

Report of the Head of Planning, Sport and Green Spaces

Address 12A NORTHWOOD ROAD HAREFIELD

Development: Change of use from dwelling house (Use Class C3) to dental clinic (Use Class D1) with associated car parking in the rear garden

LBH Ref Nos: 45363/APP/2015/3363

Drawing Nos: P01 Rev R03
P02 Rev R03
P03 Rev R03
P04 Rev R03
P05 Rev R03
P06 Rev R03
P07 Rev R03
P08 Rev R03
P09 Rev R03
Amended Design & Access Statement
Location Plan
Block Plan

Date Plans Received: 07/09/2015

Date(s) of Amendment(s):

Date Application Valid: 04/02/2016

1. SUMMARY

This application seeks planning permission for the change of use of the subject property from a single family dwellinghouse (Use Class C3) to a Dental Clinic (Use Class D1), which is proposed to be operated under the auspices of the National Health Service (NHS). The proposed use would incorporate the provision of off-street parking spaces with replacement 2m high acoustic fences in the front and rear gardens.

The application has been referred to the Planning Committee because of the receipt of a petition and representations from local residents.

The site is situated on the eastern side of Northwood Road and is located just outside the Harefield Local Centre. The site is situated within the Harefield Village Conservation Area, as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

It has been demonstrated by the applicant that there are no available suitable alternative premises in the locality (including the adjacent Local Centre) to accommodate the proposed use, and that there is a proven need for an NHS dental clinic in the locality, without it leading to an over-concentration of dental clinics in the locality.

Other than the provision of the replacement acoustic fencing on the side boundaries and off-street parking spaces to the rear of the site, the proposal would not involve any external alterations or extensions to the property. There is no Article 4 Direction in place to restrict the hardsurfacing of the rear garden to provide parking spaces and provision of fencing or boundary treatments on the side boundaries of the site in its Conservation Area location, in and of themselves. As such, permission would not be required for the hardsurfacing of the rear garden for parking and the replacement 2m high acoustic fences. The proposal

would therefore not have any detrimental impact on the appearance and/or setting of the Harefield Village Conservation Area.

It has been considered that the proposal would not harm the amenity of neighbouring occupiers, and the Council's Highways Officers have advised that the off-street car parking provision to the front and rear of the site would comply with the Council's adopted car parking standards, and that the parking can be accommodated without detriment to pedestrian safety and/or the free flow of traffic. The nature and required level of occupancy (for staff and patients/visitors) for the proposed use across both floors of the property are such that it is impracticable for a residential unit to be maintained within the property.

This application seeks permission only for the change of use of the property. Any likely display of advertisements or signs would require separate consent.

Accordingly, the application is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 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 COM4 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, numbers P02 Rev R03, P04 Rev R03, P06 Rev R03, P08 Rev R03, P09 Rev R03 and P10 Rev R03 (revised and received on 21/12/2015), and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

3 COM8 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).

4 COM9 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
 - 2.c Means of enclosure/boundary treatments
 - 2.d Hard Surfacing Materials
 - 2.e External Lighting
 - 2.f Other structures (such as play equipment and furniture)
- 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 surfing/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

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 BE4, BE13 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

5 NONSC Non Standard Condition

Prior to the commencement of the Dental Clinic use hereby permitted, the car park in the rear garden and acoustic fencing on the side boundaries shall be laid out and installed in

accordance with the approved details. The car park and acoustic fencing shall then be retained for as long as the permitted use is implemented on the site.

REASON:

To mitigate the impact of noise generation and to safeguard the amenities of adjacent residential occupiers in accordance with Policies BE21, OE1 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

6 COM22 Operating Hours

The use hereby permitted shall not be used except between the hours of:-
[0800 and 1900], Mondays - Fridays
[0800 to 1300] Saturdays

The use shall have no opening on Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policies BE24, OE1 and OE3 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 (2015) 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
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
R15	Use of residential accommodation for medical/health care facilities

LPP 3.17 (2015) Health and social care facilities
NPPF National Planning Policy Framework

3 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). 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.

4 147 Damage to Verge - For Council Roads:

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).

5 12 Encroachment

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

6 115 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.

7

The applicant is hereby advised that this permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Residents Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

8

The applicant's attention is drawn to the need to comply with the Hazardous Waste Regulations 2005.

9

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from direct discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the eastern side of Northwood Road, Harefield and comprises a vacant two-storey detached property, which has established use as a single-family dwelling and comprises four bedrooms.

The property has a gable end roof, front porch and yellow-brick external finish. The property has a single storey extension recessed to the northern side and rear, and which abuts its northern side boundary. The northern boundary adjoins an access road that leads to a garage building and the detached property at No. 12B Northwood Road farther to the rear in a 'backland' position.

The site is covered by Tree Preservation Order (TPO) number 579 and comprises a number of protected trees (Birch and Copper Beech) in the front and rear gardens. The front garden is enclosed by a brick boundary wall and comprises a vehicular access and driveway to its northern end. The side and rear boundaries are enclosed by close-boarded and wire-mesh fencing.

The application site/property is situated within the Harefield Village Conservation Area and lies just outside of the Harefield Local Centre. The site also lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

3.2 Proposed Scheme

This application proposes the change of use of the property from a single family dwellinghouse (Use Class C3) to a Dental Clinic (Use Class D1).

The proposed Dental Clinic use would comprise surgery, consulting and staff rooms across both floors of the property, and revised plans have been submitted, which show the provision of three off-street parking spaces in the rear garden. The parking spaces would be enclosed by 2m high acoustic fencing on the side boundaries, and which would be clad with Rockwool sheet panels. The existing parking space in the front garden would be retained.

3.3 Relevant Planning History

45363/90/1891 Adjoining 14 & 14a Northwood Road Harefield
Erection of a three-bedroom detached house and garage (outline application)

Decision: 23-08-1991 Approved

45363/APP/1999/2104 12a Northwood Road Harefield
ERECTION OF A TWO STOREY SIDE AND REAR EXTENSION AND PART SINGLE STOREY
REAR EXTENSION

Decision: 04-01-2000 Refused

45363/APP/2000/436 12a Northwood Road Harefield
ERECTION OF A SINGLE STOREY REAR EXTENSION (APPLICATION FOR A CERTIFICATE
OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT)

Decision: 14-08-2000 GPD

Comment on Relevant Planning History

45363/APP/2000/436 - Erection of a Single Storey Rear Extension (Application for a Certificate of Lawfulness for a Proposed Use or Development)
Decision: Approved On 14/08/2000.

45363/APP/1999/2104 - Erection of a Two Storey Side and Rear Extension and Part Single Storey Rear Extension
Decision: Refused on 04/01/2000.

45363/90/1891 - Erection of a three-bedroom detached house and garage (outline application)
Decision: Approved on 23/08/1991.

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
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
R15	Use of residential accommodation for medical/health care facilities
LPP 3.17	(2015) Health and social care facilities
NPPF	National Planning Policy Framework

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **7th October 2015**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

6 neighbouring owner/occupiers (Nos. 11, 12, 12b, 12c, 14 and 15 Northwood Road), the Harefield Tenants and Residents Association and the Harefield Village Conservation Area Panel were consulted by letter on 09/09/2015. A site notice was also displayed in the area on 03/10/2015.

A petition consisting of 40 signatories and objecting to the application proposal has been received. The grounds of the objection are summarised below:

- Inappropriate change of use from residential to commercial use.
- Unsustainable loss of a dwelling suitable for residential use.
- The proposal is not in keeping with the residential character of the area.
- The driveway along the side of the property to form access for rear car parking is not a public driveway but a private access driveway for No.12b Northwood Road.
- Use of private driveway to side will generate additional vehicle movements.
- Additional noise and disturbance from vehicles would harm the amenity and living conditions of neighbouring residential occupiers.
- There are commercial units on the High Street, which should be considered first.
- There are two dental practices in Harefield (High Street and Park Lane).

7 further letters of objections have also been received from neighbours and the Residents Association, the grounds of which are summarised below:

- The application property is in a falls under conservation area and has tree preservation order.
- There is no provision for patient car parking and insufficient parking for staff.
- There are two dental clinics/surgeries in Harefield (High Street and Park Lane) without a need for a

third dental clinic.

- This property is in Green Belt and should not be changed from a home into a dental practice.
- Loss of a home in the locality.
- Sewage blockage as a result of disposal of clinical waste.

3 letters of support were received from neighbours, the grounds of which are summarised below:

- There is a local need for an NHS dental practice in the area as the other clinics are private.

Internal Consultees

Highways Officer:

Following the receipt of revised drawings from the applicants showing the provision of cycle storage spaces and three off-street car parking spaces to the rear garden, the Highways Officer has provided revised comments:

- a. The revised layout of the car parking to the front and rear gardens is acceptable.
- b. Subject to confirmation of the rights of vehicular/pedestrian access via the private driveway, there are no highway objections.

Conservation Officer:

No objection in conservation terms.

Trees Officer:

The site is occupied by a two-storey detached house on the east side of Northwood Road in Harefield. It is situated at the interface between a residential area and the small cluster of retail units at the junction with Breakspear Road on the edge of Harefield Village centre. Access to the rear was not gained, but there are two silver birch trees within the front garden. The site lies within the area covered by Tree Preservation Order No. 579. The two birch trees in the front gardens are protected (T10 and T11 on the schedule), as is a copper beech in the rear garden (T2 on the schedule). The site also lies within the Harefield Village Conservation Area, a designation which protects trees.

The proposal is to change the use from Use Class C3 (dwelling house) to Use Class D1 (Non-Residential Institutions) for use as a dentist clinic. According to the planning questionnaire (Q15) there are no trees on the site. This statement is evidently inaccurate. Q15 and the Design & Access Statement (see Landscaping) confirm that no alterations to the landscape are proposed and no new landscape is proposed.

If the application is recommended for approval, landscape conditions should be added to protect the trees. Furthermore, an informative should be added to ensure that the applicant is aware that the trees on the site are protected and permitted development of the front garden (for example) may be restricted to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

RECOMMENDATIONS: No objection, subject to the above comments and addition of conditions in respect of the submission and approval of a method statement (outlining the sequence of development on the site including demolition, building works and tree protection measures prior to site clearance or construction work, and in respect of the submission and approval of a hard/soft landscaping scheme before any development takes place.

Case Officer comments: Following the Trees Officer's comments about the inaccurate information

in the application forms about the absence of trees on the site, the applicant has submitted amended forms and Design and Access statement, which correctly specify the presence of protected trees on the site. The applicant has also submitted a revised Block Plan that shows the positioning of the protected trees in relation to the location of the proposed parking spaces.

Environmental Protection Unit (EPU) Officer:

No objection.

It is recommended that double glazed windows and self closing acoustic doors are provided. Gaps around the four sides of a door leaf are essential, so doors can open and close. But these gaps allow sound to pass through. Constant low-level noise can be as disruptive as louder sounds. In some cases, confidential conversations may be overheard. Approved Document E to the Building Regulations gives specific acoustic performance requirements for doors in certain buildings, including schools, care homes, dental surgery and hotels.

Access Officer:

The supporting documentation for the proposed Change of Use from a detached dwelling house into a dental practice refers to the installation accessible toilet facility. Entry into the premises would remain unchanged and it is unclear whether access for wheelchair users would be possible.

Conclusion: acceptable in principle. However, any planning approval should convey to the applicant an informative as set out below:

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from direct discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy R15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) specifies that for proposals incorporating change of use from residential accommodation to medical/healthcare facilities, they will only be acceptable where:

- (i) there is a proven need for the facility in the locality and no suitable alternative premises are available;
- (ii) the development is in sympathy with the character and style of the existing street scene, and does not harm the amenity of neighbouring occupiers;
- (iii) the council's adopted car parking standards can be met and where appropriate leave a reasonable garden area;
- (iv) any on-street parking that may be generated can be accommodated without detriment to pedestrian safety and/or the free flow of traffic; and
- (v) a residential unit is maintained within the building, unless it can be demonstrated to the satisfaction of the local planning authority that it is impracticable.

Where such premises are no longer needed the local planning authority is unlikely to permit uses other than residential.

The objection from neighbours in respect of the existence of two other Dental surgeries in

the locality is noted. It is instructive to note that the neighbouring property approximately 13m to the north at No.14A Northwood Road used to be in occupation as a Dental Clinic up until March/April 2011. The applicant has provided a supporting letter from NHS England confirming that both floors of the property would be required to facilitate a Dental Clinic use to be operated under the auspices of the NHS, and that an additional clinic is required in the locality in order to meet the needs of the local population. The letter from NHS England asserts that dental decay rates in Hillingdon are amongst the worst in London and there has been a high demand for NHS Dental Services in the Harefield area since the previous provider vacated the premises at No. 14A Northwood Road in March/April 2011.

Following on from the submission of the letter from NHS England, the applicant has also submitted marketing evidence from local estate agents, detailing that no suitable alternative commercial premises are available in the area and nearby Local Centre, which has a low vacancy rate. Even though information has not been provided to demonstrate how long the application property has been vacant for, it has nevertheless been demonstrated that attempts have been made to find suitable alternative premises elsewhere, and in this instance, the loss of the application property as a single family dwellinghouse can be justified. Given that evidence has been provided to demonstrate a proven need for the proposed use in the locality, it is considered that the Dental Clinic would not lead to an over-concentration of Dental Clinics in the locality.

As will be discussed in sections below, other than the provision of replacement acoustic fencing on the side boundaries and off-street parking spaces to the rear of the site, the proposal would not involve any external alterations or extensions to the property. As such, the proposal would not have any detrimental impact on the appearance or setting of the Harefield Village Conservation Area. It will be discussed below that the proposal would not harm the amenity of neighbouring occupiers, and the Council's Highways Officers have advised that the off-street car parking provision to the front and rear of the site would comply with the Council's adopted car parking standards, and that the parking can be accommodated without detriment to pedestrian safety or the free flow of traffic. The nature and required level of occupancy (for staff and patients/visitors) for the proposed use across both floors of the property are such that it is impracticable for a residential unit to be maintained within the property.

Given the above considerations, the proposal would therefore comply with the criteria listed in Policy R15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), and is acceptable in principle.

7.02 Density of the proposed development

Not applicable as this application proposal does not constitute a residential development.

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

The application property is not statutorily listed, and the site is not situated within any Archaeological Priority Area or Area of Special Local Character.

The site is however situated within the Harefield Village Conservation Area, but the application proposal would preserve the character and appearance of the conservation area. The proposal does not incorporate any alterations or extensions to the external surfaces of the property occupying the site.

Suitable landscape conditions are recommended to be imposed, which require the submission and approval of details for the hardsurfacing materials for the paving/hard surfacing of the rear garden to facilitate a car park/proposed car park. The Council's Trees Officer has advised that permeable and traditional materials will be required, to help ensure

that they are complementary to the soft landscaping in the site. It is instructive to note that there is no Article 4 Direction in place to restrict the hardsurfacing or paving of the rear garden of the site in its Conservation Area location. As such, permission would not be required for the hardsurfacing of the rear garden in and of itself.

The proposed replacement 2m high acoustic fences on the side boundaries would be clad with Rockwool sheet panels. The Conservation Officer has not expressed any objection to the proposed Rockwool sheet panel material, which is not a significant departure from the timber material of the existing fencing. There is also no Article 4 Direction in place to restrict the provision of fencing or boundary treatments on the side boundaries of the site in its Conservation Area location. As such, permission would not be required for the replacement 2m high acoustic fences in and of themselves.

The proposal would therefore not have any detrimental impact on the appearance and/or setting of the Harefield Village Conservation Area.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable as the application site is not situated within or adjacent to the Green Belt.

7.07 Impact on the character & appearance of the area

Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) require all new development to maintain the quality of the built environment including providing high quality urban design and the preservation or enhancement of sites with heritage assets such as Conservation Areas.

Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies specify that new development within or on the fringes of conservation areas will be expected to preserve or enhance those features which contribute to their special architectural and visual qualities; development should avoid the demolition or loss of such features.

Policies BE13, BE15 and BE19 of the Hillingdon Local Plan (Part Two) seek to ensure that new development complements, improves and or harmonises with the character and visual amenity of a streetscene and surrounding residential area in which it is situated.

The objection in respect of the conservation area location of the site and pressures to cut down trees as a result of the TPO status of the site is noted. The application property is sited within the Harefield Village Conservation Area. It is however instructive to note that this application proposal only seeks permission for the change of use of the property and does not include any proposal for extensions or alterations to the property. As such, the proposal would preserve the appearance of the conservation area.

There is no Article 4 Direction in place to restrict the hardsurfacing of the rear garden and provision of fencing or boundary treatments on the side boundaries of the site in this conservation area location. As such, permission would not be required for the hardsurfaced parking spaces and replacement 2m high acoustic fences on the side boundaries with No.12 and the access road to the east. It is however considered that the design and texture of the acoustic fences are such that they would visually complement the landscaped setting of the site's rear garden.

In relation to the TPO status of the site, the applicant has proposed the provision of hardstanding in the rear garden to facilitate the creation of three parking spaces and

associated turning space. The Trees Officer has commented that suitable landscape conditions should be imposed with any approval to ensure the protection of the TPO birch and copper beach trees on the site. In this respect, additional landscape conditions are recommended to be imposed, requiring the submission and approval of soft and hard landscape details in the front and rear gardens.

It is expected that any hardsurfacing materials for the parking area and turning space should be of traditional and permeable form, to ensure they complement the landscaped setting of the site and wider conservation area.

It is expected that any future application for the likely display of associated signage and advertisements would be assessed to ensure it preserves the character and appearance of the property and the setting of the conservation area.

Given the above considerations and subject to the imposition of suitable landscape conditions, the application in its present form would preserve the character and appearance of the property, streetscene and the wider Harefield Village Conservation Area, compliant with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and Policies BE4, BE13 and BE15, BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) gives advice that new development in residential areas should protect the amenity of the occupants of surrounding buildings, as well as protecting their privacy.

Policy OE1 of the Local Plan (Part Two) specifies that permission will not be granted for uses that are likely to be detrimental to the character or amenities of surrounding properties. Policy OE3 of the Local Plan (Part Two) refers to developments with the potential to cause noise annoyance.

The objection in respect of noise and disturbance to neighbours is noted. The proposed change of use to a Dental Clinic would not result in any increase of the internal floor space/area of the application property, and it is considered that the use, scale and nature of the proposed Clinic are such that it would not be a significant noise-generating activity, and it would not result in any adverse noise nuisance to the adjacent neighbouring properties. The applicants have submitted that in terms of the frequency of visitors to the site in relation to the Dental Clinic use, it is expected that on average, two visitors/patients would visit on an hourly basis. The applicants submit that the visits would mainly be on an appointment basis.

The applicant has indicated in the submitted application forms that the intended opening hours are 0800 to 1900 Mondays to Fridays, 0900 to 1300 Saturdays and no opening on Sundays and Bank Holidays. The proposed hours of opening are considered acceptable, particularly as the closing hours on Mondays to Fridays would be four hours before the start of the conventional resting hour of 2300 for residential occupiers. However, even though the site is located just outside of the Harefield Local Centre, it is in a primarily residential area, with the adjacent properties to both sides and rear of the application property in use as single family dwellinghouses. It is therefore considered expedient to impose a condition, which restricts the operation of the proposed use to the proposed hours of opening.

It is acknowledged that the provision of an off-street parking area in the rear garden could

introduce an element of noise intrusion to the adjacent dwellings at Nos. 12 and 12b Northwood Road to the rear. It is instructive to note that three car parking spaces would be provided in the rear garden, and one of these spaces would be dedicated for the use of an employee on the site. Two spaces would therefore be allocated for visitors/patients. The two spaces, coupled with the proposed average frequency of two visitors on an hourly basis, would constitute low frequency and numbers of trips being made to and from the site. As such, the comings and goings of visitors and related car movements would not result in significant noise generation throughout the opening hours, and would not have a detrimental impact on the residential amenity of adjacent occupiers by reason of noise and disturbance. Furthermore, the applicant has proposed the replacement of the existing close-boarded fencing on the side boundaries with No.12 and the adjoining access road to the east with 2m high acoustic fences, to prevent the transmission of noise across to the neighbouring properties at Nos. 12 and 12b. It is considered that this provision is acceptable, and a condition is recommended to be imposed with this decision, to ensure the acoustic fences are erected before the commencement of the proposed Dental Clinic and use of the rear garden parking area. It is considered that the intensification and use of the rear garden as a hardsurfaced car park is acceptable, as the rear garden can be hardsurfaced as a permitted development, without the need for planning permission.

With regards to the objection in respect of the use of the private access road to the east, which the applicants propose to use to facilitate access to the rear garden car park, it is instructive to note that the applicants have submitted revised site location and Block plans, which show the edging of red lines around the access road. The applicants submit that they have rights of easement passage on the road and would privately and legally contest any restrictions from the neighbours to prevent them using the access road.

Given the above considerations and subject to the imposition of the recommended conditions, the proposal would have no detrimental impact on the residential amenity of the adjacent neighbouring occupiers, in compliance with Policies BE24, OE1 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

Not applicable as this application proposal does not constitute a residential development.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy AM14 of the Local Plan specifies that new development will only be permitted where it is in accordance with the Councils adopted Car Parking Standards.

Northwood Road is a designated Borough secondary distributor road and the site has a very poor Public Transport Accessibility Level (PTAL) score of 1b. The objection from neighbours in relation to parking provision, parking problems and traffic problems on an already busy road is noted. The applicant has submitted that the proposed use would involve the employment of 8 full-time and 2 part-time staff, and that between 2 to 3 patients/visitors are expected to visit the site on an hourly basis. Even though the applicant submits that most of the staff and patients would utilise public transport to visit the site, it is instructive to note that the site has a poor Public Transport Accessibility Level (PTAL) score of 1b. However, the Council's Highways Officers have advised that the provision of four off-street car parking spaces (three in the rear garden and 1 in the front garden) is adequate to service the car parking needs of the proposed use, and that the proposed

cycle storage (incorporating a provision of 9 spaces) is acceptable. The Highways Officer has commented that this provision is such that it would comply with the Council's adopted car parking standards, and that the parking arrangements are such that they can be accommodated on the site without detriment to pedestrian safety and/or the free flow of traffic.

7.11 Urban design, access and security

The site has an accessible location and there are no issues relating to design, access and security.

The property would have two entrances at the front and rear to ensure surveillance of the Northwood Road highway and adjoining access road to the northern boundary, and incorporate the retention of a level threshold to the front entrance door, which would allow for inclusive access for persons with limited mobility.

The proposal would therefore comply with Policy R16 of the Hillingdon Local Plan (November 2012) and Policy 7.2 of The London Plan (2015).

7.12 Disabled access

The Access Officer has not expressed any objection to the proposal particularly as entry into the property would remain unchanged. The Access Officer has recommended the imposition of an informative reminding the applicants about their duty of care under the Equality Act 2010.

7.13 Provision of affordable & special needs housing

Not applicable as this application proposal does not constitute a residential development.

7.14 Trees, Landscaping and Ecology

The Trees Officer has commented that suitable landscape conditions should be imposed with any approval to ensure the protection of the TPO birch and copper beach trees on the site. In this respect, additional landscape conditions are recommended to be imposed, requiring the submission and approval of soft and hard landscape details in the front and rear gardens. It is expected that any hardsurfacing materials for the parking area and turning space should be of traditional and permeable form, to ensure they complement the landscaped setting of the site and wider conservation area.

7.15 Sustainable waste management

Although it is considered that the proposed use would not generate significant quantities of clinical and other associated waste, it is important that the Hazardous Waste Regulations 2005 are complied with. An informative is recommended regarding this point.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

The application is not situated within any flood zone and the scale and nature of the proposed development are such that it would not result in the generation of any localised flooding on the site.

7.18 Noise or Air Quality Issues

There are no adverse noise or air quality issues to address as part of this application proposal. The EPU Officer has raised no objection to the proposal in this regard.

7.19 Comments on Public Consultations

The representations (objection and support) from local residents in respect of the traffic implications, impact of the proposed use on neighbouring residential amenity and visual impact on the Harefield Village Conservation Area have been discussed in the main section of this report above.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

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

It has been demonstrated with the application that there are no available suitable alternative premises in the locality (including the adjacent Local Centre) to accommodate the proposed use, and that there is a proven need for an NHS dental clinic in the locality without it leading to an over-concentration of dental clinics in the locality. Other than the provision of replacement acoustic fencing on the side boundaries and off-street parking spaces to the rear of the site, the proposal would not involve any external alterations or extensions to the property. As such, the proposal would not have any detrimental impact on the appearance and/or setting of the Harefield Village Conservation Area.

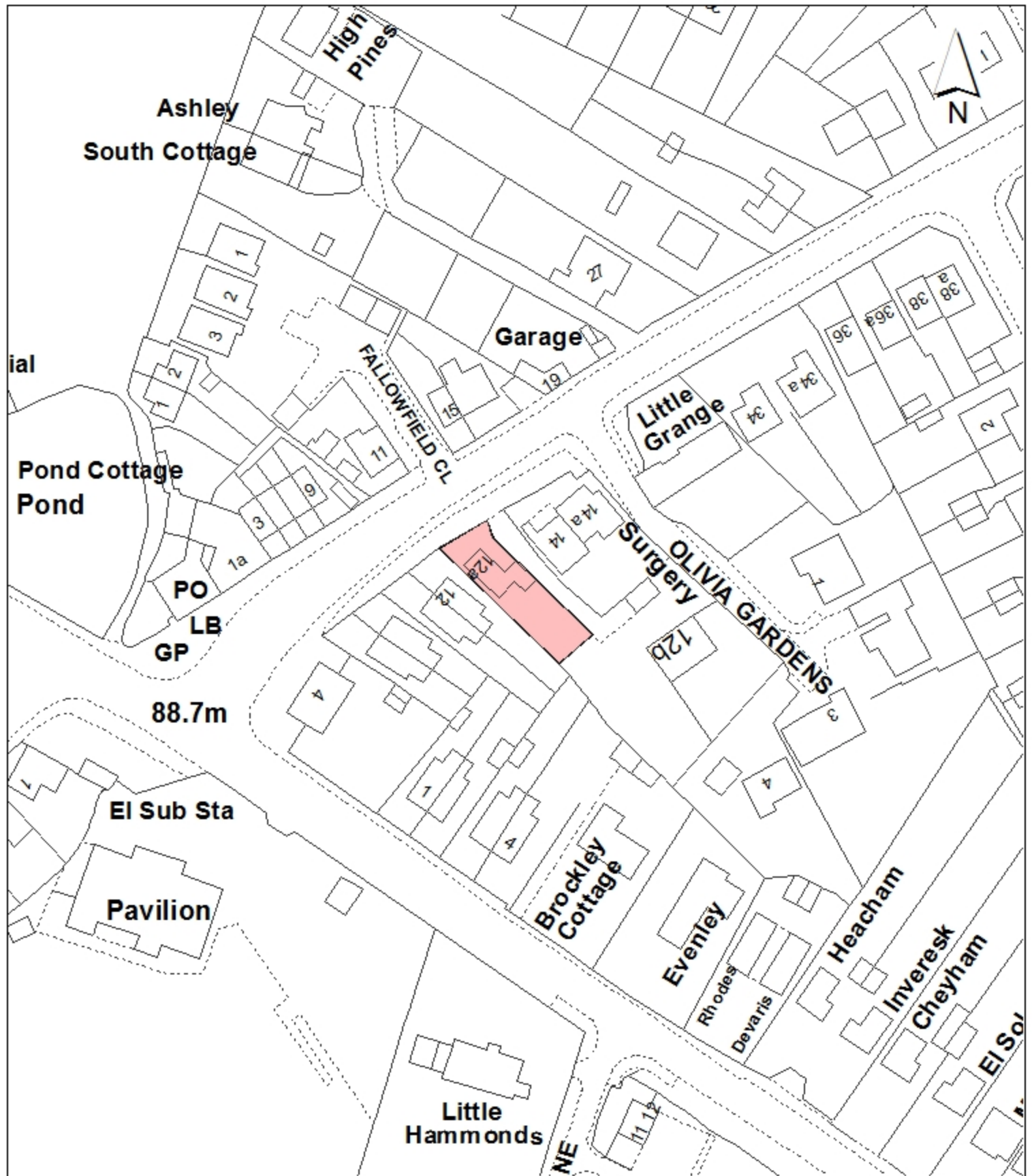
It has been considered that the proposal would not harm the amenity of neighbouring occupiers, and the Council's Highways Officers have advised that the off-street car parking provision to the front and rear of the site would comply with the Council's adopted car parking standards, and that the parking can be accommodated without detriment to pedestrian safety and/or the free flow of traffic. The nature and required level of occupancy (for staff and patients/visitors) for the proposed use across both floors of the property are such that it is impracticable for a residential unit to be maintained within the property.

11. Reference Documents

National Planning Policy Framework.
The London Plan (March 2015).
Hillingdon Local Plan: Part One - Strategic Policies (November 2012).
Hillingdon Local Plan: Part Two - Saved Policies (November 2012).

Contact Officer: Victor Unuigbo

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.

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Site Address:

**12a Northwood Road
Harefield**

Planning Application Ref:

45363/APP/2015/3363

Planning Committee:

North

Scale:

1:1,000

Date:

March 2016

**LONDON BOROUGH
OF HILLINGDON**

Residents Services
Planning Section

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