 2 and is located within a suburban setting. The London Plan provides for a residential density between 50 - 95 u/ha. The proposed density for the site would be 28 units/ha, which is below London Plan guidance. However, given the context of the site in the Ickenham Village Conservation Area, and the constraints of the site resulting from retained trees and surrounding development, the density is considered appropriate in this case.

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

The site is located within the Ickenham Village Conservation Area and contains a locally listed wall which faces onto Swakeleys Road. The proposal would provide a new pedestrian opening in the Locally Listed wall facing onto Swakeleys Road. The pedestrian opening would be made secure by way of a lockable steel gate and would provide access to residents in the four dwellings fronting Swakeleys Road. The gate would measure 1.2m wide and 2.1m high with corbelling arch bricks which will match the orange brickwork of the wall. The Council's Conservation Officer has no objection to the installation of a new pedestrian access in the Locally Listed wall.

The proposed dwellings would be of a similar height of the neighbouring properties and have an acceptable roof design. Following initial comments from the Council's Conservation Officer, the roof design and front facades of the dwellings have been amended to ensure that the scale and design of the development is in keeping with the surrounding area. The changes are considered to be acceptable and would not have a detrimental impact on the character and appearance of the Ickenham Conservation Area.

The scheme is considered to comply with Policies BE4, BE8, BE10 and BE13 of the

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

7.04 Airport safeguarding

Not applicable for this application.

7.05 Impact on the green belt

Not applicable for this application.

7.07 Impact on the character & appearance of the area

See Section 7.03.

7.08 Impact on neighbours

The proposed dwellings would be two-storey with accommodation provided within the roofs, with rear dormer windows and front rooflights.

Privacy

Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that the design of new buildings protects the privacy of the occupiers and their neighbours. The supporting text to this policy states that 'the protection of privacy, particularly of habitable rooms (including kitchens) and external private amenity space is an important feature of residential amenity'. The Council's HDAS also provides further guidance in respect of privacy, stating in particular that the distance between habitable room windows should not be less than 21m.

The Council's HDAS at paragraph 4.12 states that 'new residential development should be designed so as to ensure adequate privacy for its occupants and that of the adjoining residential property from windows above ground floor, an angle of 45 degrees each side of the normal is assumed in determining facing, overlooking distances. This requirement has been adhered to so as to respect the residential amenity of existing residents.

Outlook

Policy BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that planning permission will not be granted for new development, which by reason of its siting, bulk and proximity, would result in a significant loss of residential amenity of established residential areas. The Council's Supplementary Planning Document 'Hillingdon Design and Access Statement' (HDAS) states that where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over domination.

As part of the design, sufficient distances are maintained between the new buildings and the nearest adjoining dwellings. The massing of the 2 storey semi detached properties relative to the adjoining properties is considered satisfactory. It is therefore considered that the proposal would not result in an over dominant form of development which would detract from the amenities of neighbouring occupiers, in compliance with Saved Policy BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and relevant design guidance.

Sunlight/Overshadowing

The proposed dwellings fronting Swakeleys Road (units 1-4) would project forward of the established building line to the west of the site. In relation to the front facing windows of the adjoining property to the west (Appletree Cottage), unit 1 would marginally breach the 45 degree principle designed to ensure that adequate daylight and sunlight is enjoyed in

existing dwellings.

However there is an existing 3.7 metre high wall on the site's western boundary, which will be retained and the eaves height of the two storey dwelling at 4.7 metres would be only marginally higher than the existing wall. In addition, a distance of over 5 metres will be maintained between the flank wall of unit 1 and the side boundary with Appletree Cottage. Given these factors and the orientation of the proposed development, it is not considered that there would be a material loss of daylight or sunlight to the occupiers of that property. With regard to other surrounding development, it is not considered that there would be a material loss of daylight or sunlight to neighbouring occupiers, as the proposed dwellings would be sited a sufficient distance away from adjoining properties. The proposal is considered to be consistent with Policy BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and relevant design guidance.

7.09 Living conditions for future occupiers

Amenity Space

Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that residential developments should provide adequate external amenity space for occupants. Four-bed dwellings require a minimum of 100sq.m. The proposed dwellings would have their own private amenity space ranging from 102sq.m to 121sq.m and so would benefit from an adequate amount of external amenity space.

Floor Space

The Council's HDAS - Residential Layouts sets out minimum floorspace standards which should be achieved in order to ensure appropriate living standards. A minimum floorspace of 103sq.m is required for four-bed three-storey houses. The six dwellings would all have an internal floorspace of 148sq.m, thereby exceeding the minimum requirement and providing occupiers with an acceptable amount of living space.

Privacy

Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's SPD: Residential Extensions seek to prevent new developments from causing unacceptable levels overlooking and loss of privacy to occupiers and neighbours.

The rear garden of unit 4 would be partially overlooked by offices in the Coach house located to the east of the site. However, these offices are unlikely to be occupied in the evenings and weekends when future occupants of the unit would be more likely to utilise their private amenity area.

No windows are proposed in the flank elevation of unit 5 facing units 1 - 4. However, the first floor windows and rear dormers of units 1 - 4 would be less than 21 metres from the rear garden of unit 5, thereby raising an issue of privacy to the external amenity area of unit 5. Nevertheless, the views of the rear garden from units 3 and 4 would be mainly outside the 45 degree field of vision. Overlooking from Unit 1 would be reduced by the retention of existing trees in its rear garden. The rear gardens of all the units would be separated by 1.8m high closed boarded fencing to prevent overlooking from the ground floor windows.

On balance it is not considered that the proposed dwellings would be subject to

unacceptable levels overlooking as to warrant refusal of the scheme.

Outlook, Sunlight and Daylight

It is considered that in relation to the pair of semis to the rear (units 5 and 6), adequate distances have been maintained to the site boundaries in order to ensure that future occupants of these units would enjoy adequate levels of sunlight, daylight and outlook from habitable windows and the rear gardens. A distance of 15 metres can generally be achieved between the flank wall of unit 5 and the rear of units 1 -4 apart from one corner where it this distance reduces to 14.5 metres.

However, south facing ground floor habitable windows of units 1 - 4 would be only 6.5 metres from the boundary wall and belt of trees fronting Swakeleys Road, thereby restricting to some degree, the amount of sunlight and outlook that could reasonably be expected for future occupiers of these units. All but one of these trees along the road frontage are shown to be retained, including a number of poor quality trees, which is contrary to the recommendations of the tree report.

The Tree and Landscape Officer notes that the retention of these poor quality trees is ill-advised, as in the short term they will constrain the demolition and construction operations and in the longer term they will do little to enhance the appearance site, or the amenity value of the new houses and will be more difficult to remove once the scheme is complete. The submitted Arboricultural Report indicates the trees which are worthy of retention and the opportunities for more appropriate new and replacement tree planting. The Tree and Landscape Officer considers that these recommendations should be followed. This would improve the outlook from these units and ensure that adequate daylight/sunlight would be enjoyed by future occupiers. These matters can be secured by condition.

Subject to conditions, it is considered that a good level of day lighting and outlook for the proposed development can be achieved, in accordance with Policies BE20 and BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and relevant design guidance.

Overall, it is considered that the proposed development would provide good living conditions for all of the proposed units in accordance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), HDAS Residential Layouts and the provisions of the London Plan.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The scheme would provide 12 car parking spaces, two spaces per dwelling, at the rear of the site with vehicle access maintained from Boniface Road. The parking area would have secure fencing and would be accessed by a metal sliding gate, details of which can be secured by way of condition.

The PTAL index within the local area is 2, which is classified as poor. The proposed car parking provision for the dwellings are considered acceptable. The Council's Highways Engineer raises no objection to the proposal. The proposal thereby complies with Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

Urban Design

Discussed elsewhere in the report.

Security

The development has incorporated measures such as secure fencing and security gates to reduce the risk of crime. The development would be required to meet the Metropolitan Police's 'Secure By Design' criteria. This can be dealt with by way of a condition should approval be granted.

7.12 Disabled access

The applicant's design and access statement confirms that the proposed development would comply with Lifetime Homes Standards and part M of the Building regulations. One of the dwellings would be wheelchair accessible. Relevant conditions would be attached should approval be granted to ensure the criteria are met.

7.13 Provision of affordable & special needs housing

Not applicable for this application.

7.14 Trees, landscaping and Ecology

The layout plan indicates that the majority of vegetation along the boundaries is to be retained, which strongly contributes to the character and appearance of the street scene. Additional landscaping would be provided within the proposed front gardens and along the side elevation of Unit 4. Details of the final landscape scheme can be dealt with by way of a condition.

7.15 Sustainable waste management

Refuse and recycling would be stored in the rear gardens of the proposed dwellings and would be required to be presented near the curtilage of the property on allocated collection days. Refuse from Houses 1-4, located along Swakeleys Road, would be collected from inside the new pedestrian access on Swakeleys Road whilst the refuse from Houses 5 and 6 would be collected from the car park to the north of the site which is accessed from Boniface Road. It is considered that the facilities for the storage of refuse and recycling would be acceptable for the development.

7.16 Renewable energy / Sustainability

Policies within Chapter 5 of the London Plan require developments to provide for reductions in carbon emissions, including a reduction of 25% in carbon emissions, in line with Code for sustainable Homes Level 4.

The applicant's design and access statement states that the development is expected to achieve Level 4 of the Code for Sustainable Homes. Therefore, subject to an appropriate condition to secure this implementation within the final design, the scheme will comply with adopted policy.

7.17 Flooding or Drainage Issues

Not applicable for this application.

7.18 Noise or Air Quality Issues

Not applicable for this application.

7.19 Comments on Public Consultations

A number of responses were received during the public consultation raising a number of objections, including the impact on the Ickenham Village Conservation Area and the locally listed wall, storage of waste and parking. These concerns are dealt elsewhere within this report.

Regarding a resident not being consulted, the Local Planning Authority has consulted all nearby local residents and posted site and press notices in line with statutory guidelines.

7.20 Planning obligations

Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

states that the Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and educational facilities through planning obligations in conjunction with other development proposals.

In this instance planning obligations relating to education contributions and project management and monitoring are required.

The proposed scheme represents chargeable development under the Mayor's Community Infrastructure Levy. At this time the Community Infrastructure Levy is estimated to be £3,519.15.

7.21 Expediency of enforcement action

Not applicable for this application.

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 for this application.

10. CONCLUSION

Planning permission is sought for the demolition of an existing care home and the construction of six semi-detached 4-bed dwellings, together with associated car parking,

landscaping and new pedestrian access.

It is not considered that the proposed development would have a detrimental impact on the character of the Ickenham Village Conservation Area. The proposal would provide adequate levels of internal floor space and private amenity space for future occupiers.

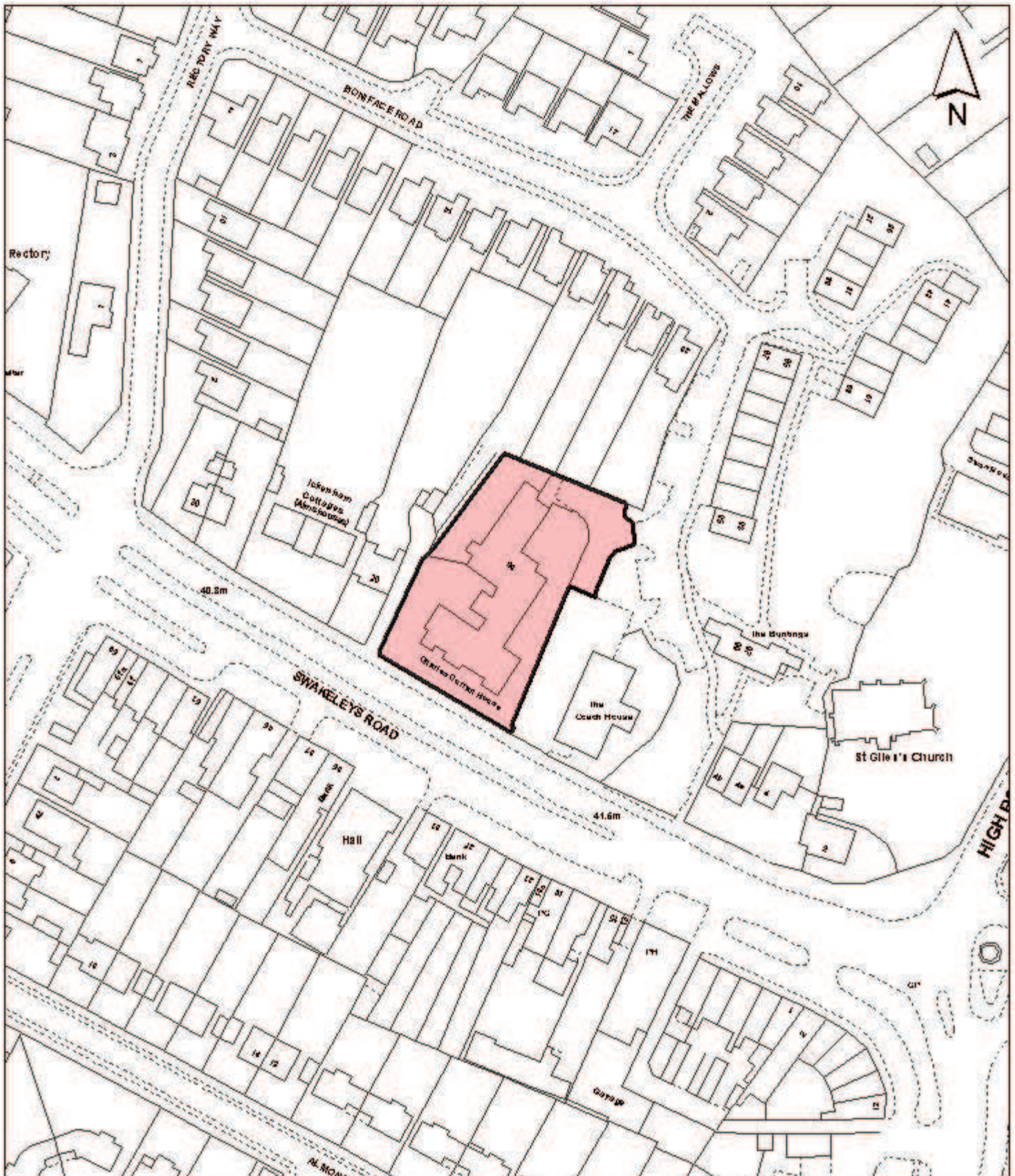
The proposal complies with Policies AM14, BE4, BE8, BE10, BE13 BE19, BE20, BE21, BE23 and R11 of the Hillingdon Local Plan: part 2- Saved UDP Policies (November 2012) and the Hillingdon Design and Accessibility Statement: Residential Layouts. It is therefore recommended that the application is approved.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
Hillingdon Design and Accessibility Statement: Residential Layouts
Hillingdon Supplementary Planning Document: Planning Obligations
London Plan (July 2011)

Contact Officer: Katherine Mills

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Notes

 Site boundary

For identification purposes only.

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Site Address

**Charles Curran House
Boniface Road**

**LONDON BOROUGH
OF HILLINGDON
Residents Services**

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Planning Application Ref:
1022/APP/2013/2347

Scale
1:1,250

Planning Committee
Major Application

Date
**December
2013**

