

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

**Address** FRANK WELCH COURT HIGH MEADOW CLOSE PINNER

**Development:** First floor extensions on the north west elevation and south east elevations, together with a first floor link extension between the first floor elements to provide 5 additional care home bedrooms, together with reduction of the basement/lower ground floor (as compared to the original planning permission ref. 196/APP/2012/1776, as amended by 196/APP/2013/2958), including 6 smoke/vent shafts (Part Retrospective Application).

**LBH Ref Nos:** 196/APP/2016/4645

**Drawing Nos:** T - 2104  
T - 3100 Rev. A  
T - 3101 Rev. A  
T - 3102 Rev. B  
T - 2101 Rev. F  
T - 2102 Rev. C  
T - 5002 Rev. B  
T - 2103 Rev. B  
T - 5001 Rev. B  
Design & Access Statement, Dec. 2016  
T - 2005  
T - 2001  
T - 1000 Rev. A  
1640/900  
Addendum Transport Assessment Revised Scheme 2017

**Date Plans Received:** 23/12/2016

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

**Date Application Valid:** 23/12/2016

### 1. SUMMARY

Planning permission was granted for the erection of a 45 Bed Care Home (Use Class C2) in September 2013 (ref: 196/APP/2012/1776) which is being implemented on site. This application seeks permission to add three first floor extensions to the previously approved development, one on the north west elevation and one on the south east elevation, each containing 2 additional bedrooms, and a first floor link extension which would also include a new bedroom. The combined extensions would provide a total of 5 additional care home bedrooms.

It is also proposed that the basement be reduced from that currently approved. Permission is also sought for 6 smoke/vent shafts to be added to the basement level.

The approved 45 bedroom care home does comprise a large building within a residential area, but it was very carefully designed so as to be as visually discrete as possible. As such, where the building was located close to the site boundaries, it was reduced in height, not only to protect the amenities of adjoining residents, but also to give the development a more spacious and open setting.

The proposed extensions would appear as incongruous and awkward additions to the

care home, adding to the overall bulk of the building, particularly on its sensitive boundaries, resulting in it failing to satisfactorily harmonise with its residential setting. Furthermore, the extensions would also appear unduly dominant from neighbouring properties.

The Council's Highway Engineer raises no objections to the scheme on highway grounds.

The scheme is recommended for refusal on visual and residential amenity grounds.

## **2. RECOMMENDATION**

### **REFUSAL for the following reasons:**

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

The proposed extensions, by reason of their size, siting and design, would appear as incongruous and awkward additions to the care home, which together with the link extension, would add to the overall bulk of the building, particularly on its sensitive boundaries which would erode the ability of this large building to sit comfortably within its residential setting, contrary to Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

The proposed extensions, by reason of their first floor siting and proximity to the site boundaries, which would be compounded by the level changes on the southern side of the site, would appear as intrusive and overbearing additions to the building, which would be detrimental to the residential amenities of adjoining residential occupiers at Nos. 22 and 24 Daymer Gardens and 7 Larkwood Rise, contrary to Policies BE19 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

## **INFORMATIVES**

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

The decision to REFUSE 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 REFUSE 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.

NPPF	National Planning Policy Framework
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.

BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The 0.47ha application site comprises the site of the former Frank Welch Court, situated on the southern side of High Meadow Close which forms a short spur road off Daymer Gardens, a residential cul-de-sac accessed from Catlin's Lane to the west which links High Street, Eastcote in the south with Chamberlain Way in the north. The site is currently being re-developed for a 45 bedroom, part single storey, part two storey care home (Use Class C2) with part lower ground /basement level and associated landscaping and parking which is substantially complete on site.

The site mainly abuts the rear gardens of detached properties in Daymer Gardens to the north, east and west and Larkwood Rise to the south. A small open landscaped area which contains a number of mature trees adjoins the entrance of the site, sited between the spur road and Daymer Gardens. Ground levels generally slope from the north east down to the south west in this vicinity so that there is a difference in ground levels between the north eastern and south western corners of the site of some 4.2 metres. There are a number of mature trees, mainly on the periphery of the site, particularly at its north-eastern end.

The boundary of the Eastcote Village Conservation Area lies some 40m to the south of the site and the site, together with the areas to the north and west are covered by Tree Preservation Order 61, with the area immediately to the east covered by Tree Preservation Order 81.

#### 3.2 Proposed Scheme

The proposal is for two first floor extensions, one on the north west elevation and the other on the south east elevation, together with a first floor link extension between the first floor elements to provide 5 additional care home bedrooms, together with a reduction in the size of the basement/lower ground floor (as compared to the original planning permission ref. 196/APP/2012/1776, as amended by 196/APP/2013/2958) and also includes the addition of 6 smoke/vent shafts adjacent to the building.

The first floor extension on the north west elevation would be sited towards the eastern end of the building, sited above an existing projecting ground floor wing. The extension would be 14.95m wide and 4.05m deep to align with the ground floor walls and have a smaller crown roof with a similar eaves height but reduced ridge height as compared to the main building. This extension would contain 2 additional bedrooms with en-suites.

The first floor extension on the south east elevation would be sited towards the western end of the building and it would be similarly sited above an existing projecting ground floor wing and have a width of 14.53m and depth of 3.65m which would align with the main walls of the ground floor element and have a smaller crown roof with a similar eaves height but reduced ridge height as compared to the main building. This extension would contain 2 additional bedrooms with en-suites.

The in-fill extension would provide a first floor corridor link between the two first floor elements of the building, which would also involve the squaring-off of the first floor of the eastern block at the rear to provide an additional bedroom. The link corridor extension would be "L"- shaped and be 7.21m wide to between the two blocks and have a overall depth of 8.22m along the side of the new bedroom element along the western side of the eastern block. It would have a flat roof, slightly above the eaves height of the main building to match other recessed elements of the building. The bedroom extension would have a 4.05m width and depth of 6.87m and be slightly recessed by some 450mm behind the adjoining rear elevation of the building. This would also have a reduced crown roof.

The basement occupies the western end of the building, as previously approved, and although it would be larger than originally approved, it would not now extend as far along the building as approved in June 2014 as part of the S73 application (196/APP/2013/2958). The scheme also now includes 6 smoke vents sited around the basement which already appear to have been largely constructed on site.

The application is supported by the following documents:-

Design and Access Statement:

The provides the background to the application, advising that the scheme would benefit significantly from a first floor connection and that staff would be deployed more efficiently within a 50 bed scheme . It goes to assess the design and the impact of the additions on residents and the landscaping and sustainability of the scheme.

Addendum Transport Assessment, Revised Scheme 2017, January 2017:

This provides an assessment of the highway impacts of the 5 additional bedrooms and includes autotracks for a fire engine.

### **3.3 Relevant Planning History**

#### **Comment on Relevant Planning History**

The site was previously occupied by Frank Welch Court, which was a part single/part two storey linked building that stretched across the site and was used for a 31 bedroom care home with warden and visitor accommodation.

Outline planning permission (196/APP/2004/1149) was granted on 2/12/05 for the demolition of the existing sheltered housing building(s) on site and erection of 8 two-storey houses with garages and parking spaces, involving the alteration of the road layout.

Planning permission (ref: 196/APP/2012/1776) was granted in September 2013 for the erection of a 45 bedroom care home with associated landscaping and parking.

An application to vary the approved plans (ref. 196/APP/2013/2958) was approved in June 2014 to allow alterations and additions to the lower ground floor (basement) layout and alterations to internal walls on upper floors.

#### **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:

NPPF	National Planning Policy Framework
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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#### **5. Advertisement and Site Notice**

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

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

## 6. Consultations

### External Consultees

30 neighbouring properties have been consulted on this application, together with the Northwood Hills and Eastcote Residents' Associations. 26 responses have been received from the occupiers of neighbouring properties, objecting to the proposal, together with a petition with 33 signatories.

The petition states:-

"We the undersigned wish to state our objection to the further expansion, by means of an additional 5 bedrooms and additional first floor walkway, to this already very substantial and imposing building complex.

We believe that the current development has already stretched the available space and infrastructure to its absolute limits and that any further increase in rooms or visual impact would be seriously harmful to our quiet residential environment and our wellbeing."

The concerns raised by individual occupiers can be summarized as follows:-

#### Scale/ Appearance

(i) The building is already too large for the relatively small plot it is being built on, being out of character and scale with existing residential properties. Building has already filled almost all the available space, right up to the side boundaries at many points. This proposal would further make care home disproportionate and close gaps, which were an attempt to make building appear as two separate structures, making it terraced, out of keeping with the area. Approved plans were meant to ensure building blended in with existing style of the houses but this would change whole appearance and result in a intrusive structure,

(ii) Building already can already be seen above the two storey properties in Larkwood Rise,

#### Residential Amenity

(iii) Extensions would result in loss of privacy to adjoining properties and their rear gardens to the north in Daymer Gardens and to the south in Larkwood Rise,

(iv) Additional extensions will further obstruct natural light and result in overshadowing of neighbouring properties,

(v) Building already intrusive and imposing. Properties in Larkwood Rise and at eastern end of Daymer Gardens are lower than care home site, giving impression that care home up to a storey taller and this should have been taken into consideration. Visual dominance and sense of enclosure to adjoining properties with short gardens would be made worse with extensions,

(vi) Proposal would reduce view of skyline,

(vii) Daymer Gardens is a lovely quiet street and proposed extensions would result in an increase in noise and pollution levels with extra traffic,

(viii) Increase light pollution to surrounding residents, particularly with first floor rooms being brought closer to surrounding residents and from proposed first floor glazed corridor link,

(ix) Impossible to ascertain how much noise will emanate from the build and possible aroma from the additional vents, but these vents would only worsen air quality,

(x) Developers are ignoring almost every undertaking laid out in the Method Statement - Sequence of Development (Oct 2013) and have broken numerous Council regulations and bylaws which have been reported to the Council. Since construction has started, life has been intolerable, as working hours have been flouted, road blocked with construction vehicles and turning area for delivery lorries not provided within the site and has been virtually impossible to open windows or enjoy gardens because of deafening noise, dust, foul language, debris flying over in strong winds, smoke and soot from burning on site, damage to verges and terrifying crane jib which has been left over our property. Objections to Hillingdon Council have provided no respite and assume Council does not have the

resources to enforce regulations. This behaviour calls into question any assurances that the developers give in terms of the operation and supervision of the care home and its impacts on the surrounding neighbourhood,

#### Traffic

(xi) Additional rooms would generate additional traffic on nearby roads, which could result in safety issues. Catlin Lane and Eastcote High Road on the bend with Larkwood Rise, already suffer safety issues,

(xii) Insufficient provision has been made for parking on site and for loading/ unloading deliveries as part of the approved scheme, which would be made worse by additional capacity, with more traffic, particularly service vehicles being brought into a small and very quiet road reducing the amount of on-street parking spaces for residents, increasing the potential for the obstruction of the access, accidents and inconvenience for residents, which could present a potential threat to residents if emergency vehicle required,

(xiii) Building works causing too much disruption already on the road with workers vehicle parking along the road, contrary to agreement and HGVs having to reverse towards the entrance to turn around which is a blind spot. Construction works are blocking access and causing delays, making it difficult and sometimes impossible to get out of the road, causing delays, inconvenience and missed appointments etc. and lives would be at risk if a fire vehicle or ambulance were needed. This proposal will add to these impacts by extending duration of the works,

(xiv) Developers claim that they can operate a further 5 rooms without any more staff but given projected staff to patient ratios and all new rooms being on the same floor, this is unlikely, which will place a further burden on the limited parking space with site not being sustainable due to lack of public transport links,

(xv) The initial application included a 'Transport Statement' which was biased and contained numerous and blatant inaccuracies and omissions. Unreasonable low estimates of traffic movements were made based on fictitious and incorrect data for the traffic generated by the previous buildings. Report also exaggerated adequacy of local footpath network. Traffic measurements undertaken also bears no relation to current flow rates - traffic calming on Cuckoo Hill has increased traffic several fold on Catlins Lane, often at high speed and on wrong side of the road to avoid parked cars. This proposal would add to the already unrealistic low traffic levels predicted, compounding the disruption,

(xvi) The Transport Assessment Addendum retains the skewed and unrealistic assumptions of original document. Comparisons continue to be made with three care homes that are not representative of this site and based on traffic surveys which were carried out some seven years ago. Report tries to make linearly proportional comparisons between parking requirements and bed spaces which is not correct and more comparable care houses in the vicinity,

(xvii) To address sustainability issues, a paved footpath could be provided between Nos. 27 and 27A Daymer Gardens through the recreation ground, reducing a considerable walk on proper pavements from Pinner Green bus stops or Pinner tube,

#### Other

(xviii) Design and Access Statement suggests building fits into its surroundings with less impact than forecast and proposed additions will make little difference. To residents surrounding the site, this could not be further from the truth as the structure is more imposing and appears much closer to neighbouring boundaries than residents had imagined from the original plans and based on CGI images. These images are fictional and appear to have been taken with an ultra wide angled lens. Pictures have been submitted to demonstrate this point,

(xix) The initial plan provided to us was for a large car park along the fence of our property and the building would be further away, but the currently built building is very close to our fence and I do not understand how they will build the car park,

(xx) 50 bedroom scheme is excessive as scheme was previously reduced from 50 to 45 bedrooms when Council considered original application in 2012 as scheme considered to be over development and too large for the site and changes made were for sensible and necessary reasons,

(xxi) Developers acknowledge that the Council required the first floor 'breaks' in the building to create the impression of separate buildings to reduce the visual impact of such an enormous structure in the middle of a residential area, but now developers feel that this reasoning should no longer apply as their commercial priorities should take precedence over maintaining the residential character of the area,

(xxii) During initial planning consultation period, owners of Nos. 22 and 24 Daymer Gardens were assured by the developers agent that only the ground floor would be close to their back fence, with the first floor set well back so as not to impinge on their light or environs. This is the exact space which they now wish to fill,

(xxiii) Developers have employed dishonest practices and given false assurances in the past to local residents and the Council in order to achieve a very generous planning consent, including the developer's agent claiming he was an impartial advisor to help resolve the concerns of residents and then appearing at the planning committee for the developers when forearmed with carefully constructed arguments to deal with resident's criticisms and concerns, some of which were misleading or untrue.

This further application is a cynical abuse of the flexibility within the planning process,

(xxiv) Photographs used in agents supporting document do not directly face the rear of existing houses and have been taken using a very wide angle lens, giving impression of significant distance to the houses on Daymer Gardens. A visit by members of the Planning Committee would reveal just how misleading these photographs are and that the building, even before the extensions bring it nearer still, seems very near indeed,

(xxv) Aerial views are misleading as views not labelled correctly (5002B is actually view from the north, not south and 5001B view from the west not north) and lines and shading around the edge of the building give the impression that they represent the boundary when they do not. These should show the actual fence line so can be seen how close the building actually comes to the perimeter of the site,

(xxvi) Company name 'Heliotrope International Ltd, apart from the planning applications can not be found, including a search of the companies register) which arouses suspicion and questions the financial status and security of the company in being able to deal with any future liabilities,

(xxvii) Property value has already decreased massively due to current building,

(xxviii) Agreement needs to be reached with neighbours before work continues,

(xxix) Planning officer should visit No. 8 Larkswood Rise,

(xxx) Before considering application, committee should conduct a site visit, as denied this when first application considered,

(xxxi) It is unacceptable for any building project not to be built to plan deliberately and then for homes to be ruined and then expect retrospective permission so profits can be maximized. This sets precedent for others.

#### EASTCOTE CONSERVATION PANEL:

The original application for this Care Home complex 196/APP/2012/1776 has documentation to show that residents in Daymer Gardens and Larkswood Rise who would be the most inconvenienced by this proposal were consulted and their views and concerns were taken into consideration.

This current application increases the height of the building where it was previously reduced thus re-introducing the massing and bulk that was unacceptable.

It must be noted that the car parking arrangements are not being altered, therefore there will be even more congestions than before. Daymer Gardens off Catlins Lane is close to the Eastcote Village Conservation Area. EVCA is one of the original Conservation Areas set up in the 1970s. Catlins Lane is one of the oldest lanes in Eastcote being centuries old. Therefore, it is a narrow twisting lane not suitable for heavy traffic flow and parking. Daymer Gardens is a quiet residential road again very narrow. When built it was never intended to be the main road to a large medical complex.



The parking arrangements approved on the first application are ridiculous only 17 spaces yet there are 28 full time staff plus 14 part time staff, 45 residents whom, one would presume, will receive visitors, plus visiting medical staff. Should this application be approved the parking situation will become even more problematic.

Should Daymer Gardens become a residents only parking zone this does not solve the problem evenings and weekends as staff etc will be on duty 24/7.

Where are the surplus vehicles supposed to go? If into Catlins Lane, this will block the traffic flow here, other roads around are also very narrow residential roads.

This proposal is unacceptable, the surrounding area and residents have not been taken into consideration. It is obvious that the whole project is a money making concern at the expense of the local people's living conditions.

We ask that this application be refused.

**EASTCOTE RESIDENTS' ASSOCIATION:**

We ask that this current application for the addition of 5 rooms be refused.

We would point out that the Council's original approval of 196/APP/2012/1776 that allowed for the provision of 45 rooms, was only granted after considerable consultation and alterations between yourselves and the applicant (with local residents) was undertaken, whereby the applicant reduced the number of rooms being provided and made associated building amendments, related to their first submission, to accommodate Hillingdon Council's planning regulations to provide an acceptable application that could be approved.

The Design and Access Statement for the applicant, provided to the Hillingdon Council, that is part of the approved application, acknowledges that this was the case in section 5.2, whereby it states that the application 'now relates to a 45 bed residential Care Home. The reductions in the footprint of the building bringing with it a reduction in the bed numbers can be seen as a conscious response to the widely held view (including by residents) that the earlier submission represented 'over-development'.

As the 45 bed application, with all associated plans, is the one that Hillingdon Council actually approved, it is assumed that this is the one that must now be upheld.

Therefore a suggestion that reinstating the 5 additional rooms, with the associated alterations to agreed layouts and elevations, cannot now be acceptable.

Whilst the current applicant's D&A Statement states that now the buildings are well in construction, it can be seen that the proposed additions will not affect the neighbouring properties, as was envisaged, we contend that quite the opposite is true - the original decision cannot be anything other than correct.

The site has not increased in size, adjacent properties have not moved/alterd and the building, we presume, is being built to the approved application layout, so what can have changed to suggest that it is now appropriate/acceptable to alter any part of the agreed application, particularly to add a storey, where a single storey was specifically agreed, to avoid overlooking and over-dominating issues?

In addition, it is understood that Hillingdon Council asked that the layout, that was approved, be set out to give an impression of being separate buildings, this to allow for a greater melding with the existing properties/surrounding environment, and this concept was included in the approved

application and is now likely to be lost with this new application.

We further contend that there will be parking implications if this 5 new room application is allowed.

We have to relate this to the approved agreed parking arrangements which, we submit were already unlikely to be adequate for requirements, even without the implications of 5 new rooms.

We believe that the base line that the applicant used for all transport/parking information was the original use of the Frank Welch site. If this is so, we must question their results as the site was originally used for sheltered housing and inhabited by residents who were largely not car drivers. Thus a comparison between the transport use in this time and those of a residential care home are not directly comparable in any way.

We call into question the applicants' further transport report findings. It seems to us that the reality is that the lack of public transport in this area, together with the numbers of people needing to park - staff, residents' visitors, medical staff (doctors, district nurses, podiatrists, opticians, dentists etc) , deliveries, and emergency services, cannot be accommodated within the parking provisions suggested.

Any shortfall in parking on site is going to lead to parking on the nearby streets that they are not able to accommodate. Furthermore it will lead to traffic issues in these roads in terms of the volume of traffic coming and going along them.

As part of this application, we urge the Council to make its own traffic assessment, rather than relying on the traffic and parking results provided by the applicant.

We reiterate that this application should be refused.

**NORTHWOOD HILLS RESIDENTS ASSOCIATION:**

1) If approved this would be a further over development of the site.

2) Residents of Larkwood Rise and Daymer Gardens will be adversely impacted. There is planning history relating to this building as recently as 2012. Planning reference 196/APP/2012/1776 Strong objections were made to that application and the proposed height of the development was reduced.

3) This application seeks to overturn the 2012 application by once again increasing the height of the development. This is not acceptable.

4) Car Parking is a major issue in Northwood Hills. There does not appear to be any plan to increase the number of parking spaces or mitigate traffic movements to and from the premises.

5) Section 8.12 of The Hillingdon Local Development Plan clearly states - The Council will not support development which unacceptably contribute to traffic movements, deleterious impact on the highways network or road user safety (including pedestrian, or affect residential amenity including by noise, congestion or inadequate parking provision. Clearly in this case there are inadequate parking facilities for existing clientele let alone additional clientele. The application fails this test and should therefore be rejected.

We have no hesitation in requesting this application be refused.

**Internal Consultees**

URBAN DESIGN / CONSERVATION OFFICER:

This site lies just outside of the Eastcote Village Conservation Area, and works are underway with regards to the previously approved residential care home.

The approved scheme was subject to significant discussion re its height, massing and footprint. Great care was taken with regards to the potential impact of the new building on the amenity and out look of neighbours and to ensure that the development, which comprised a large building within a residential area, was visually discrete. As such, where the building was located close to the site boundaries, it was reduced in height, this also had the benefit of creating a more spacious and open character to the edges of the site.

In order to break down the mass and bulk of the building, and to give it a more modest appearance, it was designed with a traditional varied roof form. It also incorporated a single storey glazed link creating the appearance of two structures.

The proposal adds additional bulk and height in sensitive locations on the northern and southern boundaries, which would make the building appear cramped on the site and bring the upper floors closer to the houses. Some of the architectural detailing also seems to have been lost, such as the brick arch feature on the south/south east elevation to the rear and changes to the fenestration. The shallow roof forms of the first floor northern addition and the smaller southern addition, look "false" and rather like an afterthought, it is considered that they would detract from the overall appearance of the building.

Overall, these changes would have a detrimental impact on the appearance of the new building and its relationship with the site context.

#### HIGHWAY ENGINEER:

The current proposals are for modifications to the design of a building that is being constructed pursuant to planning permission no. 196/APP/2012/1776.

The original permission is for a 45-bedroom care home. The proposals would result in the construction of 5 additional bedrooms, in addition to the original 45.

It is considered that the proposed extension would not have any major impact on the surrounding highway and transport network.

As a result, no major concerns are raised with respect to the proposals from a highway perspective.

#### TREES / LANDSCAPE OFFICER:

This site is occupied by an approved care home development (ref. 2012/1776), which is currently under construction.

The site is bounded by trees and hedges some of which are being protected and retained in accordance with approved conditions (application ref. 2013/2731).

#### Comment

The proposal is to amend the building to create an additional link at first floor level and an additional 5 bedrooms - all within the existing (approved) footprint of the building.

#### Recommendation

No objection subject to the previous conditions, RES6, RES8, RES9 (parts 1,2,4,5 and 6) and RES10.

## WATER AND FLOOD MANAGEMENT OFFICER:

If there is an extension of the basement, further details of the basement drainage will also be required to ensure that there is no impact to the surrounding area. A condition is required to ensure details are submitted to ensure that scheme manages water and demonstrates ways of controlling the surface water.

## ENVIRONMENTAL PROTECTION OFFICER:

The Environmental Protection Unit examined the application for planning consent above. We would like to comment as follows:

Sound insulation scheme

The Environmental Protection Unit did not receive sound insulation scheme or an acoustic report in support of this application.

Development shall not begin until a sound insulation and ventilation scheme for protecting the proposed development from road, rail and air traffic, and other external noise sources has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet an acceptable internal noise design criteria to guard against external noises. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by (road traffic) (rail traffic) (air traffic) (other) noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

## WASTE SERVICES MANAGER:

Waste storage area shown which is good practice.

Doors open outwards again good practice.

Would need bolts to hold doors open while moving bins out from store.

Dropped kerb needed if path bins travel along higher than vehicle carriageway.

## **7. MAIN PLANNING ISSUES**

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

The principle of the development was considered as part of planning application ref: 196/APP/2012/1776 in that the continued use of the site as a care home complied with Policy H10 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and the National Planning Policy Framework (March 2012).

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

The Mayor's density guidelines are not applicable to care homes. The applicants provided density details of other care homes as part of the original application (ref: 196/APP/2012/1776) which suggested that the original proposal represented a low density scheme compared with other care home developments. It was considered that a direct comparison with other schemes was of only limited value as more appropriately, the scheme should be considered against its impacts upon the surroundings and the amenities of neighbouring properties, together with the suitability of the accommodation provided. The proposal is similarly considered in the sections below.

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

The proposal would not be likely to affect any archaeological remains, nor would it affect any listed building or its setting. There are also no areas of special local character in the vicinity of the site and although the northern boundary of the Eastcote Village Conservation Area does lie some 40m to the south of the site, the site is sufficiently remote so that the conservation area would not be materially affected.

#### **7.04 Airport safeguarding**

The proposal does not raise any airport safeguarding concerns.

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

The application site does not lie within nor is it sited close to the Green Belt so that no Green Belt issues are raised by this application.

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

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that development harmonises with the layout and appearance of the street scene or other features of the area which are desirable to retain or enhance. Policy BE15 requires alterations to existing buildings to harmonise with their scale, form, architectural composition and proportion.

The approved scheme was subject to significant discussion in terms of its height, massing and footprint, both during the pre-application submission and the planning application process which resulted in numerous revisions being made to the scheme. As noted by the Council's Conservation/ Urban Design Officer, great care was taken with regards to the potential impact of the new building on the amenity and outlook of neighbours and to ensure that the development, which comprised a large building within a residential area, was visually discrete. As such, where the building was located close to the site boundaries, it was reduced in height, which also had the benefit of creating a more spacious and open character to the edges of the site. In order to break down the mass and bulk of the building, and to give it a more modest appearance, it was also designed with a traditional varied roof form and incorporated a single storey glazed link creating the appearance of two structures.

The Council's Conservation/ Urban Design Officer advises that this proposal adds additional bulk and height in sensitive locations on the northern and southern boundaries, which would make the building appear cramped on the site and bring the upper floors closer to the houses. Some of the architectural detailing also seems to have been lost, such as the brick arch feature on the south/south east elevation to the rear and changes to the fenestration. The shallow roof forms of the first floor northern addition and the smaller southern addition, look "false" and rather like an afterthought, it is considered that they would detract from the overall appearance of the building.

Overall, these changes would have a detrimental impact on the appearance of the new building and its relationship with the site context.

As such, it is considered that the proposal is contrary to Policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

Policies BE20, BE21 and BE24 seek to safeguard the amenities of residential properties from adjoining development. The Council's Design Guide: Residential Layouts establishes minimum separation distances which new residential development would be expected to satisfy to safeguard the amenities of adjoining residential properties. Although the scheme relates to a care home, it is sited within a residential area and it is considered that this guidance, as on the original scheme provides a useful starting point. Any consideration of

adequate separation distances on this site is further complicated by the change in levels.

Given the changes in levels across the site, the proposal would not result in any significant overshadowing of surrounding residential properties.

The proposed extensions would result in two storied elements of the building being sited much closer to residential boundaries than the approved scheme. In terms of the northern boundary, the proposed first floor bedroom extension would result in two storey development being sited some 5.9m from the rear boundary of the closest property in Daymer Gardens (No. 22) and on the southern boundary, 5.2m from the rear boundary of the nearest residential property in Larkswood Rise (No. 7).

On the previous application, an overshadowing assessment was provided, using December to give a worse case scenario (as opposed to the standard March equinox) when the length of shadows are at their greatest to produce a worse case scenario of the overshadowing. This showed that 3 or 4 properties on the southern side of Daymer Gardens (Nos. 18 to 24/26) would experience loss of sunlight, but this would only be in the early hours of the morning and only the ends of their rear gardens would be affected and the shadow would have moved away after 10:00. In the late afternoon after 3:00, the shadow has moved around to the east and would now begin to affect the side/rear garden of No. 28 Daymer Gardens, but again, this would be to the end of its garden and of limited duration. It is also likely that these areas would already be overshadowed by boundary fences/structures and vegetation so that any additional impact would be insignificant.

It is only the northern bedroom extension that has the potential for any additional overshadowing of neighbouring properties in Daymer Gardens, but given the reduced roof height of the extension, it is considered that any additional impact would not be significant. As such, the scheme would comply with Policy BE20 of the saved UDP.

However, as regards the visual impact of the building, although the proposed extensions would still be sited more than 15m away from any adjoining habitable room window, with the nearest relationship being that to the rear elevation of No. 24 Daymer Gardens where the nearest part of the building would be separated by a distance of some 18.6m, it is considered that having regard to the overall scale and bulk of the building, with its tall and steeply pitched roofs, even taking into account the higher level of the neighbouring properties, the separation distance would be inadequate with the building so close to the residential boundary and having regard to the spacious residential character of the area. In terms of the properties to the south, again, the proposed nearest two storied element would be sited some 17.6m from the rear elevation of No. 7 Larkswood Rise. The impact of this element of the scheme would be exacerbated by No. 7 being sited on lower land which would result in the proposed extension appearing approximately a storey higher when viewed from this property. It is considered that the extended building would have a unacceptably adverse impact on the amenities of this adjoining property.

As regards privacy, only the bedroom in the infill extension which links the two blocks would have a new bedroom window that directly faces and potentially overlooks adjoining property, but this (and the adjoining new glazed link) would maintain a separation distance of over 26m from the rear elevation of 8 Larkswood Rise so that it is considered that this property and its adjoining 'patio' area would retain an adequate separation distance in order to retain an acceptable amount of privacy. Other elevations facing neighbouring properties have blank elevations or only windows that could be obscure glazed and the other new bedroom windows are all sited at right angles to the nearest neighbouring properties so

that there would not be any undue impacts in terms of overlooking of neighbouring habitable room windows or their patio areas.

The basement which would be smaller than the size of basement which has already been approved would not have any impact upon the amenities of surrounding residential occupiers in terms of its impacts upon overshadowing, dominance or privacy for neighbouring properties.

The proposed vents serving the basement area have been mainly constructed on site. Had the application not been recommended for refusal, a condition would have been added to require further details of these structures.

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

Living conditions for future occupiers of the approved care home (ref: 196/APP/2012/1776) were considered to be acceptable. The scheme provided an acceptable amount of amenity space and it was considered that the bedrooms were of an acceptable size. It was also considered that the scheme provided suitable levels of outlook, natural lighting and privacy to bedrooms.

The proposed new bedrooms would be of a similar size and layout to the other bedrooms and all would provide an adequate outlook, natural lighting and privacy.

The revised basement provides a variety of facilities required by the care home ie kitchen, plant rooms, laundry, cinema/training room and gym. The proposed changes are considered to be acceptable and would retain adequate facilities for the care home.

The proposal would marginally reduce the ratio of amenity space per bedroom, but given that the approved scheme was originally considered to have a reasonable generous amount of amenity space as compared to other scheme, it is considered that a reason for refusal could not be justified on this ground.

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

The application is supported by an Addendum Transport Statement which advises that in terms of traffic generation, the 50 bedroom care home, as with the 45 bedroom care home, would generate very small volumes of traffic, which would have an insignificant traffic and environmental impact on the wider road network.

The assessment goes on to advise that the only other possible traffic impact would be the adequacy of on-site parking provision and servicing facilities. The worst case maximum demand for on-site parking identified at the two largest care homes considered within the TRAVL database with a similar low PTAL score across London as part of the original Transport Assessment undertaken for the original application were for 24 cars and 17 cars for 150 bed and 120 bed care homes respectively. The previous assessment concluded that for the proposed care home with far fewer beds, the proposed 15 off-street spaces (including 2 disabled person spaces) would be more than adequate to fully satisfy the likely demand, even without the availability of the public parking bay on the spur road immediately outside the site for which there is no evident other source of parking demand which can accommodate up to 9 further cars. The addendum report goes on to advise that this analysis was borne out by a further survey carried out as part of the original application on 14 modern care homes in Hillingdon and the neighbouring part of Harrow which indicated a worse case peak parking demand for a 45 bed care home of 12 cars. The addendum report concludes that the TRAVL database and the surveys at surrounding care homes confirms that the proposed 15 on-site spaces, Includinging 2 disabled person spaces would satisfactory cater for the demand of the development without giving rise to on-street

parking on Daymer Gardens.

The addendum report goes on to advise that the 5 beds now proposed represents an 11% increase on the approved and implemented 45 beds, which equates to demand for one additional car space on site. This increases the peak parking demand to 13 spaces, which is the current approved provision approved now being implemented, (excluding the 2 disabled spaces) and therefore there is no requirement for additional car parking spaces.

The Council's Highway Engineer has reviewed the application and raises no objection to the proposal on highway grounds.

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

Relevant issues have been considered within other sections of the officer's report. The proposal raises no new security risks on site.

#### **7.12 Disabled access**

Policy 7.2 of the London Plan requires all new development to provide an inclusive environment that achieves the highest standards of accessibility and inclusive design. The original application (ref: 196/APP/2012/1776) was considered to be acceptable in relation to accessibility.

The proposed additional bedrooms would extend the existing form and layout of the care home, with bedrooms of a similar size. The changes to the internal layout of the building incorporate the principles of accessibility as required by Policy 7.2 of the London Plan.

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

Not applicable to the proposed development.

#### **7.14 Trees, landscaping and Ecology**

The changes to the landscaping scheme, which only involve the siting of the vents are minimal, mainly resulting in very small loss of the grassed area. The Council's Trees and Landscape Officer raises no objection to the scheme, subject to recommended conditions which would have been attached had the application not of been recommended for refusal.

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

There are no changes to the refuse and recycling storage facilities of the approved scheme. Although the Council's Waste Manager does not raise any objections, a vent is sited adjacent to the bin store entrance. However, a condition could have been attached had the application had not of been recommended for refusal, to ensure that details of suitable access arrangements would have been retained including level access to the store and a suitable grid covering the vent. This issue will be investigated by the Council's Enforcement Officer.

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

Not applicable to this application.

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

The Council's Flood and Water Management Officer advises of a condition to ensure that water and flood risk is managed on site if the basement is enlarged. This could of been attached had the application not of been recommended for refusal.

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

The approved care home is situated within a quiet cul-de-sac and the proposal would not be likely to generate any significant increase in traffic or noise and disturbance as compared to the previously approved scheme as to warrant an additional reason for refusal.

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



As regards the concerns raised within the individual responses, points (i) - (iv), (vii), (xi), (xii), (xiv) - (xvi), (xviii), (xx), (xxi), (xxii), are considered in the officer's report. As regards (v), this is also dealt with in the officer's report and it is noted that surrounding levels were carefully considered as part of the previous scheme, including detailed cross sections taken from numerous properties surrounding the site. As regards point (vi), reduction of the view of the skyline is not a material planning consideration. As regards light pollution (point viii), this could have been mitigated by condition had the application not of been recommended for refusal. As regards point (ix) noise and fumes would be dealt with under Environmental Health legislation. Similarly, construction operations (points (x), (xiii) and (xxvii)) are mainly covered by Environmental Health legislation, although the Council's Planning Enforcement Team would be seeking to ensure compliance with relevant conditions. Points (xvii), (xxiii), (xxvi) and (xxviii), (xxx) and (xxxi) are noted. As regards point (xix), the Council's Planning Enforcement Team are monitoring the development to ensure it complies with the approved scheme. In terms of points (xxiv) and (xxv), these are is noted but the officer's report does not rely on the submitted photographs or the aerial views. Point (xxvii) does not raise a valid planning consideration and regarding point (xxix), the planning officer did visit this and the neighbouring property.

#### **7.20 Planning obligations**

The original planning application (ref: 196/APP/2012/1776) was subject to a legal agreement and the Mayor's Community Infrastructure Levy (CIL). The proposed alterations to the approved scheme, including the uplift of 5 bedrooms/units would not justify any additional S106 contributions but as there would be an increase in the amount of internal floorspace, the works would be CIL liable.

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

The Planning Enforcement Team are assessing the building works to clarify if the building is being completed in accordance with the approved plans.

#### **7.22 Other Issues**

There are no other relevant planning issues raised by 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**

### **10. CONCLUSION**

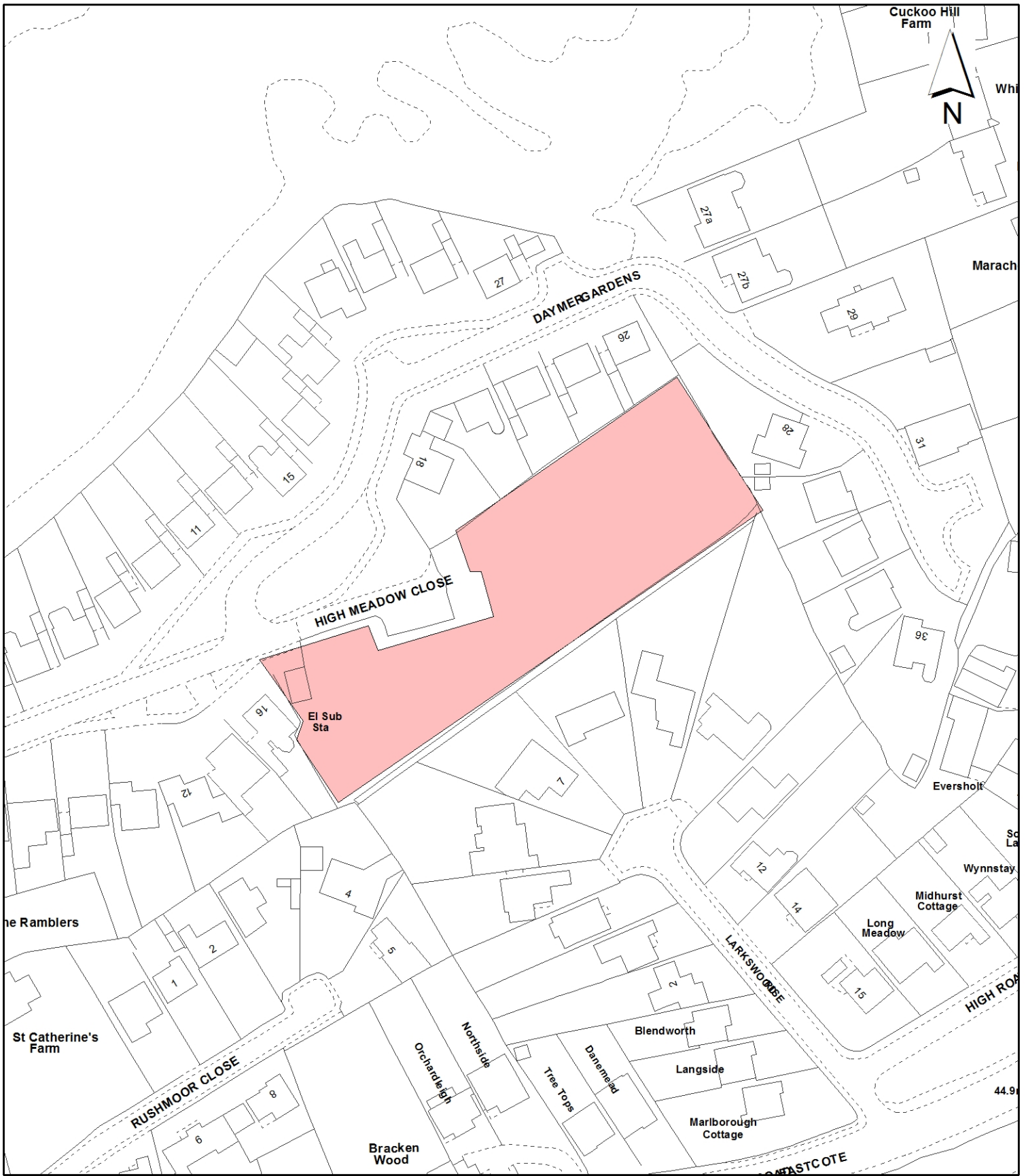
The application is being recommended for refusal.

### **11. Reference Documents**

National Planning Policy Framework (March 2012)  
London Plan (March 2016)  
Hillingdon Local Plan (November 2012)  
LDF - Accessible Hillingdon (May 2013)  
HDAS SPG: Residential Layouts (July 2006)

**Contact Officer:** Richard Phillips

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**Notes:**

 Site boundary

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Site Address:

**Former Frank Welch Court  
 High Meadow Close**

Planning Application Ref:  
**196/APP/2016/4645**

Planning Committee:  
**Major**

Scale:  
**1:1,250**

Date:  
**April 2017**

**LONDON BOROUGH  
 OF HILLINGDON**  
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