

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

**Address** CORNERWAYS GREEN LANE GREEN LANE NORTHWOOD

**Development:** Change of use from Use Class C3 (Dwellinghouse) to Use Class D1 (Non-Residential Institutions) for use as a children's day nursery with associated parking and landscaping.

**LBH Ref Nos:** 18414/APP/2016/2486

**Drawing Nos:** 000 Rev P1  
010 Rev P1  
020 Rev P1  
100 Rev P1  
101 Rev P1  
102 Rev P1  
103 Rev P1  
110 Rev P1  
111 Rev P1  
112 Rev P1  
113 Rev P1  
Supporting Statement

**Date Plans Received:** 27/06/2016

**Date(s) of Amendment(s):**

**Date Application Valid:** 27/06/2016

### 1. SUMMARY

This application seeks planning permission for change of use of a dwellinghouse to a children's day nursery. There would be no external alterations to the existing building and the proposed alterations to the car parking and gardens are modest and there will be no external impact. Subject to appropriate conditions it is considered that no adverse impact for occupiers of neighbouring residential properties will result.

There is a proven local need for nursery places. This proposal replaces an existing nursery further along Green Lane which is to close with the intention that it will revert to residential use. No structural changes are proposed to the building which will still have a residential appearance.

It is recommended that planning permission be granted

### 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 020 P1;102 P1;103 P1;110 P1;111 P1;112 P1;113 P1, 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 (2016).

**3 NONSC Non Standard Condition**

The premises shall be used as a Children's Nursery and for no other purpose (including any other purpose in Class D1) of the Schedule to the Town and Country Planning (Use Classes) Order 1987).

**REASON**

To ensure the appropriate use of the building in this location in accordance with the NPPF and Policy OL1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**4 NONSC Non Standard Condition**

The use of the property for Class D1 day nursery shall only take place between the hours of 08.00 and 18.00 on Monday to Friday only and at no time on Saturday and Sunday.

**REASON**

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**5 NONSC Non Standard Condition**

The garden shall not be used in connection with use as a day nursery (Class D1) before the hours of 09.00 and after 18.00, Monday to Friday and at no time on Saturday or Sunday and not more than 12 children shall use the garden at any one time and at no time will they be left unsupervised.

**REASON:** To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**6 NONSC Non Standard Condition**

The Class D1 nursery use hereby approved shall be limited to a maximum enrolment/attendance of 30 children at all times.

**REASON**

To ensure that the development does not have an unacceptable impact on residential amenity and in the interests of highway and pedestrian safety in accordance with policies OE1, AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**7 NONSC Non Standard Condition**

The development shall not begin until a scheme which specifies the provisions to be made for the control of noise emanating from the site and affecting the nearby residential properties Tudor Lodge and 1-59 Myrtle Side Close has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an investigation of all

available physical mitigations, administrative measures, and noise limits with the most applicable being collated in a Noise Management Plan that specifies the responsible person for its implementation and monitoring. Prior to the first use of the building for the D1 use hereby approved, the approved Noise Management Plan scheme shall be implemented and maintained in full compliance with the approved measures.

**REASON**

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**8 NONSC Non Standard Condition**

Prior to the commencement of development a traffic management scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall provide details in relation measures to ensure the safety of children, access (vehicular and pedestrian) and the parking provision for the nursery, including details of the measures to enforce staggered drop off and pick up times to ensure the avoidance of queuing or the necessity to pick up or drop off in the road. Upon the first use of the building for the D1 use hereby approved, the approved scheme shall be implemented and maintained in full compliance with the approved measures.

**REASON**

To ensure that the development does not have an unacceptable impact on residential amenity and in the interests of highway and pedestrian safety in accordance with policies AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**9 NONSC Non Standard Condition**

All parents will pick up drop off their children and use the pedestrian gate on Rickmansworth Road and the vehicular access on Green Lane shall only be used by staff and for essential deliveries

**REASON**

In order to maintain safe and efficient operating conditions at the adjacent traffic signals and in the interests of highway and pedestrian safety, in accordance with policies AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**10 NONSC Non Standard Condition**

The development hereby approved shall not be occupied until the car parking spaces as shown on plan reference number 20 Rev P1 have been laid clearly marked out for use by staff in association with the D1 use hereby approved. Thereafter all the spaces shall be kept clear of obstructions and used for the sole purpose of parking motor vehicles for staff in association with the D1 use hereby approved for as long as the use hereby approved remains in operation.

**REASON**

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016)

**11 H16 Cycle Storage - details to be submitted**

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage for at least 3 cycles have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with

the approved details prior to the occupation of the development and thereafter permanently retained.

#### 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 Unitary Development Plan Saved Policies (November 2012) and Chapter 6 of the London Plan (2016).

#### **12 DIS2 Access to Buildings for People with Disabilities**

Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

#### REASON

To ensure that people with disabilities have adequate access to the development in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (November 2012) and London Plan (2016) Policies 3.1, 3.8 and 7.2

### INFORMATIVES

#### **1 I47 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).

#### **2 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).

#### **3 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

AM14 New development and car parking standards.

AM7	Consideration of traffic generated by proposed developments.
BE19	New development must improve or complement the character of the area.
BE12	Proposals for alternative use (to original historic use) of statutorily listed buildings
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
H2	Restrictions on changes of use of residential properties
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
NPPF	National Planning Policy Framework
NPPF1	NPPF - Delivering sustainable development
NPPF12	NPPF - Conserving & enhancing the historic environment
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
R12	Use of premises to provide child care facilities

#### 4

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. The Council's supports pre-application discussions. In this case negotiation was necessary to deal with issues relating impact on neighbours amenities

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The property is a large detached white-rendered two-storey dwelling on a generous corner plot at the junction of Green Lane and Rickmansworth Road. Vehicle and pedestrian access is via Green Lane, although there is also a pedestrian access via Rickmansworth Road. The site benefits from extensive natural screening along the boundaries. The site is adjoined by Tudor Lodge, a large detached dwelling which fronts Green Lane and Myrtle Court which is a flatted development to the south which fronts Rickmansworth Road.

The site is within the developed area as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

#### 3.2 Proposed Scheme

The application seeks planning permission for change of use from Use Class C3 (Dwellinghouse) to Use Class D1 (Non-Residential Institutions) for use as a children's day nursery with associated parking and landscaping. The intention is to have a maximum of 30 children on site at any one time which will include babies and toddlers up to the age of 5

There will be nine (9) full time staff and four (4) part time staff

The nursery will operate between 08.00 and 18.00 Monday to Friday and will not operate at weekends.

### 3.3 Relevant Planning History

18414/APP/2005/223 Tudor Lodge And Cornerways Green Lane Northwood Middx  
RESIDENTIAL DEVELOPMENT IN A PART TWO/ PART THREE STOREY BUILDING TO  
PROVIDE 21 RESIDENTIAL UNITS WITH ASSOCIATED CAR PARKING AND ACCESS  
(INVOLVING DEMOLITION OF EXISTING HOUSES)(OUTLINE APPLICATION)

**Decision:** 16-08-2005 Not Determined **Appeal:** 16-08-2005 Dismissed

18414/C/77/1567 Cornerways Green Lane Green Lane Northwood  
Householder dev. (small extension,garage etc) (P)

**Decision:** 03-01-1978 Approved

18414/D/78/0519 Cornerways Green Lane Green Lane Northwood  
Householder dev. (small extension,garage etc) (P)

**Decision:** 15-05-1978 Approved

18414/E/79/1722 Cornerways Green Lane Green Lane Northwood  
Householder dev. (small extension,garage etc) (P)

**Decision:** 16-11-1979 Approved

18414/F/81/0510 Cornerways Green Lane Green Lane Northwood  
Householder development - residential extension(P)

**Decision:** 28-04-1981 Approved

58600/PRE/2003/49 Land At Tudor Lodge And Cornerways Green Lane Northwood  
TP PRE-CORRES: REDEVELOPMENT OF 24 APARTMENTS

**Decision:**

64246/APP/2008/775 Santa Rosa, Tudor Lodge & Cornerways Green Lane Northwood  
ERECTION OF A NEW BUILDING COMPRISING 14 SELF-CONTAINED FLATS WITH SURFA  
PARKING (INVOLVING DEMOLITION OF THE 3 EXISTING DWELLINGS).

**Decision:** 25-06-2008 Refused

#### Comment on Relevant Planning History

The planning history either relates to proposals for domestic extensions or for redevelopment. None of the history is directly relevant to the current proposal.

### 4. Planning Policies and Standards

The dwelling is on the local list. Saved Policy BE12 states that, inter-alia, locally listed buildings should preferably remain in their historic use. Where planning permission is

required an alternative use will be permitted if it is appropriate to secure the renovation and subsequent preservation of the building, features of architectural or historic interest and setting.

In this regard, no external changes are proposed to the building and any internal changes do not appear to be structural. The ability for the building to return to residential use remains.

Saved Policy H2 states that the local planning authority will not normally grant planning permission for a change from residential use of any building or part of a building that is suitable with or without adaptation for residential uses. The applicant is currently based close by at No. 15 Green Lane. (Wetherby House Montessori). In response to the issue of loss of residential use, the applicant has confirmed that this property will be returned to residential use. As stated above, no material changes are proposed to the structure of the property and the ability to return to residential use remains.

The Hillingdon Families Information Service comments - In terms of meeting the local authority's objectives, we have to ensure there are enough funded places for 3 and 4 year olds in the borough. The current nursery provided funded places for 23 three and four year olds last term, (13 of whom were Hillingdon residents). Therefore a significant proportion of the places that this nursery offers currently are for children receiving funding.

In September 2017, the local authority has to ensure that there are enough places for eligible children to access 30 hours free childcare. If Wetherby House Montessori choose to participate in this initiative, it would help the local authority to meet this target.

In terms of the supply and demand for childcare in this area, there are 6 Ofsted registered day nurseries already operating within a mile of this site. However demand for childcare in this part of the borough is high.

Given that the applicant will close the existing unit at Wetherby House 15 Green Lane and intends that this revert that to residential use and that this proposal represents a replacement and increase in provision, the issue of high demand is a relevant and material planning consideration in favour of the proposals.

### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

Part 2 Policies:

- |        |   |
|--------|---|
| AM14   | New development and car parking standards.  |
| AM7    | Consideration of traffic generated by proposed developments.  |
| BE19   | New development must improve or complement the character of the area.   |
| BE12   | Proposals for alternative use (to original historic use) of statutorily listed buildings                                  |
| BE38   | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| LDF-AH | Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010                |
| H2     | Restrictions on changes of use of residential properties  |

LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
NPPF	National Planning Policy Framework
NPPF1	NPPF - Delivering sustainable development
NPPF12	NPPF - Conserving & enhancing the historic environment
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
R12	Use of premises to provide child care facilities

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

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

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

## **6. Consultations**

### **External Consultees**

Neighbours were notified on 04/07/2016 and a site notice was displayed on 06/07/2016.

Five objections were received by the end of the consultation period. These generally raised concerns about the safety of the site due to the proximity of the junction and also raised issues of traffic generation. One suggested that the applicant should fund junction improvements to include measures to improve pedestrian safety. These issues are considered in the response by Council's Highways and Transportation Officer.

One objector also raised concerns about noise associated with the use and this matter is considered elsewhere within the report.

Objections were also raised in respect of loss of a residential unit.

Sixteen comments were received which supported the proposal. Many referred to this being a relocation of an existing well run nursery and some commented that the site is ideal for the purpose.

### **Internal Consultees**

Highways and Transportation Officer:

(1) The proposed change of use application is for a site which is an existing residential property on the corner of the traffic signalled junction of Green Lane and Rickmansworth Road Northwood. Both of these roads are classified roads under Council's Road Network and there are parking restrictions outside the majority of the frontage of the property. There is a bus stop on Green Lane close to the property.

(2) The property has an existing vehicular access on the Green Lane approach to the traffic signals approximately 10m from the traffic signal stop line. The property also has a pedestrian access on Rickmansworth Road approximately 20m from the traffic signals. Under the current arrangements the existing vehicular access operates adequately based on the low trip rates from the property.

(3) The site has a PTAL value of 2 (poor) based on local bus services and a long walk to Northwood Station. It is likely that many of the trips (staff and parents) will be in the morning and evening peak



hours.

(4)The proposals involve remodelling the frontage area to accommodate 8 car parking spaces including 1 disabled bay which is supported given there will be 9 full-time and 4 part time staff (at peak times 13 people on the site).

(5)It is suggested in the Supporting Statement that parents will drop children off at the nursery using the Rickmansworth Road side pedestrian gate and on-site parking will be for staff which is supported. The plans show cycle parking spaces on the site which is supported but any cycle parking facilities should be covered.

(6)In order to maintain safe operating conditions at the traffic signals it should be conditioned that all parents will pick up drop off their children and use the pedestrian gate and only staff will use the vehicular access on Green Lane in order to maintain safe and efficient operating conditions at the adjacent traffic signals.

(7) Subject to the above, there are no highways objections

Trees and Landscape:  
No objections

Conservation Officer:

This is an attractive, Locally Listed Building, prominently located on the corner of Rickmansworth Road and Green Lane.The proposals do not require any external alterations and the front garden appears also to be retained as existing. Given that there appear to be no external alterations to the building or the frontage, no objections are raised.

Hillingdon Families Information Service:

In terms of meeting the local authority's objectives, we have to ensure there are enough funded places for 3 and 4 year olds in the Borough. The current nursery provided funded places for 23 three and four year olds last term, (13 of whom were Hillingdon residents). Therefore a significant proportion of the places that this nursery offers currently are for children receiving funding.

In September 2017, the local authority has to ensure that there are enough places for eligible children to access 30 hours free childcare. If Wetherby House Montessori choose to participate in this initiative, it would help the local authority to meet this target.

In terms of the supply and demand for childcare in this area, there are 6 Ofsted registered day nurseries already operating within a mile of this site. However demand for childcare in this part of the Borough is high.

## **7. MAIN PLANNING ISSUES**

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

This scheme proposes a change of use of an existing two-storey dwelling to provide a children's nursery in an area identified in need for additional nursery school provision.

In this case the proposal is a replacement nursery school for one further along Green Lane.

It is noted and accepted that there is a wide range of non-residential institutions that fall within use Class D1 which may not be acceptable or appropriate in this location within a residential area. However, in this case, the use can be conditioned to restrict any subsequent change within Class D1 and further conditions can deal with the specifics of the application in terms of matters such as the intensity of the development, use of the garden and the hours of operation.

The proposed would lead to the loss of a residential dwelling contrary to Policy H2 of the Hillingdon Local Plan: Part Two-Saved UDP Policies (November 2012). Whilst this policy seeks to retain residential accommodation in the Borough, in this instance the significant need for nursery places identified by the Council's Families Information Service is considered to carry more weight.

**7.02 Density of the proposed development**

Not applicable. This is a detached dwelling and the proposal is a change of use.

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

The proposal does not raise any archaeological issues and is not within a Conservation Area or an Area of Special Character

**7.04 Airport safeguarding**

Not relevant

**7.05 Impact on the green belt**

Not relevant

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

There are no external changes to the building. The changes to the car park and to the garden are within the body of the site, which is well-screened from public view. It is recommended that the proposed cycle store, to the edge of the site be covered and a condition is proposed. It is considered that this will be low key and would not have an external impact due to the strong screening along the boundaries with Green Lane and Rickmansworth Road.

**7.08 Impact on neighbours**

Policies BE19, BE20 and BE24 of the Hillingdon Local Plan: Part Two-Saved UDP Policies (November 2012) seek to ensure the amenities of adjoining occupiers are protected in new developments. Policy OE1 advises that planning will not normally be approved for uses which are likely to become detrimental to the amenity of surrounding properties because of noise.

There are no changes to the building meaning that no issues of overlooking or loss of privacy will arise. However, there is potential for noise as a result of the number of children on site. This issue has been discussed with the Environmental Protection Unit. An acoustic fence is recommended by the applicants. The EPU comment that this is acceptable but recognises that a high fence may be a problem from a planning point of view and, in the light of this recommends the applicant look at alternative measures. The applicant has indicated that the number of children using the garden at any one time can be restricted to 12 by condition. Following further discussion with the applicant and the EPA, it was agreed that it would also be an appropriate measure to put a restriction on use of the garden until after 09.00. This can be combined with a condition requiring submission of a Noise Management Plan prior to commencement. This should cover such matters as arrangements to keep doors closed, acoustic screening and hedges. Subject to these measures and to conditions it is considered that no material harm to residential amenity will result from the development.

**7.09 Living conditions for future occupiers**

Not applicable

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

The proposals involve minimal remodelling of the frontage area to accommodate 8 car parking spaces including 1 disabled bay. The Highways and Transportation Officer confirms that this is acceptable.

The officer recommends that any cycle parking facilities should be covered. A condition is recommended.

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

This is a change of use only. There are no changes to the building itself and only minimal changes to the car park layout. A pond in the rear garden of the property is to be in-filled for safety reasons.

#### **7.12 Disabled access**

Policy 7.2 of the London Plan (2016) requires all new development to provide an inclusive environment that achieves the highest standards of accessibility and inclusive design. The Council's Supplementary Planning Document (SPD) 'Accessible Hillingdon' (May 2013) provides detailed design guidance on accessibility issues.

Parking for people with disabilities is provided and a condition is recommended to deal with issues of access the building itself.

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

Not relevant

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

The Trees and Landscape Officer has confirmed no objections

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

Not applicable to this application

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

Not applicable to this application

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

Not applicable to this application

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

The site has an extensive rear garden. The applicant has suggested that access to this be limited to after 9am and that the number of children using it at any one time is also limited. The Council's Environmental Protection Unit has raised no objections subject to suitable controls. Conditions are recommended to control matters including noise. No air quality issues are raised.

#### **7.19 Comments on Public Consultations**

The planning issues raised following public consultation have been addressed within the report.

#### **7.20 Planning Obligations**

Not applicable

#### **7.21 Expediency of enforcement action**

Not relevant

#### **7.22 Other Issues**

None raised

### **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**

No comments received

### **10. CONCLUSION**

This application seeks planning permission for change of use of a dwellinghouse to a

children's day nursery. There would be no external alterations to the existing building and the alterations to the car parking and gardens are modest and there will be no external impact. There is a shortage of suitable nursery provision in the area. This is a replacement for another nursery in Green Lane currently run by the same operator and which will close. Subject to appropriate conditions to cover such matters as restriction of the use, highway safety and protection of neighbours amenities, it is considered that no adverse impact for occupiers of neighbouring residential properties will result.

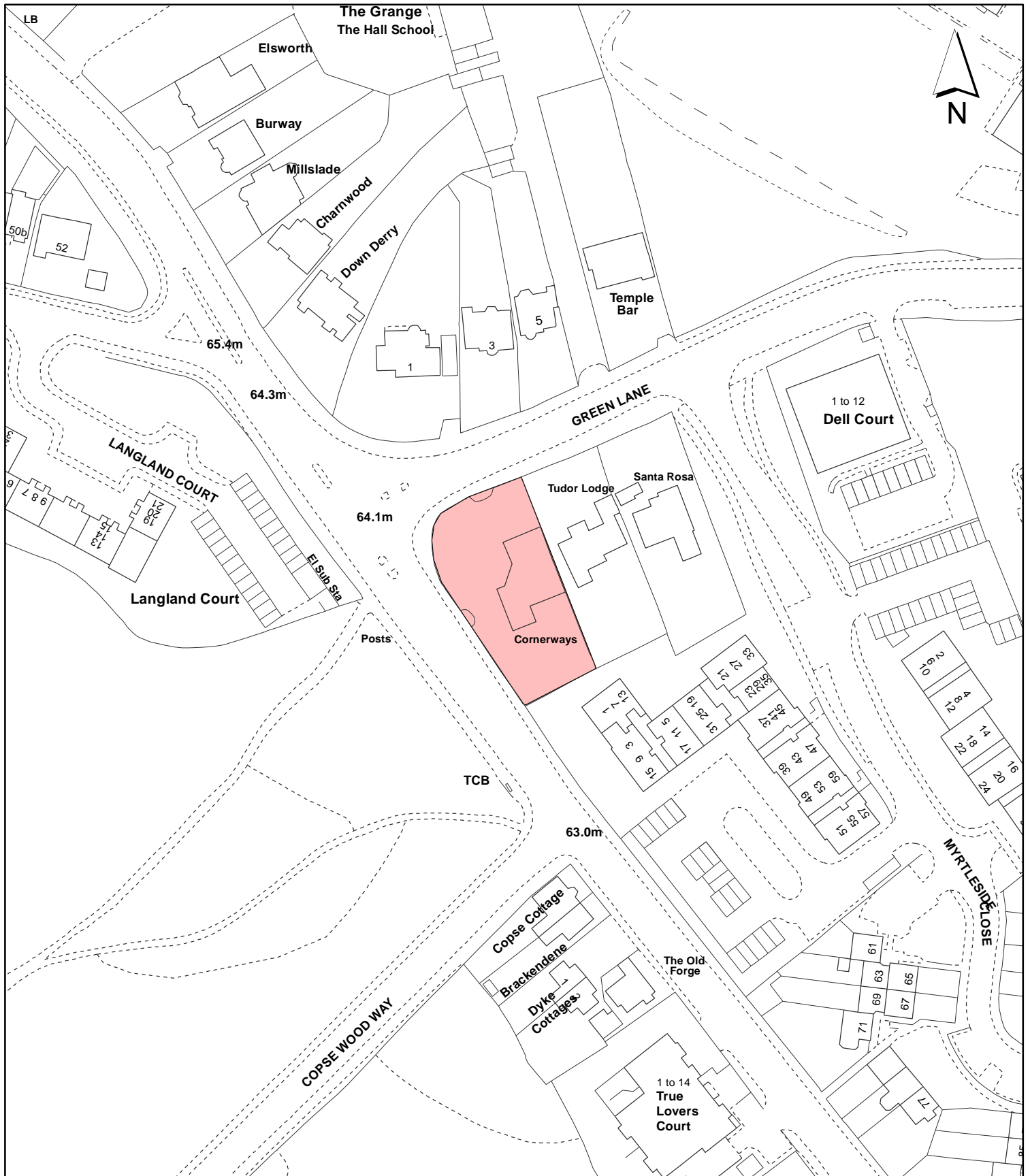
It is recommended that planning permission be granted

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

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
The London Plan (2016)  
Minor Alterations to the London Plan - Parking Standards (March 2016)  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
National Planning Policy Framework

**Contact Officer:** Cris Lancaster

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

For identification purposes only.  
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).  
 Unless the Act provides a relevant exception to copyright.  
 © Crown copyright and database rights 2016 Ordnance Survey 100019283

Site Address:

**Corner's Green Lane  
 Green Lane**

Planning Application Ref:

**18414/APP/2016/2486**

Planning Committee:

**Major**

Scale:

**1:1,250**

Date:

**October 2016**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

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



**HILLINGDON**  
 LONDON