

Report of the Head of Planning, Sport and Green Spaces

Address EASTBURY NURSING HOME 12 EASTBURY ROAD NORTHWOOD

Development: Single storey rear extension and 2 x first floor rear extensions

LBH Ref Nos: 1901/APP/2017/2235

Drawing Nos: 16030 P 0203 C
16030 P 0202 B
16030 P 0102
16030 P 0103
16030 P 0201
16030 P 0101

Date Plans Received: 19/06/2017

Date(s) of Amendment(s): 19/06/2017

Date Application Valid: 28/06/2017

1. SUMMARY

The application seeks permission for the demolition of the existing conservatory and the erection of a single storey rear extension and two first floor rear extensions.

The proposed development would be in keeping with the character and appearance of the original building and the wider Conservation Area and is not considered to significantly impact on the amenity of the neighbouring occupiers or to warrant refusal because of such impacts. The proposal would comply with the requirements of the Hillingdon Local Plan (2012) and the London Plan 2015 and is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 Time Limit

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

REASON

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

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 16030 P 0201; 16030 P 0202 B and 16030 P 0203 C, 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 HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be

retained as such.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 14 Eastbury Road and 1 and 2 Carew Lodge.

REASON

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

5 HO6 Obscure Glazing

The fire escape door facing 14 Eastbury Road shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale so long as the development remains in existence.

REASON

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

6 HO7 No roof gardens

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

REASON

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

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

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

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

2. Details of Landscape Maintenance
 - 2.a Landscape Maintenance Schedule for a minimum period of 5 years.
 - 2.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

3. Schedule for Implementation

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015).

8 RES8 Tree Protection

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

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

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

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

9 RES10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of

the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
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
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
LPP 7.8	(2016) Heritage assets and archaeology
NPPF	National Planning Policy Framework

3 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

4 147 Damage to Verge - For Council Roads:

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

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

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

5 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

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

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

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

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

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

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

6 150 The Registration of Residential Care Homes for Children

You are advised that the use hereby approved for a a registered car home should accord with the Car Home Regulations.

7

This permission is liable for a contribution under the Community Infrastructure Levy (CIL) and a separate CIL liability notice will be provided for your consideration.

8

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. We have made available detailed advice in the form of our statutory policies from the Development Plan, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises Eastbury Nursing Home, which is located on the Eastern side of Eastbury Road in Northwood. It is understood the Home caters for up to 20 residents who require mental and physical care.

The Nursing Home occupies a large detached Arts and Crafts style property dating from circa 1910. The building forms a group with Nos 10, 14 and 16 Eastbury Road, and all are included in the Local List. No. 12 is of simple rather robust design, constructed in red brick with a tall hipped plain tiled roof. To the street it includes an asymmetrical gable and double height canted bay. To the rear it has been extensively extended at ground floor level, although the original elevation, with a two storey gable, is clearly visible at first floor. Planning records suggest the property has been used as a care home for a significant number of years.

Parking for seven cars exists to the front of the property and landscaped gardens with high boundary hedging are located to the rear. The site falls within a predominantly residential area and is bounded by residential properties on all sides.

The site falls within the Northwood, Frithwood Conservation Area as designated in the Hillingdon Local Plan. As mentioned above, the building is locally listed. Trees on site are protected by way of a Tree Preservation Order in addition to their protection by virtue of their location in a Conservation Area.

3.2 Proposed Scheme

This application seeks permission for the erection of a single storey rear extension and 2 first floor rear extensions. This would increase occupancy on the site from 15 bedrooms to 19 bedrooms all providing care facility accommodation.

3.3 Relevant Planning History

1901/APP/1999/2146 Eastbury Nursing Home 12 Eastbury Road Northwood
ERECTION OF A REAR CONSERVATORY

Decision: 04-02-2000 Approved

1901/APP/2010/244 12 Eastbury Road Northwood

Part two storey, part single storey front extension with 1 side rooflight, first floor side/rear extension to include 3 side dormers and 3 side rooflights, with external staircase to rear to provide additional bedrooms and alterations to existing, external alterations and new landscaping (involving demolition of bay window to ground floor rear, part first floor external wall and part of the west elevation wall).

Decision: 08-10-2010 Refused

1901/APP/2010/245 12 Eastbury Road Northwood

Demolition of bay window to ground floor rear, part first floor external wall, part of the west elevation wall and several internal walls (Application for Conservation Area Consent)

Decision: 08-10-2010 Refused

1901/APP/2011/174 12 Eastbury Road Northwood

Erection of part first floor rear/side extension, alterations to rear elevation to include removal of single storey rear roof, installation of ramps to West elevation and East elevation and external staircase to side.

Decision: 24-08-2011 Refused **Appeal:** 25-01-2012 Dismissed

1901/H/83/1511 Tudor Lodge, 12 Eastbury Road Northwood

Mixed development on 0.162 hectares (full)(P)

Decision: 02-12-1983 Refused

1901/J/83/1825 Tudor Lodge, 12 Eastbury Road Northwood

Extension/Alterations to Medical/Health premises (P) of 440 sq.m.

Decision: 13-03-1984 PRN

1901/N/86/0751 Tudor Lodge, 12 Eastbury Road Northwood

Extension/Alterations to Home/Institute (P) of 108 sq.m.

Decision: 29-07-1986 Refused

1901/P/88/0268 Tudor Lodge, 12 Eastbury Road Northwood

Erection of single-storey rear extension to accommodate 3 bedrooms & bathroom

Decision: 09-08-1988 Refused

1901/PRC/2016/152 Eastbury Nursing Home 12 Eastbury Road Northwood
First floor extension consisting of 4 bedrooms

Decision: 04-11-2016 OBJ

1901/R/89/1030 Tudor Lodge, 12 Eastbury Road Northwood
Erection of a single-storey rear extension to form 2 bedrooms and W.C.'s to nursing home

Decision: 12-10-1989 Refused

1901/S/89/1031 Tudor Lodge, 12 Eastbury Road Northwood
Erection of a single-storey rear extension to form 2 bedrooms and W.C.'s to nursing home
(duplicate application)

Decision: 14-02-1990 DOE **Appeal:** 14-02-1990 Part Allowed

Comment on Relevant Planning History

1901/APP/2011/174 - Erection of part first floor rear/side extension, alterations to rear elevation to include removal of single storey rear roof, installation of ramps to West elevation and East elevation and external staircase to side (refused, dismissed at appeal)
1901/APP/2010/244 - Part two storey, part single storey front extension with 1 side rooflight, first floor side/rear extension to include 3 side dormers and 3 side rooflights, with external staircase to rear to provide additional bedrooms and alterations to existing, external alterations and new landscaping (involving demolition of bay window to ground floor rear, part first floor external wall and part of the west elevation wall) (refused)

The previous planning application was refused on the basis of the size and scale of the proposal, the impact on the neighbouring property and a poor outlook afforded to the ground floor bedrooms. The Appeal was dismissed by the Inspector who advised that whilst the outlook from the additional bedrooms would be adequate, the extension would harm the overall character and appearance of the appeal property, it would fail to preserve or enhance the character and appearance of the Conservation Area and would unduly harm the outlook from no. 14 Eastbury Road.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
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.
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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
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
LPP 7.8	(2016) Heritage assets and archaeology
NPPF	National Planning Policy Framework

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **2nd August 2017**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

22 neighbours were consulted for a period of 21 days expiring on the 21 July 2017 and a notice placed in the local paper. A site notice was also erected on the parking sign directly in front of the property.

A further 14 day consultation process was commenced on 18 January 2018, to allow comments from residents on revised plans received.

Comments from the July consultation were as follows:

9 responses were received from nearby neighbours raising the following issues:

- Adding another storey will no doubt make the area look more crowded.
- Out of keeping with the character of the original building.
- Overdevelopment.
- Overbearing.
- Similar to the previously refused scheme.
- More road traffic which is considerable at times anyway.
- The Council has already rejected past requests for development, clearly stating that the property is already over development and there should be no further activity. We find it rather insulting that revised proposals have ever been tabled after you have passed clear judgement.
- Impact on the neighbouring properties.
- Significant disruption.
- Loss of privacy.
- Out of keeping with the character of the Conservation Area.
- Increase the risk of additional and unacceptable noise pollution.
- The notice is hidden from view, hard to read and easy to miss. It was vague and missing key information. We are concerned about this lack of transparency.
- The documentation states the plans are welcomed. By whom?
- I have been told there are already additional rear extensions without planning consent and as such there is no legitimate case to further build upon something that has no legitimacy.
- Visual intrusion.
- Lack of additional parking for additional visitors would lead to an increase of on street parking.
- Loss of light.
- Impact on locally listed buildings.

Comments received during the re-consultation comprised of the following:

- Plan not significantly different to the previous.
- Over dominant and does not enhance the Conservation Area.
- Frustrating we must take the time and trouble to object to yet another application.
- We maintain the strongest opposition to the scheme and refer to our previous comments.
- Object to any further development at the site.
- Over- intensification of existing use.
- Impact on the visual amenity of the neighbouring properties.
- Noise nuisance.
- Overlooking and loss of privacy.
- Site regarded as already at full development potential in 1988.
- Irregularities in the planning application form have not been addressed whilst revised plans have been requested.
- Impact on the quality of light.
- Congestion/increased traffic movements and lack of additional parking.
- Additional crowding.
- Claustrophobia through greater massing.
- We do not agree that the assertion that the revised timeline for this consultation should be shorter.
- The documents are confusing and incomplete for example there is a reference to Room 10 not being shown.
- The overdevelopment may not have been properly authorised and documentation is inadequate.
- A Minute of a Planning meeting states that the application was welcomed in principle without saying who welcomed it and why it was welcomed given that previous applications had been refused.

Officer response to comments received: Disruption from building works are viewed as transitory and as such are not a reason for refusal in their own right. Any structure erected, albeit without planning permission, which is in existence for more than 4 years and has had no enforcement action taken

against it, is immune from enforcement. The section of the application form referred to in Section 18, relates to additional residential units (i.e. new dwellings) not the number of occupants of the existing residential home. The re-consultation has been carried out in accordance with statutory requirements 14 days were given for further comments to be made. Room 10 is shown on the first floor plans.

A petition against the proposal has also been received.

Northwood Residents Association July 2017- We endorse the comments made by a local resident which can be summarised as follows:

- This is within a conservation area and is an attempt to further expand a residential property;
- It will mean more road traffic, which is quite considerable at times;
- The proposed mass and positioning would add considerable bulk which is inappropriate within the Conservation Area;
- The proposal would represent significant intensification;
- The local Residents Association were advised that No 12 Eastbury Road had reached its development potential. This proposal is excessive; and
- This application should be robustly refused.

Internal Consultees

Access Officer:

No concerns from an accessibility perspective. Would request a condition with regard to Care Home Regulations.

(Officer response: an informative will be added as requested)

Tree/Landscaping:

No protected trees will be directly affected by the proposal. The only tree which may require some pre-emptive pruning is a Field Maple in the South-East corner of the site, where the first floor extension / working space required may conflict with some overhanging branches. The D&AS confirms that no trees will be removed and that landscape enhancements / new planting will be included as part of the development. No objection subject to conditions for tree protection and landscaping.

Conservation Officer:

BACKGROUND: This is a locally listed building of Arts and Crafts Design, one of a group in Northwood Frithwood Conservation Area. It has been a Nursing Home for some years and extended to the side and at ground floor with a number of extensions of varying descriptions.

A planning application in 2011 proposed a two storey rear extension on the northern side, and new ground floor extensions. The application was refused and dismissed on appeal on a number of grounds which included an unsatisfactory design, poor relationship with the existing building, excessive height and adverse impact on neighbouring amenity.

Pre-application advice was sought in 2016 for a scheme which sought to extend the building in the middle of the site rather than at the sides, but this was not considered appropriate in regard to the impact on the locally listed building, which has a prominent, original central gable at the rear.

On the North side, the advice given was that a 'substantially smaller more modest extension, of a reduced height, might go some way towards overcoming those concerns. This could potentially be done through the provision of a smaller increase in the height of the roof and provision of dormer windows to create roofspace accommodation rather than a full two-storeys with pitched roof as

previously proposed.'

On the South side, the advice was that 'every effort should be made to minimise the size, scale, bulk and height of this. This wing benefits from a particularly large hipped roof and it may therefore be possible to create roofspace accommodation through the provision of sensitively designed dormer windows. The extension must however be set back from the front (West) elevation of the main building, ideally only encompassing the footprint of the single storey wing.'

The scheme went through the application process and various amendments before the current design (Revision C, dated 10th November 2017) was devised. In this, the North wing has been greatly reduced in height and width, so that it does not obscure the original gable at the rear, and is not over dominant in views of the side or rear. The upper floor on the South wing has not been contained wholly within the existing roof form as advised, and this has led to a kink in the elevation along the boundary. However, provided the new roof is carefully detailed to match existing (and the drawings have been carefully annotated to show this) there would be no objection to it in design terms.

RECOMMENDATION: Acceptable.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

This is a long established care home facility. Local Plan, London Plan and NPPF policies seek to ensure a sufficient choice of housing provision is available for people with a broad range of housing needs. It is understood that the existing care home is currently oversubscribed and that there is a growing need for this type of accommodation within the area. To this end no objections are raised in principle to the extension of the property.

7.02 Density of the proposed development

Not applicable to this proposal.

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

The site falls within a Conservation Area and the building is also locally listed. Therefore the visual impact of any development proposals on the character or appearance of the existing site and the surrounding area will be particularly important considerations.

Policy BE4 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) states that new development should harmonise with the materials, design features, architectural style and building heights predominant in such areas. This is supported by Policy 7.4 of the London Plan (2016) which requires developments to have regard to local character. Policy BE4 reflects the relevant legal duties.

Policy BE8 further advises that applications for planning permission will normally only be permitted if no damage is caused to the historic structure. Any additions should be in keeping with other parts of the building and any new external or internal feature should harmonise with their surroundings.

The proposal includes the replacement of the existing conservatory with a single storey centrally positioned rear extension and a new fire escape to the side. It also proposes two first floor extensions above the existing rear wings, infilling the existing side fire escape and installing new external steps to replace it. The Conservation Officer originally advised that the scale and design of the proposal was unacceptable. Both were too high and the width of the North extension encroached upon the prominent, original central gable at the rear of the property. The proposal has been amended to address those comments, with the scale of the North extension significantly reduced in height and width, retaining clear views to the

original central feature and the Southern wing reduced in height. Both extensions have incorporated the roof detail of the existing roof including sprocket eaves, bonnet hip tiles and rafter ends overhanging. As such it is considered that the proposal would respect the architectural character of the original building and the wider area and complies with the requirements of Policies BE4, BE8, BE13, BE15 & BE19 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

7.04 Airport safeguarding

Not applicable to this proposal.

7.05 Impact on the green belt

Not applicable to this proposal.

7.07 Impact on the character & appearance of the area

Policies BE4 and BE13 ensures development harmonises with the existing street scene or other features of the area which are considered desirable to retain or enhance. BE19 ensures new development complements or improves the amenity and character of the area. The NPPF (2012) also notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

The property has been substantially extended in the past principally with a part two storey side extension and single storey rear projecting side wings. However the design and integrity of the main house remains largely intact and, as such, in accordance with the above policy requirements. The 2011 scheme also sought to extend above the Northern wing and in consideration of that proposal the Inspector advised "...the existing structure does not relate particularly well to the main building, although the visual impact is limited by its modest height. The introduction of the additional storey proposed would exacerbate the poor relationship, and its roof form in particular would be wholly out of keeping with that of the main building. Whilst only limited views of the extension would be achieved from the public domain, this unsympathetic addition would be visible from the rear elevation of no.14 Eastbury Road and the upper floors of Carew Lodge to the South. As a result, I consider that it would also degrade the character and appearance of the CA." The current proposal is less deep and the design significantly modified to integrate the extensions with the original dwelling. The roof lines are set down from the main ridge height, with subordinate eaves level. Therefore in terms of appearance, although increasing the scale of the extensions on the property, these now relate to the original building and as such would respect the character and appearance of the wider Conservation Area. As such the proposal would comply with Part 1 Policy BE1 and HE1, and Part 2 Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan (November 2012) and guidance in HDAS: Residential Layouts.

7.08 Impact on neighbours

Policies OE1, OE3 and BE24 of the Hillingdon Local Plan (November 2012) require the design of new developments to protect the amenity and privacy of neighbouring dwellings. Also the proposed development should not breach the 45 degree guideline when taken from the rear elevation of the neighbouring dwelling, ensuring no significant loss of light, loss of outlook or sense of dominance in accordance with Policy BE20 and BE21 of the Hillingdon Local Plan (November 2012).

To the South the proposed extension sits above the existing projection, which extends approximately 5.3 m beyond the adjacent property at nos. 1 and 2 Carew Lodge. The extension would raise the height of the building from 6.55 m to 7.9 m set back 1.25 m from the shared boundary and 2.75 m from the side wall. Although this is an increase in height of

1.45 m, the proposal does not appear to compromise a 45 degree line of sight from the nearest first floor windows and is not considered to significantly increase the loss of amenity to the occupiers of those properties. To the front of this is no.10 Eastbury Road and it is noted that this has a number of side facing windows. It is not clear whether these serve habitable rooms and no representation has been submitted by the occupiers to raise any specific concerns, however as these face towards the flank wall of the original property, with the extension to the rear, it is not considered that it would significantly impact on the amenity of those occupiers. The building forming nos. 3 -7 Carew Lodge is situated to the East approximately 8 m away from the end of the South wing. This building is set at an angle to the application site, with the elevations facing directly towards the rear of Eastbury Nursing home blank wall. The windows of these properties face towards the end of the garden such that the proposed extension to the South side would not be visible.

To the North the proposed first floor side extension would be approximately 8.5 m from the flank wall of 14 Eastbury Road. There are no principle habitable room windows on the Southern flank wall of that house and furthermore, the proposal would not breach a 45 degree line of sight taken from the rear habitable room windows at 14 Eastbury Road closest to the side boundary with the application property. It is noted that the Inspector in consideration of the previously refused scheme advised that the proposed extension would increase the overall height and massing of the building considerably with its top section visible above the hedge when viewed from no. 14. This proposal has reduced the depth of the rear projection by 1.7 m with a much more sympathetically designed roof, with lower eaves and a much less bulky appearance. Having regard to this, it is not considered that the proposed extension would result in a significant loss of outlook to the occupiers of that property.

14 Eastbury Road has South facing ground floor windows set within a single storey rear extension. These windows are approximately 17 m from the Northern flank wall of the application property, with a high fence and well established higher hedge along the shared boundary. It is therefore considered that the proposed first floor side extension would not represent a visually intrusive and overdominant form of development when viewed from these windows. Furthermore, the proposed first floor side fire escape door giving access to the replacement fire escape is set further back than the existing stairs and first floor terrace and will face the flank wall of no. 14. This is not considered to increase any overlooking to the existing arrangement and could be conditioned to be obscure glazed if all other aspects of the proposal are acceptable. As the application property lies to the South of 14 Eastbury Road, the proposal would result in some increase in overshadowing, particularly during the afternoon hours. However, this increase is not considered to be so significant over and above that created by the application property.

Overall, it is considered that the proposal would not harm significantly the residential amenities of adjoining occupiers in accordance with policies BE20, BE21 BE24 and OE1 of the adopted Hillingdon Unitary Development Plan (Saved Policies November 2012).

7.09 Living conditions for future occupiers

It is considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with the SPD: New Residential Layouts: Section 4.9.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM14 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012) requires developments to comply with the Council's Car Parking Standards, although this policy predates the National Planning Policy Framework. This requires the establishment of criteria to be considered when setting local parking standards including the accessibility of

the development and the availability of and opportunities for public transport.

The site has a use classification of C2 Nursing Home with a requirement to provide 1 space per 4 resident bed spaces. The proposal would provide 4 additional bedspaces to the existing 15 and as such would require a total of 5 parking spaces. The existing on site parking provision is 7 parking spaces which is in excess of the maximum requirements and as such is acceptable. Therefore, the proposals are considered to be compliant to the Council's policies AM7 and AM14 of the Council's Local Plan Part 2.

7.11 Urban design, access and security

Issues relating to design have been addressed within the 'Impact on the character & appearance of the area' section above. Issues relating to access have been addressed within the 'Disabled Access' section below.

7.12 Disabled access

The Council's Access Officer has raised no objections to the proposal subject to a condition that it would comply with the relevant British Standards.

7.13 Provision of affordable & special needs housing

Not relevant to this application.

7.14 Trees, Landscaping and Ecology

The Landscape Architect has confirmed that they have no objections to the proposal, subject to a condition for the provision of a landscaping scheme.

7.15 Sustainable waste management

Not relevant to this application.

7.16 Renewable energy / Sustainability

Not relevant to this application.

7.17 Flooding or Drainage Issues

Not relevant to this application.

7.18 Noise or Air Quality Issues

It is considered that the proposed intensification of the use would not adversely impact on neighbouring residents' enjoyment of their gardens and use of garden areas to justify the refusal of this application. As such the proposal would comply with Policies OE1 of the Unitary Development Plan 'Saved Policies' November 2012.

7.19 Comments on Public Consultations

The third party comments are addressed in the report.

7.20 Planning Obligations

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for additional floorspace for residential developments is £95 per square metre and office developments of £35 per square metre. This is in addition to the Mayoral CIL charge of £35 per sq metre.

Presently calculated the amounts would be as follows;

LBH CIL £13,622.28

London Mayoral CIL £5,333.81

Total CIL £18,956.09

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

None

10. CONCLUSION

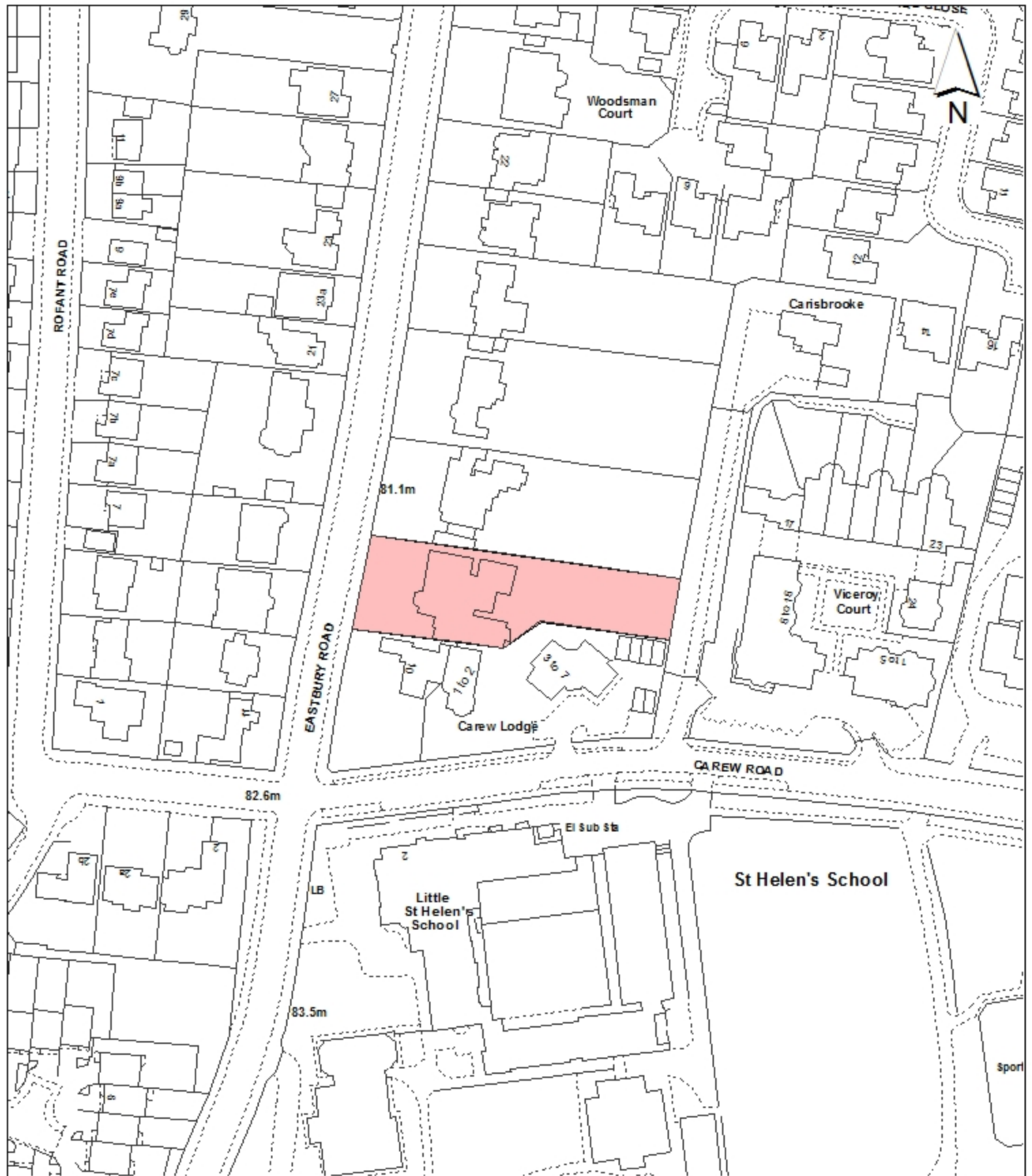
No objections are raised to the principle of the development. The proposed design as amended is considered sympathetic to the character and appearance of the original dwelling and the wider Conservation Area and is not considered to significantly impact the amenity of the neighbouring occupiers.

11. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).
Hillingdon Local Plan Part 2.
The London Plan (July 2016).
Supplementary Planning Document HDAS: Accessible Hillingdon.
National Planning Policy Framework.

Contact Officer: Liz Arnold

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.

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Site Address:

Eastbury Nursing Home

Planning Application Ref:

1901/APP/2017/2235

Planning Committee:

North

Scale:

1:1,250

Date:

February 2018

LONDON BOROUGH OF HILLINGDON

Residents Services
Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
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HILLINGDON
LONDON