

Report of the Head of Planning, Sport and Green Spaces

Address RYEFIELD HOUSE RYEFIELD AVENUE HILLINGDON

Development: Amendment to condition 3 of planning permission 11838/APP/2013/2650 dated 31/12/2013 to amend the approved plans to adjust external openings, reconfigure the internal layout and alter the location, design and size of the basement (S73 Application)

LBH Ref Nos: 11838/APP/2014/2350

Drawing Nos: 02
03
04
05
06
Planning Design Statement
L01
01

Date Plans Received: 02/07/2014 **Date(s) of Amendment(s):**

Date Application Valid: 14/07/2014

1. SUMMARY

This application seeks consent for the amendment of condition 3 (approved drawings) of planning permission 11838/APP/2013/2650 dated 31/12/2013, which granted consent for the erection of a three storey 58-bed Care home for residents requiring nursing, dementia and residential care with associated parking, landscaping and refuse/recycling store. The amendments proposed are alterations to the window sizes and locations, basement and internal layout of the building.

The scheme by reason of its acceptable design, scale and finish of the alterations proposed, is not considered to have a detrimental impact on the character and appearance of the building, nor the surrounding area. Further the proposed alterations are considered acceptable in terms of their impact on the amenities of surrounding occupiers and are not deemed to have an adverse effect on the approved parking layout or surrounding highway network.

2. RECOMMENDATION

1. That the application be determined by the Head of Planning, Sport and Culture under delegated powers, Subject to the completion of a Deed of Variation to the legal agreement associated with planning permission 11838/APP/2013/2650 for the following obligations:

i. Health: A contribution towards local health care facilities in the sum of £216.67 per person. Given that there are 58 beds proposed in this scheme and basing the calculation on one person per bedroom the level of the contribution will be in the sum of £12,566.86.

ii. Construction Training: A construction training contribution will be sought equal to £2,500 for every £1 million build cost.

iii. Libraries: £1,334 as contribution towards the local library.

iv. Project Management and Monitoring Fee: in line with the Planning Obligations SPD a contribution equal to 5% of the total cash contributions is required to enable the management and monitoring of the resulting agreement.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and 278 Agreements and any abortive work as a result of the agreement not being completed.

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

D) If the Legal Agreement/s have not been finalised by the 13th October 2014, delegated authority be given to the Head of Planning, Green Spaces and Culture to refuse planning permission for the following reason:

'The applicant has failed to deliver necessary offsite highway works and to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of healthcare, construction training and libraries. The proposal therefore conflicts with Policy AM2, AM7 and R17 of the adopted Local Plan and the Council's Planning Obligations SPG.'

E) That if the application is approved, the following conditions be imposed subject to any changes negotiated by the Head of Planning, Green Spaces and Culture prior to issuing the decision:

1 T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the 31st December 2016

REASON

To comply with Section 73 and 91 of the Town and Country Planning Act 1990 and the terms and conditions of planning application 11838/APP/2013/2650.

2 RCU2 Use Within Same Use Class

The premises shall be used for a Care Home or Nursing Home and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987).

REASON

To ensure an adequate level of amenity and parking provision for future occupiers and neighbouring properties in accordance with Policies BE24, AM7 and AM14 of the Hillingdon Local Plan (November 2012).

3 OM1 Development in 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 referenced below and shall thereafter be retained/maintained for as long as the development remains in existence:

Location Plan

A102 01

A102 02

A102 03

A102 04

A102 05

A102 06

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Local Plan (November 2012).

4 M1 Details/Samples to be Submitted

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Local Plan (November 2012).

5 OM2 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 (November 2012).

6 OM14 Secured by Design

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

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 7.1 and 7.3 of the London Plan (July 2011).

7 H7 Parking Arrangements (Residential)

The parking areas (including the marking out of parking spaces) shown on the approved plans, shall be constructed, designated and allocated for the sole use of the occupants

prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Local Plan (November 2012). and Chapter 3C of the London Plan (July 2011).

8 H14 Cycle Storage - details to be submitted

No part of the development hereby permitted shall be occupied until details of 12 covered and secure cycle storage for users of and visitors to the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied or brought into use until the approved cycling facilities have been implemented in accordance with the approved plan, with the facilities being permanently retained for use by cyclists.

REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Local Plan (November 2012) and Chapter 6 of the London Plan (July 2011).

9 MCD10 Refuse Facilities

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

REASON

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Local Plan (November 2012). and London Plan (February 2008) Policy 4B.1.

10 TL1 Existing Trees - Survey

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

- (i) Existing and proposed site levels.
- (ii) Routes of any existing or proposed underground works and overhead lines including their manner of construction.

REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Local Plan (November 2012).

11 TL3 Protection of trees during site clearance and development

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be

commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

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

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Local Plan (November 2012).

12 TL5 Landscaping Scheme

Prior to the commencement of development, a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

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

The scheme shall also include details of the following: -

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Local Plan (November 2012).

13 TL6 Landscaping Scheme - implementation

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

Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

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

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Local Plan (November 2012).

14 TL7 Maintenance of Landscaped Areas

Prior to the occupation of the development, a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Local Plan (November 2012).

15 M3 Boundary treatment - details

No part of the development shall be occupied until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied or in accordance with a timetable agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Local Plan (November 2012).

16 NON2 plant noise

The rating level of noise emitted from any plant and/or machinery at the development shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 'Method for rating industrial noise affecting mixed residential and industrial areas'.

REASON

To safeguard the amenity of the surrounding area in accordance with policy OE3 of the Hillingdon Unitary Development Plan.

17 DRC6 Contaminated Land - survey and remedial works

Development shall not begin until a site survey to assess contamination levels has been carried out to the satisfaction of the Local Planning Authority. The survey shall be undertaken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved in writing by the Local Planning Authority and all works that form part of this scheme shall be completed before any part of the development is occupied.

REASON

To ensure that the occupants of the development are not subjected to any risks from soil contamination in accordance with Policy OE11 of the Hillingdon Local Plan (November 2012). and Policy 5.21 of the London Plan (July 2011).

18 SUS5 Sustainable Urban Drainage

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

REASON

To ensure that surface water run off is handled as close to its source as possible/if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Local Plan (November 2012) and policy 5.12 of the London Plan (July 2011).

19 H1 Traffic Arrangements - submission of details

No part of the development hereby approved, shall be occupied until details of all traffic arrangements, including provision of emergency vehicle parking have been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until all such works have been constructed in accordance with the approved details. Thereafter, the parking areas, sight lines, visibility splays and loading areas must be permanently retained and used for no other purpose at any time. Disabled parking bays shall be a minimum of 4.8m long by 3.6m wide, or at least 3.0m wide where two adjacent bays may share an unloading area.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 of the adopted Hillingdon Local Plan (November 2012). and Chapter 6 of the London Plan (July 2011).

20 MCD13 Extraction Vent or Chimney

No air extraction system shall be used on the premises until a scheme which specifies the provisions to be made for the control of noise and odour emanating from the site or to other parts of the building, has been submitted to, and approved by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. The said scheme and all of it endures for use and that any and all constituent parts are repaired and maintained and replaced in whole or in part so often as occasion may require.

REASON

In order to safeguard the amenities of adjoining properties in accordance with Policy OE1 of the Hillingdon Local Plan (November 2012) and London Plan (July 2011) Policies 7.1 and 7.14.

21 NONSC Imported soils

All soils used for gardens and landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be inspected and tested for chemical contamination, and the results of this testing shall be submitted to and approved by the Local Planning Authority.

REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Local Plan (November 2012).

22 NONSC plant/machinery

No plant and/or machinery including flues and kitchen extraction equipment shall be used on the premises until a scheme which specifies the provisions to be made for the control of noise emanating from the site or to other parts of the building, has been submitted to, and approved by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. The said scheme shall include such secure provision as will ensure that the said scheme and all of it endures for use and that any and all constituent parts are repaired and maintained and replaced in whole or in part so often as occasion may require.

REASON

In order to safeguard the amenities of adjoining properties in accordance with Policy OE1 of the Hillingdon Local Plan (November 2012) and London Plan (July 2011) Policies 7.1 and 7.14.

23 NONSC Deliveries

Deliveries and collections, including waste collections, shall be restricted to the following hours: 0800 hrs to 1800 hrs Monday to Friday, the hours of 0800hrs to 1300 hrs on Saturdays. No deliveries or collections shall take place on Sundays, public and bank Holidays.

REASON

In order to safeguard the amenities of adjoining properties in accordance with Policy OE1 of the Hillingdon Local Plan (November 2012) and London Plan (July 2011) Policies 7.1 and 7.14.

24 NONSC en-suite bathrooms

Prior to the occupation of the development, details showing access to all rooms by wheel chair users and electric wheel chair charging points, as well as ensuite bathrooms to the accessible bedrooms designed in accordance with BS 8300:2009 shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall there after been implemented prior to occupation into the scheme and thereafter permanently retained.

Reason

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy AM13 of the Hillingdon Local Plan (November 2012) and London Plan (February 2008) Policies 3.1, 3.8 and 7.2.

25 NONSC Energy

Prior to the commencement of development a detailed energy assessment shall be submitted to and approved by the Local Planning Authority. The assessment shall clearly

demonstrate how a 20% reduction in CO2 emissions can be achieved from any proposed renewable technologies. The development shall proceed in accordance with the approved assessment unless otherwise agreed in writing by the Local Planning Authority.

REASON

To ensure the development complies with London Plan (July 2011) Policy 5.1 and 5.4.

26 NONSC Travel Plan

Prior to the occupation of the development, a scheme shall be submitted to, and approved in writing by, the Local Planning Authority detailing how a 10 year Travel Plan to meet the needs of the proposed development will be provided. The approved Travel Plan shall then be implemented in accordance with the agreed scheme.

REASON

To promote the use of sustainable means of transport and to accord with Policy AM7 of the adopted Hillingdon Local Plan (November 2012).

27 NONSC Parking Management Plan

Prior to the occupation of the development, a car parking management strategy, including provision of emergency vehicle parking, which seeks to ensure that the development does not result in any on street parking in neighbouring streets, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented for as long as the development remains in existence.

REASON

To ensure that an adequate level of parking provision is provided for the proposed use and to prevent inappropriate parking of vehicles associated with the use hereby approved in surrounding streets, and to accord with policy AM7 and AM14 of the adopted Hillingdon Local Plan (November 2012)).

28 SUS8 Electric Charging Points

Prior to the occupation of the development, plans and details of 1 electric vehicle charging point, serving the development and capable of charging multiple vehicles simultaneously, shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To encourage sustainable travel and to comply with London Plan (July 2011) Policy 5.3.

29 NONSC Non Standard Condition

Unless otherwise agreed in writing by the Local Planning Authority, no antenna, masts, poles, satellite dishes or the like shall be erected atop any of the buildings here by approved.

REASON

To ensure that apparatus do not detract from the visual amenities of the area in accordance with Policy BE37 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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
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.
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.
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
H10	Proposals for hostels or other accommodation for people in need of care
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.7	(2011) Renewable energy
LPP 5.8	(2011) Innovative energy technologies
LPP 6.13	(2011) Parking
LPP 7.4	(2011) Local character
NPPF	National Planning Policy Framework
OE1	Protection of the character and amenities of surrounding properties and the local area

3 I1 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

4 I2 Encroachment

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

in any form of encroachment.

5 I3 **Building Regulations - Demolition and Building Works**

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

6 I6 **Property Rights/Rights of Light**

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

7 I7 **Design Guidance - Reserved Matters**

You are advised to consult the Council's Design Guides for guidance on matters of design and layout prior to submitting details of reserved matters. These are available from the Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

8 I10 **Illustrative Drawings**

You are reminded that the drawings submitted with the application are for illustrative purposes only and do not form part of the application for which permission is hereby granted.

9 I11 **The Construction (Design and Management) Regulations 1994**

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

10 I12 **Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

11 I15 **Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you

should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

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

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

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

12 I16 Directional Signage

You are advised that any directional signage on the highway is unlawful. Prior consent from the Council's Street Management Section is required if the developer wishes to erect directional signage on any highway under the control of the Council.

13 I18 Storage and Collection of Refuse

The Council's Waste Service should be consulted about refuse storage and collection arrangements. Details of proposals should be included on submitted plans.

For further information and advice, contact - the Waste Service Manager, Central Depot - Block A, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB8 3EU (Tel. 01895 277505 / 506).

14 I19 Sewerage Connections, Water Pollution etc.

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.

Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

15 I20 Land Drainage

You are advised that, pursuant to the Land Drainage Act 1976, details of any works affecting the beds, banks and flow of the river, including details of any outfall structures discharging into the watercourse, should be submitted to the Environment Agency, Planning Liaison Officer, Thames Region, Howard House, 10/11 Albert Embankment, London SE1 7TG.

16

The applicant is encouraged to discuss with Council officers in conjunction with the Metropolitan Police Crime Prevention Officer whether on site CCTV cameras can be

linked to the Councils central CCTV system.

17 I28 **Food Hygiene**

The Council's Commercial Premises Section should be consulted prior to the use of the premises so as to ensure compliance with the Food Safety Registration Regulations 1990, Hygiene (General) Regulations 1970, The Food Act 1984, The Health and Safety at Work Act 1974 and any other relevant legislation. Contact: - Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Telephone 01895 250190).

18

You are asked to consider installing a fire evacuation lift into the development.

3. CONSIDERATIONS

3.1 Site and Locality

The site is located towards the south-eastern end of Ryefield Avenue and has an area of approximately 0.27 ha. With the exception of a truncated northern corner, it is rectangular in shape. It previously contained a part single storey, part two storey and part three storey flat-roofed brick building operated as the Ryefield House Nursing Home but is now cleared. There is an existing in/out drive to Ryefield Avenue.

The site is bounded to the north-west by two storey semi-detached houses in Ryefield Avenue, to the north by the rear gardens of two storey flats fronting Floriston Avenue and Lynhurst Crescent, to the north-east and south-east by the grounds of Ryefield Primary school and to the south-west by two storey flats and semi-detached houses located on the opposite side of Ryefield Avenue.

3.2 Proposed Scheme

This application seeks consent for the amendment of condition 3 (approved drawings) of planning permission 11838/APP/2013/2650 dated 31/12/2013, to allow for amendments to the approved scheme.

This application granted consent for the erection of a three storey 58-bed Care home for residents requiring nursing, dementia and residential care with associated parking, landscaping and refuse/recycling store.

The following amendments to the approved scheme are proposed:

- Two storey extension on the northern elevation removed and new entrance lobby created at ground floor level;
- Replacement of some of the windows on ground floor elevations with doors or full length windows;
- Enlargement of the windows on all elevations and subsequent reduction in the total number of windows;
- Windows added on the end of the eastern and northern elevations to serve the hallway;
- Alteration of the location, design and size of the basement, with the use of this space as staff offices, rest room, changing area, main kitchen, plant room and stores. The lightwells are proposed to be removed.

3.3 Relevant Planning History

11838/APP/2004/2478 Ryefield Residential Home Ryefield Avenue Hillingdon
ERECTION OF A THREE STOREY CARE HOME WITH ASSOCIATED PARKING
(INVOLVING DEMOLITION OF THE EXISTING BUILDING)

Decision: 09-11-2004 Refused **Appeal:** 12-05-2005 Allowed

11838/APP/2005/3481 Ryefield House Ryefield Avenue Hillingdon
ERECTION OF A THREE STOREY CARE HOME WITH ASSOCIATED PARKING
(INVOLVING DEMOLITION OF THE EXISTING BUILDING)

Decision: 06-06-2006 Approved

11838/APP/2010/1713 Ryefield House Ryefield Avenue Hillingdon
Erection of a three storey care home with associated parking.

Decision: 20-12-2010 Refused

11838/APP/2011/553 Ryefield House Ryefield Avenue Hillingdon
Erection of a three storey care home comprising 58 rooms with associated parking.

Decision: 27-10-2011 Approved

11838/APP/2013/2650 Ryefield House Ryefield Avenue Hillingdon
Section 73 Application for the Variation of Condition 2 and 3 of planning permission
11838/APP/2011/553 dated 1/12/2011 for the Erection of a three storey care home comprising
58 rooms with associated parking.

Decision: 12-12-2013 Approved

Comment on Relevant Planning History

11838/APP/2013/2650 - Consent granted for a section 73 application for the 'Variation of Condition 2 and 3' of planning permission 11838/APP/2011/553 dated 1/12/2011 for the erection of a three storey care home comprising 58 rooms with associated parking. This is an extant consent which expires on the 31st December 2015.

11838/APP/2011/553 - Consent granted for the erection of a three storey care home comprising 58 rooms with associated parking. This is an extant consent which expires on the 1st December 2014.

11838/APP/2010/1713 - Consent refused for the erection of a three storey care home with associated parking. This scheme was refused due to the failure to provide accessible facilities for the elderly and disabled, absence of any renewable energy measures and failure to provide a contribution towards the improvement of services and facilities.

11838/APP/2005/3481 - Consent granted for the erection of a three storey care home with associated parking (involving the demolition of the existing building).

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
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.
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.
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
H10	Proposals for hostels or other accommodation for people in need of care
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.7	(2011) Renewable energy
LPP 5.8	(2011) Innovative energy technologies
LPP 6.13	(2011) Parking
LPP 7.4	(2011) Local character
NPPF	National Planning Policy Framework
OE1	Protection of the character and amenities of surrounding properties and the local area

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **11th August 2014**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

42 surrounding residents and Oak Farm Residents Association were notified of the application. No objections were received from this consultation.

Councillor Wayne Bridges has requested that the application be referred to the planning committee for determination.

Internal Consultees

CONSERVATION OFFICER

There are no objections in design terms to the changes proposed to the originally approved scheme, in fact overall the elevational changes are felt to be a slight improvement on the design of the previous scheme

ACCESS OFFICER

No concerns are raised from an accessibility standpoint.

FLOOD AND WATER MANAGEMENT OFFICER

No comments on the application.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of redeveloping this site for a care home has been established through the previous applications on the site. Specifically applications 11838/APP/2011/553 and 11838/APP/2013/2650, which are both extant consents for the use of the site for a residential and nursing care home.

Given that both local and national policies have not changed significantly since the granting of these permissions, and that they could both still be implemented on site, it is considered that the principle of using this site for a care home is acceptable and no objection is raised to such.

7.02 Density of the proposed development

This is not relevant to this type of development.

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

The site is not located in a designated area and does not contain any listed buildings.

7.04 Airport safeguarding

There are no safeguarding issues arising from the proposed development.

7.05 Impact on the green belt

The site is not located in the Green Belt.

7.07 Impact on the character & appearance of the area

The scheme presented to the Council has acknowledged the site constraints and previous consents, and acknowledges that the most suitable location for the building is as approved scheme (11838/APP/2013/2650). The building will be located on the same lines as the approved application L shaped building, with parking between the front elevation and Ryefield Avenue.

The overall size, scale and design of the building is broadly similar to that proposed within the approved schemes to which no objection is raised, however it is noted that there are a number of changes proposed to the elevations of the building and location of the basement. The main changes to the design of the building are as follows:

- Two storey extension on the northern elevation removed and new entrance lobby created at ground floor level;
- Replacement of some of the windows on ground floor elevations with doors or full length

windows;

- Enlargement of the windows on all elevations and subsequent reduction in the total number of windows;
- Windows added on the end of the eastern and northern elevations to serve the hallway;
- Basement location altered and removal of lightwells at ground level.

On consideration of the alterations proposed to the windows and doors, these changes are considered to be of a design and scale appropriate to the character, appearance and finish of the building. Further the enlargement of the windows helps to break up the massing of the elevations of the building, and increase the amount of natural light to the proposed rooms. Overall no objection is raised to this alteration.

Given the subterranean nature of the basement, its proposed use, and that the lightwells associated with this are being removed, the basement would not appear highly prominent within the street scene. The scale of the basement is considered appropriate to the size of the site and overall, this aspect of the scheme is considered acceptable.

No objection is raised to the removal of the two storey element on the northern elevation of the building, and the proposed revisions to the entrance lobby are welcomed, with the design of this more appropriate to the elevations of the building.

7.08 Impact on neighbours

To the north- and south-west of the site are the residential properties within Ryefield Avenue. To the north of the site are the residential properties within Lynhurst Crescent and Floriston Avenue and to the north- and south-east of the site is Ryefield Primary School.

Within the 2011 and 2013 schemes, the impact of the scale, bulk and massing of the proposed building on the amenities of the other surrounding occupiers was considered and given the distance to these properties, it was deemed that they would be unduly affected by the proposals. Given that the size and scale of the building has not altered to any great degree from these previous consents, the principle, size and siting of the proposed building is considered acceptable with regards to its impact on the surrounding residential properties. The main issues for consideration with this application, are the impact that the proposed alterations to the elevations will have on the surrounding occupiers.

The closest residential property to the site is No. 211 Ryefield Avenue, which is sited approximately 5.5 metres from the flank wall of the proposed care home building. The 2011 and 2013 applications considered this relationship acceptable given that the building stepped down to two storeys in height adjacent to this property, and it being sited 5.5 metres from the flank wall with no windows proposed. This current submission retains the same separation distance between the buildings, however proposes two windows on the flank wall at ground and first floor level. These windows are proposed to serve the hallways to the building and it is noted in the submissions that they are to be obscurely glazed. Given their location and that they serve circulation areas within the building, the Council would have no objection to the addition of these windows, provided that they are obscurely glazed and non opening 1.8 metres from the finished floor level. Subject to the windows being obscurely glazed and non opening as described, and the distance between the flank wall of the buildings, the Council is of the view that the scheme would not give rise to unacceptable levels of overlooking or loss of privacy to this property.

Three windows are also proposed on the eastern elevation of the building which adjoins

the boundary with Ryefield Primary School and playing fields for the school. Given such, the addition of these windows is not considered to give rise to unacceptable levels of overlooking or loss of privacy.

7.09 Living conditions for future occupiers

With regards to the quality of accommodation provided to any future occupiers of the scheme, within the appeal scheme, the Inspector concluded that the appeal site was within an area that does not experience unacceptably high levels of noise pollution or poor air quality. On this basis, he was of the view that acceptable living conditions could be created for future residents of the development.

Further, this scheme proposes to increase the size of the windows in the elevations of the building to maximise the amount of natural light able to infiltrate the internal spaces and also provide direct access for a number of ground floor rooms to the communal garden areas. These alterations are overall considered to improve the quality of the accommodation for its occupants and no objection is raised in this regard.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Of relevance to the consideration of the impact of the proposed care home on the highway conditions of the surrounding roads are applications 11838/APP/2004/2478, 11838/APP/2013/2650 and 1138/APP/2011/553. The 2004 consent allowed on appeal, granted planning permission for a 48 bed care home providing 12 on site car parking spaces. This scheme was considered acceptable on traffic generation and car parking grounds. The 2011 and 2013 approvals were for a 58 bed care home with the level of on site car parking remaining at 12 (a maximum of 14 spaces are required to accord with the Councils parking standards).

The shortfall of on site car parking spaces was justified within the 2011 and 2013 schemes by the fact that the Inspector did not impose any condition on the 2004 planning permission limiting the number of bed spaces, and in view of the fact that it would not have been possible to increase the number of on site car parking spaces without a reduction in the size of the building. These schemes therefore accepted the level of car parking for the use to which no objection was raised by the Councils Highways Officer. Given such, the provision of 12 car parking spaces, which includes two disabled spaces is considered acceptable.

7.11 Urban design, access and security

These issues have been addressed within other sections of the report.

7.12 Disabled access

This was assessed and deemed acceptable under planning permission ref: 11838/APP/2011/553 dated 1 December 2012. Furthermore the Council's Access officer has raised no objections to the proposed scheme.

7.13 Provision of affordable & special needs housing

Not applicable to the consideration of this application.

7.14 Trees, Landscaping and Ecology

Policy BE38 of the Unitary Development Plan Saved Policies 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. Whilst the site has been largely cleared of vegetation, there is a broken belt of vegetation and immature trees close to the southern and eastern boundaries of the site, which provide some screening.

The Design & Access Statement accompanying the application recognises that the

proposal provides the opportunity for comprehensive landscaping both to the road frontage and the rest of the site, and to reinforce the screen of existing off-site vegetation. On this basis no objection is raised to the scheme subject to the protection of the existing off-site vegetation during the course of development and the provision of a satisfactory landscaping scheme. These matters can be secured by appropriate conditions in the event of planning permission being granted. As such, the scheme would comply with Saved Policy BE38.

7.15 Sustainable waste management

The scheme is to be supported by a communal bin storage facility which identifies adequate space for waste and recycling bins. Full details of an appropriately screened, covered and sign posted enclosure can be secured by condition in the event of planning permission.

7.16 Renewable energy / Sustainability

Policy 5.7 of the London Plan requires major developments to show how the development would generate a proportion of the sites electricity or heat needs from renewables, wherever feasible.

The proposals remain identical to the extant consent in terms of energy reductions.

7.17 Flooding or Drainage Issues

The scheme has been reviewed by the Councils Flood and Water Management Officer and no objection is raised to the proposed scheme.

7.18 Noise or Air Quality Issues

With regard to the previous proposal considered at appeal, the Inspector concluded that the appeal site was within an area that does not experience unacceptably high levels of noise pollution or poor air quality. On this basis he was of the view that acceptable living conditions would be created for future residents of the development. The revised scheme is therefore considered acceptable in this respect.

7.19 Comments on Public Consultations

No comments were received.

7.20 Planning Obligations

There is an existing legal agreement associated with this site and it is recommended that a Deed of Variation is completed should the application be approved. Further details of the planning obligations can be found in Section 13 of the report.

7.21 Expediency of enforcement action

Not applicable to the consideration of this application.

7.22 Other Issues

There are no other issues for consideration of this application.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

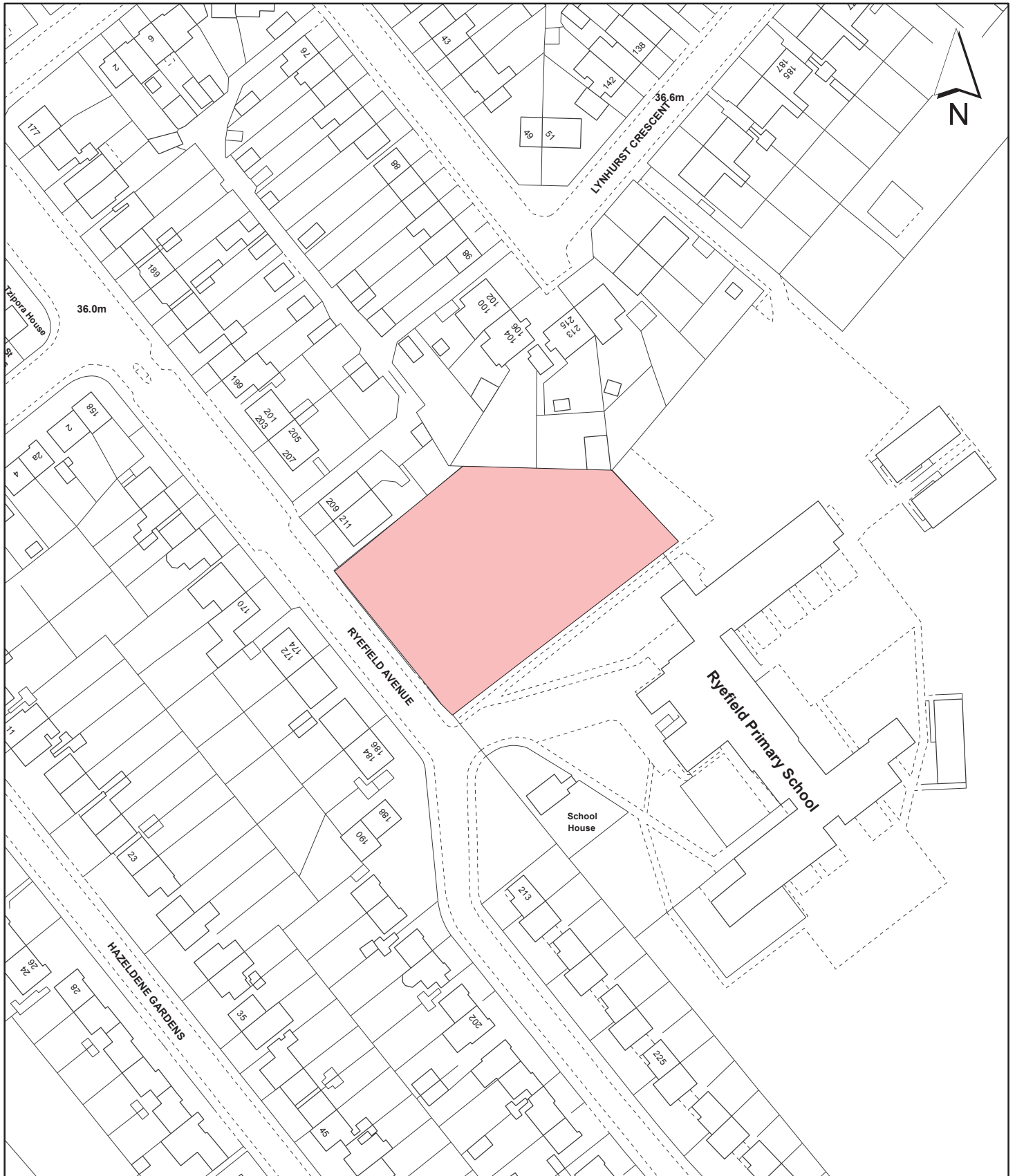
For the reasons provided throughout this report, the application is considered to be appropriate and acceptable and to comply with the relevant policies and planning guidance for the site. Therefore, the application is recommended for approval.

11. Reference Documents

Hillingdon Local Plan
London Plan (July 2011)
National Planning Policy Framework
Hillingdon Design and Accessibility Statement - Residential Layouts (July 2006)
Accessible Hillingdon Supplementary Planning Document
Planning Obligations Supplementary Planning Document

Contact Officer: Charlotte Bath

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Notes

 Site boundary

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Site Address

**Ryefield House
 Ryefield Avenue
 Hillingdon**

**LONDON BOROUGH
 OF HILLINGDON**

**Residents Services
 Planning Section**

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

Planning Application Ref:

11838/APP/2014/2350

Scale

1:1,250

Planning Committee

Major

Date

October 2014



HILLINGDON
 LONDON