

Report of the Head of Planning, Transportation and Regeneration

Address 31 FRITHWOOD AVENUE NORTHWOOD

Development: Part two storey, part single storey rear extension, enlargement of roofspace involving alterations to elevations and change of use from a Bed and Breakfast (Use Class C1) to extra care facility comprising 13 units and an internal communal facility (Use Class C2) (Reconsultation)

LBH Ref Nos: 8032/APP/2017/3739

Drawing Nos: Care Assist Method Statement
Letter from Agent dated 05/01/2017
Planning Statement Incorporating Design and Access Statement (Dec 2017)
CQC Report - Care Assist Domiciliary Care Services (October 2016)
0071-03a
0071-02a
0071-01a
0071-04a
0071-05a
0071-06a
0071-07a
0071-08a
Arboricultural Impact Assessment
Planning Statement
Transport Statement
Addendum to Planning Statement

Date Plans Received:	13/10/2017	Date(s) of Amendment(s):	20/12/2017
Date Application Valid:	22/11/2017		30/10/2017
			22/02/2018
			22/12/2017
			05/01/2018

1. SUMMARY

This application is being reported to committee because there is a petition and a non determination appeal lodged against this application.

The application is for the part two storey, part single storey side/rear extension, enlargement of roofspace involving alterations to elevations and change of use from a Bed and Breakfast (Use Class C1) to extra care facility comprising 13 units (Use Class C2). The applicant lodged an appeal against non determination 22-05-2018 under ref: APP/R5510/W/18/3203314.

There is no objection to the principle of the use of the building as an extra care facility and the extension. It is also noted that the number of extra care units are reduced from 17 to 13 since application ref: 8032/APP/2017/1671 which was withdrawn in September 2017. This application due to its scale and intensity of use is considered to be overdevelopment of the site and the benefits proposed do not outweigh the harm and the application fails to provide justification that there is an overwhelming need to justify a cramped layout.

Whilst the existing bed and breakfast premise is not of significant architectural merit, the property is of a character that is in keeping with other properties within the Frithwood Avenue streetscene. The proposed form and number extensions would significantly alter the proportions of the original property and would fail to provide a subordinate extension to the main property. The application would result in the further loss of garden which uncharacteristic in this area.

Although no objection is raised to the principle of extra care units on the site, the proposed residential component of the development is not supported having regard to the substandard quality of the accommodation for the future occupiers, in particular with regard to space standards, outlook and amenity. In the absence of a legal agreement or unilateral undertaking securing the use of the site as an extra care facility, this application cannot be supported. For the reasons outlined in the report, should the application have been determined by this committee, the recommendation would have been for a refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Reason for Refusal: Design

The proposed two storey side/rear extension, by reason of its size, scale, bulk together with the size of the rear dormer would not be visually subordinate to the original building, would not respect the composition of the original building and would result in a further loss of garden openness particularly to the rear. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2 NON2 Reason for Refusal: Accessibility

In the absence of a Section 106 legal agreement or unilateral undertaking securing a management plan and the use of the premise as a care facility, the proposal provides an indoor living area of an unsatisfactory size for the occupiers of the proposed units. The proposal therefore gives rise to a substandard form of living accommodation and fails to provide requisite accessibility requirements to the detriment of the amenities of future occupiers contrary to Policy 7.2 of the London Plan (2016), Policies BE19 and H7 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.

AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.17	(2016) Health and social care facilities
NPPF7	NPPF - Requiring good design
NPPF8	NPPF - Promoting healthy communities

3. CONSIDERATIONS

3.1 Site and Locality

31 Frithwood Avenue is a substantial detached building that sits on a sloping site on a prominent corner bounded by Canterbury Close to the west and Frithwood Avenue to the South. The existing house is set away from the front boundary by approximately 20m. The site benefits from access to the rear, off Canterbury Close for car parking and bin storage. To the front is an area of lawn with 2 parking spaces and to the rear an area of patio and a car park with 3 parking spaces.

The existing house is used as a 12 room guest house (Use Class C1). The surrounding area is characterised by 2.5- storey residential dwellings set within generous grounds. The site is located adjacent to the Northwood - Frithwood Conservation Area. The site is subject to a Tree Preservation Order (TPO) 49.

3.2 Proposed Scheme

The proposal seeks to provide the following:

- A change of use from Bed and Breakfast (Use Class C1) to provide an extra care facility (Use Class C2) comprising of 13 units;
- The proposal seeks to provide alterations to the roof including the enlargement of both

front and rear dormers, a full width single storey extension and a part two storey extension;
and

- The provision of five car parking spaces and cycle storage.

Since this application was made, the applicant has altered the layout of the scheme to reduce the number of extra care units from 14 units to 13 units. The revised scheme also includes a communal lounge.

3.3 Relevant Planning History

8032/APP/2004/1904 31 Frithwood Avenue Northwood

RENEWAL OF PLANNING PERMISSION REF:8032/F/98/1853 DATED 14/07/1999 : ERECTIO
OF A PART TWO STOREY, PART SINGLE STOREY REAR EXTENSION, SINGLE STOREY
SIDE EXTENSION AND FRONT PORCH EXTENSION TO GUEST HOUSE, INSTALLATION C
ON-SITE CAR PARKING AREA AND LANDSCAPING

Decision: 04-11-2004 Approved

8032/APP/2004/3228 31 Frithwood Avenue Northwood

PART CHANGE OF USE OF GROUND FLOOR (28m²) FROM CLASS C1 (GUEST HOUSE) TO
CLASS D1(a) (NON-RESIDENTIAL) TO PROVIDE 1 CONSULTING ROOM FOR
PHYSIOTHERAPY PRACTICE (INVOLVING DEMOLITION OF EXISTING KITCHEN)

Decision: 25-01-2005 Approved

8032/APP/2017/1671 31 Frithwood Avenue Northwood

Part two storey, part single storey side/rear extension, enlargement of roofspace involving
alterations to elevations and change of use from Class C1 (Hotels) to Class C2 (Residential
Institutions)

Decision: 08-09-2017 Withdrawn

8032/APP/2017/4601 31 Frithwood Avenue Northwood

Part two storey, part single storey rear extension and conversion of roofspace to habitable use t
include the repositioning and enlargement of the front dormer and the repositioning and
enlargement of the rear dormer (RECONSULTATION).

Decision:

8032/B/88/1682 31 Frithwood Avenue Northwood

Conversion of single family dwelling into 3 1-bed room flats & 1 3-bedroom flat

Decision: 08-02-1989 Approved

8032/C/88/2505 31 Frithwood Avenue Northwood

Change of use of single family dwelling to 4 self contained flats & assoc parking

Decision: 11-11-1988 Withdrawn

8032/E/89/2437 31 Frithwood Avenue Northwood
Change of use from single family dwelling unit to guest house

Decision: 07-06-1990 Approved

8032/F/98/1853 31 Frithwood Avenue Northwood
Erection of a part two storey, part single storey rear extension, single storey side extension and front porch extension to guest house, construction of on-site car parking area and landscaping

Decision: 14-07-1999 Approved

Comment on Relevant Planning History

An application for 'part two storey, part single storey side/rear extension, enlargement of roofspace involving alterations to elevations and change of use from Class C1 (Hotels) to Class C2 (Residential Institutions)' under planning ref: 8032/APP/2017/1671 (08/09/2017) was recommended for refusal, however the applicant withdrew the application before a decision was made. The key difference between the previous application and this application is that the number of units has reduced from 17 units to 14 units and this application includes a communal lounge.

Application ref: 8032/APP/2017/4601 was also submitted on 20/12/2017. This application was presented to North Planning Committee on 13/03/2018 with a resolution to refuse. The application is currently under appeal.

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:

- AM7 Consideration of traffic generated by proposed developments.
- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
 (i) Dial-a-ride and mobility bus services
 (ii) Shopmobility schemes
 (iii) Convenient parking spaces
 (iv) Design of road, footway, parking and pedestrian and street furniture schemes
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE18 Design considerations - pedestrian security and safety

BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
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BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.17	(2016) Health and social care facilities
NPPF7	NPPF - Requiring good design
NPPF8	NPPF - Promoting healthy communities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **13th March 2018**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application was consulted upon 3 times as the description of the development and the quantum of rooms had changed.

- between 29-11-2017 and 20-12-2017;
- between 14-12-17 and 11-01-2018;
- between 28-02-2018 and 21-03-18.

6 objections from neighbouring residents and a petition with 21 signatures was received to the application with the following comments:

Whilst the principle of use of the building as a care home is in itself acceptable it is unfortunate that the scale of the suggested development - whilst somewhat scaled down from the previous (withdrawn) Application - is nonetheless still too intensive a development for the following reasons :-

- a) Too many residents/bedrooms; requiring 24/7 staff in attendance and with some 14 bedrooms planned one envisages a staffing level of say 14, 4 of whom are likely to be part time.
- b) The noise impact upon on close neighbours from an environmental protection aspect will, in all probability, be excessive and un-neighbourly.
- c) Pressure on existing on-street parking, with insufficient planned 'on site' parking will exacerbate the already saturated parking in Canterbury Close; added to which there is a big demand for parking spaces in the immediate surrounding area during. The local school set-down and pick-up times. Add to this that it is most unlikely that all the care-home staff will use public transport and one has also to envisage visitors arriving other than by public transport.
- d) The geometry of the site leaves little room for the parking on site of any 'largish' vehicles, especially at the front.
- e) The overall increase in ' build, scale and design' added to the diminution of landscaping and an increase in the hardstanding at the front of the premises will be detrimental to the visual amenity.
- f) With reference to (f) above there will doubtless be a need to 'condition' the inclusion of extra

foliage/hedging so as to be in keeping with surrounding properties which have generous landscaped garden areas. There is also the question of the TPO tree.

g) As the No. 31 site slopes from back towards the front it will mean that disabled access will have to supplement the current front entrance steps which in itself will alter the front appearance adversely (e.g. by the addition of a ramp or some such).

Whilst the intent of the proposal may be laudable, the commercial interests have overridden the concerns expressed previously. For a proposal that states that it wishes to assist the integration of its residents back into the community, it is hard to see how this design facilitates that intent.

There are absolutely no communal facilities within the building, effectively isolating each resident within their own room which can hardly be desirable. Despite the Council's categorisation of poor public transport availability, the design ignores the PTAL 0 classification and apparently is relying on staff using bicycles and buses to reach their work. The residents of Canterbury Close already have 14 vehicles between them and use part of Canterbury Close to park their own vehicles. Additional vehicles from No 31 Frithwood Avenue will exacerbate the already limited parking. With this in mind, it is hard to envisage how commercial deliveries to No 31 will be able to enter/leave site without encroaching on the private drives of Canterbury Close residents and probably blocking access/egress to Canterbury Close when they make such deliveries. The situation during Frithwood Primary School opening/closing times will only make the situation even worse.

RECONSULTATION

3 further objection were received including an email to confirm the petition was relevant to amended scheme. The comments made are summarised as follows:

- The residents of Canterbury Close and Frithwood are confused as to why there is another planning application (Ref: 8032/APP/2017/4601);
- Concerns relating to noise;
- Concerns relating to the size and scale of the rear extension;
- Concerns relating to the comings and going of vehicles;
- Concerns relating to the loss of landscaping to the detriment of the local area; and
- Concern that this application is over development, would lead to vandalism and loss of privacy.

EPU

There are minimal environmental impacts and there should be consideration taken into account for the future occupants. These considerations can be dealt with by way of condition should you be mindful to grant this application.

HIGHWAYS

The application has been reviewed by the Highway Engineer who is satisfied that the proposal would not exacerbate congestion or parking stress, and would not raise any highway safety concerns, in accordance with policies AM2, AM7 and AM14 of the Development Plan (2012) and policies 6.3,6.9, and 6.13 of the London Plan (2016).

Internal Consultees

ACCESS OFFICER

This application for a part two storey, part single storey side/rear extension with associated with a Change of Use from Class C1 (Hotels) to Class C2 (Residential Institutions), presents a number of inconsistencies that need to be resolved before the application is allowed to progress.

The Design & Access Statement submitted in support of this application states that the facility will "support adults with cognitive impairments that are suitably reintegrated into the community...", However, the document also states "- our proposal is to convert the property into self contained units for the purposes of providing assessment and care services for people with early onset dementia.

The design and layout needed to support adults with cognitive impairments would be substantially different to that required to create a dementia-friendly environment. The information submitted presents inconsistencies on the intended use of the proposed extension. It is therefore not possible to fully assess the application from the accessibility perspective.

The application should be supported by evidence from the Care Quality Commission (CQC), demonstrating that the building, extension, and proposed design and layout are appropriate for the intended clientele. The unacceptable. A revised Design & Access Statement should be submitted, together with supporting evidence from the CQC on the suitability of the building and proposed extension.

HIGHWAYS

The proposal is for a change of use from a vacant 12 bedroom bed and breakfast (Use Class C1) to C3 extra care facility comprising 13 studio units. An unrestricted Use Class C3 would allow studios to be sold or rented to anyone. The trip generation and parking demand has been estimated using sample sites for care facilities from the TRICS database and not for a C3 residential use.

The site has a very low PTAL of 1b suggesting heavy reliance on car usage. Therefore for a residential use the applicant has failed to demonstrate that the trip generation and more importantly the demand for on site parking is sufficient to cater for the development.

Assuming a C2 use the TA advises that the trip generation is unlikely to have a material impact on the adjoining highway network. No objections are raised particularly when you take into consideration the permitted trips from the current lawful use.

Access to the 5 onsite parking spaces would be via two existing crossovers. The existing Census mode share for motorised vehicles is 59.6%. To provide robustness to the trips devised from the TRICS database a sensitivity test was carried out resulting in a parking demand of 4.2 vehicles during the 7.00 am to 2.30 pm shift. A maximum of 7 employees would be on site during this shift.

During shift changes there would be reliance on on-street parking in Frithwood Avenue. The TA says the staff for the remaining two shifts would park on Frithwood Avenue. Parking in Frithwood Avenue is only restricted between 1.00 and 2.00 pm on week days. There is also no dedicated on site parking provision for visitors which are expected, according to the TA, on weekends. The National Planning Policy Framework, Paragraph 32 stipulates that development should only be prevented or refused on transport grounds where the residual cumulative impact is severe. The availability of parking in Frithwood Avenue to meet the additional demand from the development both for staff and visitors ought to be quantified. As such the application as it currently stands cannot be supported on transport grounds.

Auto tracks have been provided to demonstrate satisfactory manoeuvrability of vehicles in and out of the on site parking spaces.

The applicant is to provide a dedicated vehicle for transporting residents and in the event of an approval this ought to be secured through a Section 106 agreement. There are no recorded accidents on the adjoining highway.

EPU

There are minimal environmental impacts and there should be consideration taken into account for the future occupants. These considerations can be dealt with by way of condition to meet standards in BS8233:2014 and control construction working hours.

TREES AND LANDSCAPING

Further to my previous comments, none of the earlier criticisms appear to have been addressed:

1. There is no attractive and usable amenity space indicated on plan.
2. There is no evidence to support a high quality landscape scheme or intention to replace removed trees (including the protected specimen in the front garden).
3. Both the front and rear gardens are dominated by hard surfacing for off-street parking.
4. There is wasted hard surfacing in the front garden due to the amount of manoeuvring space required to service two parking bays. - In reality it is likely that the area will be manoeuvring space will be double parked.
5. The proposed intensity of development and site use is detrimental to the character and appearance of the area.

RECOMMENDATION

The application should be refused. It fails to comply with saved policies BE23 and BE38.

REVISED COMMENTS

Further to my previous comments, none of the earlier criticisms appear to have been addressed:

1. There is no attractive and usable amenity space indicated on plan.
2. There is no landscape assessment within the D&AS and no evidence of a high quality landscape scheme or intention to replace removed trees (including the protected specimen in the front garden).
3. Both the front and rear gardens are dominated by hard surfacing for off-street parking.
4. There is wasted hard surfacing in the front garden due to the amount of manoeuvring space required to service two parking bays. - In reality it is likely that the area will be manoeuvring space will be double parked.
5. The proposed intensity of development and site use is detrimental to the character and appearance of the area.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposal is for a 13 studio units to provide domiciliary care which is a form of supported living (Use Class C2). The Design and Access Statement dated December 2017 states the proposal is for a regulated care home that will house residents with cognitive impairments arising from early onset dementia focusing on mental health and recovery. In a letter dated 5th January 2018 the agent notes that the individuals would have mental cognitive disorders and may have a dual diagnosis and sensory impairment, or may have a secondary health related issues. Residents may live at the facility for upto 24 months. In March 2018, the Agent submitted a subsequent method statement which notes the development would consist of '12 bed' care facility.

There are inconsistencies within the submitted information and the proposed floor plans and ambiguity as to how the care facility is proposed to be used. The most recent method statement sets out there are '12 rooms', however the proposed drawings show that the proposal provides '13 self contained units' (bathroom, bedroom, living and kitchen behind a door).

Extra care accommodation is defined within the Draft London Plan (2017) as self-

contained residential accommodation and associated facilities, designed and managed to meet the needs and aspirations of older people, and which provides 24-hour access to emergency support. A range of facilities are normally available such as a residents' lounge, laundry room, a restaurant or meal provision facilities, classes, and a base for health care workers. Domiciliary care will be available to varying levels, either as part of the accommodation package or as additional services which can be purchased if required.

The applicant has submitted supporting information relating to the type of care provided. The 'eligibility criteria' includes care provided for those with dual diagnosis mental health issues (which could include drug/alcohol/gambling addiction) who reside in 'self contained flats'. Further information provided notes that to be eligible for this type of care, the individual must be over the age of 18, must have the means to pay rent or be eligible for housing benefit. Within the same document, it discusses the need to provide accommodation that allows elderly people to remain independent and remain in their own homes for as long as possible with the right care package.

The supporting information notes four hours of care would be provided each day but later notes that the residents would live independently and make use of a care package as and when required. The information makes reference to various standards stipulated by the Care Quality Commission (CQC) which it notes the proposal meets. However this application is being judged on its planning merits rather than those stipulated by the Care Quality Commission.

The supporting information provided by the applicant is inconsistent. On the one hand it is proposed to be a facility to be used by those over the age of 18 with cognitive impairment or dual diagnosis and on the other hand the information used to argue the need for such a facility is for those with dementia and elderly care. Nevertheless, based on the proposed plans it is discerned the application could fall under Use Class C2. As such, the principle of the change of use from a Bed and Breakfast (Use Class C1) to an Extra Care facility (Use Class C2) could be considered acceptable subject to the applicant entering into a Section 106 agreement or Unilateral Undertaking securing the use as an extra care facility (Use Class C2) preventing the self contained units from being sold separately as individual self contained units or a form of bedsit accommodation.

7.02 Density of the proposed development

Not applicable to this development.

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

The proposal is not situated within a Conservation Area or an Area of Special Local Character. The site is situated to the north east of the Frithwood and Northwood Conservation Area. It is considered that the increase in car parking and hard surfacing to accommodate increased hard standing to provide car parking would detract from the character of the nearby Conservation Area.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Paragraph 64 of the NPPF (2012) states 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." London Plan Policy 7.1 sets out a series of overarching design principles for development in London and policy 7.6 seeks to

promote world-class, high quality design and design-led change in key locations. In addition to Chapter 7, London Plan policies relating to sustainable design and construction (5.3) are also relevant.

Policy BE13 of the Hillingdon Local Plan: Part Two (November 2012) states that new development will not be permitted if the layout and appearance fails to harmonise with the existing street scene or other features of the area which the local planning authority considers it desirable to retain or enhance. Policy BE19 of the Hillingdon Local Plan: Part Two (November 2012) seeks to ensure that development within existing residential areas complements or improves the amenity and character of the area. The design guide 'Residential Extensions' advises that extensions should always be designed so as to appear 'subordinate' to the original building.

Though the site is not situated within a Conservation Area, the immediate area is characterised by large family dwellings with generous landscaping to the front and large gardens to the rear. This site is situated on a prominent slope and is bounded by Frithwood Avenue to the south and Canterbury Close to the west and north. To the rear is an area of hardstanding accessed from Canterbury Close which is used for car parking. The proposed alterations include an extension to the rear at ground and first floor levels and enlargement of the roof space and dormers.

Finally, the existing plans do not show at second floor level whereas the proposal includes a lift upto the second floor. The submitted information fails to provide further details and there is significant concern that further massing would be added to the roofscape to accommodate the lift.

The ground floor level extension would comprise an extension with a depth of 6m and a width of 14.8m. The first floor extension is proposed to have a depth of 4.1m and width of 4.36m. The proposal also includes alterations to the roof extending the gable to sit flush with the rear extension at first floor level and the increase in size and width of the front and rear dormers. Although the existing house is of limited architectural merit, the number of external alterations and extension under this application would fail to appear subordinate to the original property. The proposed extension would result in the further loss of the rear garden retaining approximately 40sqm to be shared between 13 residents and staff.

Overall, the scale of the extensions proposed would fail to complement the design of the main house and would appear incongruous in the street scene, particularly when viewed from Canterbury Close. The further loss of the rear garden would detract from the character of the area. The proposal fails to accord with Policies BE13 and BE19 of the Local Plan: Part Two (November 2012).

7.08 Impact on neighbours

Policies BE20, BE21, BE22 and BE24 seek to ensure that the design of extensions does not have unacceptable impacts on the living conditions of neighbouring properties as regards daylight, sunlight, dominance and privacy. The policies are supported by the Hillingdon Design and Accessibility Statement: Residential Extensions.

Policy BE19 requires new development within residential areas to compliment the amenity and character of the area. The pre-amble refers to the cumulative effects of development. Policy OE1 states that planning permission will not normally be granted for uses and associated structures which are, or are likely to become, detrimental to the character or amenities of surrounding properties or the area generally, because of a number of potential reasons that are outlined. The reasons possibly applicable to this application would be;

appearance, noise and traffic generation and congestion.

The two storey rear extension does not breach a 45 degree line of No 33 Frithwood Avenue. As the main frontage of No.31 faces South West, the neighbouring property at No.33 would be located to the South East of No.31. As a result of the orientation there would be only a limited amount of sunlight to the garden to the rear of No.33. Loss of sunlight as a consequence of the extension would be very limited. It is considered that the proposal would not harm the amenity of neighbouring occupier through the loss of light nor would it have an over bearing impact. Should the application be considered acceptable, an obscure glazed window at first floor level would be required to avoid a perception of overlooking from first floor level given the proximity of the proposed window to the neighbouring garden.

7.09 Living conditions for future occupiers

With respect to the amended design of the scheme, the proposal is to provide units at ground, first and second floor levels with communal spaces located at ground floor level where they would be better accessed and activated.

The development provides 6 units at ground floor level, 4 units at first floor level and 3 units at second floor level. The outlook in units 6 and 9 would be poor given their siting and orientation where views will be dominated by a flank wall of the neighbouring property. There is concern relating to the headroom available in unit 11 at second floor level.

As this application falls under Use Class C2, there are no policy standards governing unit sizes, internal layout, outlook and living conditions.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policies AM7 and AM14 are concerned with traffic generation, road capacity, onsite parking and access to public transport. In particular AM7 (ii) advises that the Local Planning Authority will not grant permission for developments whose traffic generation is likely to prejudice the conditions of general highway or pedestrian safety. Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

Parking Provision

Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP policy states that new development will only be permitted where it is in accordance with the Council's adopted parking standards.

There are currently 5 parking spaces that serve the C1 use with 2 spaces located on the frontage and 3 to the rear accessed from Canterbury Close. This quantum is proposed to be retained but with the inclusion of 2 disabled spaces.

The proposed C2 use would demand up to 3 on-site parking provisions in order to accord with the Council's parking standard. The standard is based on a 'level of care' provision of 1 staff member per 3 residents. This 'level of care' assumption tallies with the proposal which suggests a maximum staffing level of up to a '7 staff attendance per shift' of which approximately 40- 50% would travel to and from the site by means other than by 'single occupancy' private motor vehicle journeys. In practice this would equate to 3-4 staff members travelling by private motor vehicle during any one shift period. This is considered a reasonable assumption based on Care Home staff profiles and established travel databases for comparable C2 uses in other locations.

The level of proposed on-site provision therefore marginally exceeds the Council's parking

standard as it now also includes 2 disabled compliant spaces situated on the frontage which may also be usefully utilised for short term ambulance parking when required. As the PTAL rating for the address is considered as low, this higher on-site provision is broadly welcomed as it will help discourage extraneous on-street parking to the benefit of the local highway network and community.

Cycling Provision

In terms of cycle parking there should be a provision of at least 1 secure and accessible space per 2 staff equating to 4 spaces in order to conform to the adopted minimum borough cycle parking standard. This calculation is based on a maximum of 7 staff per shift of a total of 13 enrolled staff (covering a 24 hour period). A suitable cycle store accommodating 4 cycle spaces has been depicted on-plan and is located to the side of the building which conforms to the Council's requirements.

Access Arrangements/ Internal Layout

There are two existing carriageway crossings emerging onto Canterbury Close which serve as vehicular access points to the front and rear of the address. These are to remain without alteration which is considered acceptable given the level and proposed arrangement of on-site parking provisions.

In parking layout terms there is conformity to the design principles contained within the Department for Transport's - Manual for Streets (MfS) (circa 2007) best practice document for new development road and parking layouts. This is welcomed as the frontage layout also allows for the arrival and departure of ambulances and service vehicles on an 'as and when' basis without impedance with vehicles being able to enter and leave the site in a forward gear which is the recommended practice on highway safety grounds.

There is conformity to the relevant visibility sight-line requirements at both access locations, in accord with MfS guidelines hence there are no envisaged highway safety related implications associated with this redevelopment. On the above premise the arrangement of parking provision and internal road layout are considered acceptable within the design context.

Trip Generation

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policy requires the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

On the basis of vehicle trip generation database evidence from established sources such as TRICS and TRAVL, it is expected that general activity would be relatively low given the 'dormant' nature of this type of C2 use.

A review of the TRICS database throughout the day time confirms the low use profile with an expected 'peak' mid-morning two-way movement of up to 4 vehicles with negligible activity for the remainder of the day. It is therefore considered that this level of trip generation can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

Operational Refuse Requirements

Refuse collection from the rear of the site envelope will continue via Canterbury Close. A satisfactory bin store location in proximity of the public highway has been depicted on plan and therefore conforms to the appropriate refuse 'collection distance' standard. There are no further observations.

Construction Logistics Plan (CLP) and Phasing Regime

Should the application have been considered acceptable, a full and detailed CLP will be a requirement given the constraints and sensitivities of the local road network in order to avoid/minimize potential detriment to the public realm. This would need to be secured under a suitable planning condition.

7.11 Urban design, access and security

The urban design aspects of this proposal has been covered elsewhere in the report.

7.12 Disabled access

Policy 7.2 of the London Plan (2016) notes expects design and access statements submitted with development proposals to explain how, following engagement with relevant user groups, the principles of inclusive design, including the specific needs of older and disabled people, have been integrated into the proposed development, whether relevant best practice standards such as British Standard BS 8300:2009 + A1:2010 have been complied with, and how inclusion will be maintained and managed.

The Design & Access Statement submitted in support of this application states that the facility will "- support adults with cognitive impairments that are suitably reintegrated into the community...", However, the document also states "- our proposal is to convert the property into self contained units for the purposes of providing assessment and care services for people with early onset dementia.

The design and layout needed to support adults with cognitive impairments would be substantially different to that required to create a dementia-friendly environment. The information submitted presents inconsistencies on the intended use of the proposed extension. It is therefore not possible to fully assess the application from the accessibility perspective. The proposal fails to provide clear and consistent information and therefore fails to provide accessible units to meet the needs of the future occupiers of the extra care facility.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Policy BE38 of the Local Plan: Part Two (November 2012) states amongst other things that development proposals will be expected to retain and utilise topographical and landscape features of merit. This application fails to retain and enhance the landscape merits of the site and therefore fails to comply with Policy BE38 of the Local Plan (November 2012).

The area to the rear of the building is currently split into car parking with substantial hard landscaping for two cars and a small garden space. This arrangement is uncommon along Fithwood Avenue where properties are characterised by generous front and rear gardens.

The proposal seeks to provide a large ground floor extension with a depth of 6m and a width of approximately 14m. This application would result in the further loss of usable amenity space and further detract from the characteristic of this area.

There is no requirement to provide external amenity space for Bed and Breakfast uses,

nonetheless the small remaining rear garden area will appear incongruous and appear uncharacteristic in the context of the surrounding streetscene detrimental to the character and appearance of this residential area, contrary Policies BE23 and BE38.

7.15 Sustainable waste management

The proposal would not alter the development in terms of waste management or storage.

7.16 Renewable energy / Sustainability

Not applicable to the determination of this application.

7.17 Flooding or Drainage Issues

Not applicable to the determination of this application.

7.18 Noise or Air Quality Issues

Not applicable to the determination of this application.

7.19 Comments on Public Consultations

Responded to elsewhere in the main body of this report.

7.20 Planning Obligations

Not applicable to the determination of this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

This application was lodged for a non determination appeal on 22-05-2018 despite extensive history of the planning officer working with the applicant to resolve outstanding issues. The applicant communicated over the phone in early May and in writing that a subsequent application would be submitted on 17-05-2018. Based on the conversation with the planning officer, it is understood that the subsequent application would be merely for the change of use without external alterations to the building. The information submitted and communicated with the Council has been inconsistent and unclear.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

The application is for a part two storey, part single storey side/rear extension, enlargement of roofspace involving alterations to elevations and change of use from a Bed and Breakfast (Use Class C1) to extra care facility comprising 13 extra care units (Use Class C2).

There is no objection to the principle of the use of the building as an extra care facility and the extension. It is also noted that the number of extra care units are reduced from 17 to 13 since application ref: 8032/APP/2017/1671 which was withdrawn in September 2017. However, there is concern that the units could be used individual substandard residential units or a form of bedsit accommodation, as such the failure to enter into a legal agreement or sign up to a unilateral undertaking to secure the site as an extra care facility would have been a reason for refusal.

This application also fails to meet the accessibility requirements to meet the needs of its future residents. The benefits proposed do not outweigh the harm and the application fails to provide justification that there is an overwhelming need to justify a cramped and

inaccessible layout.

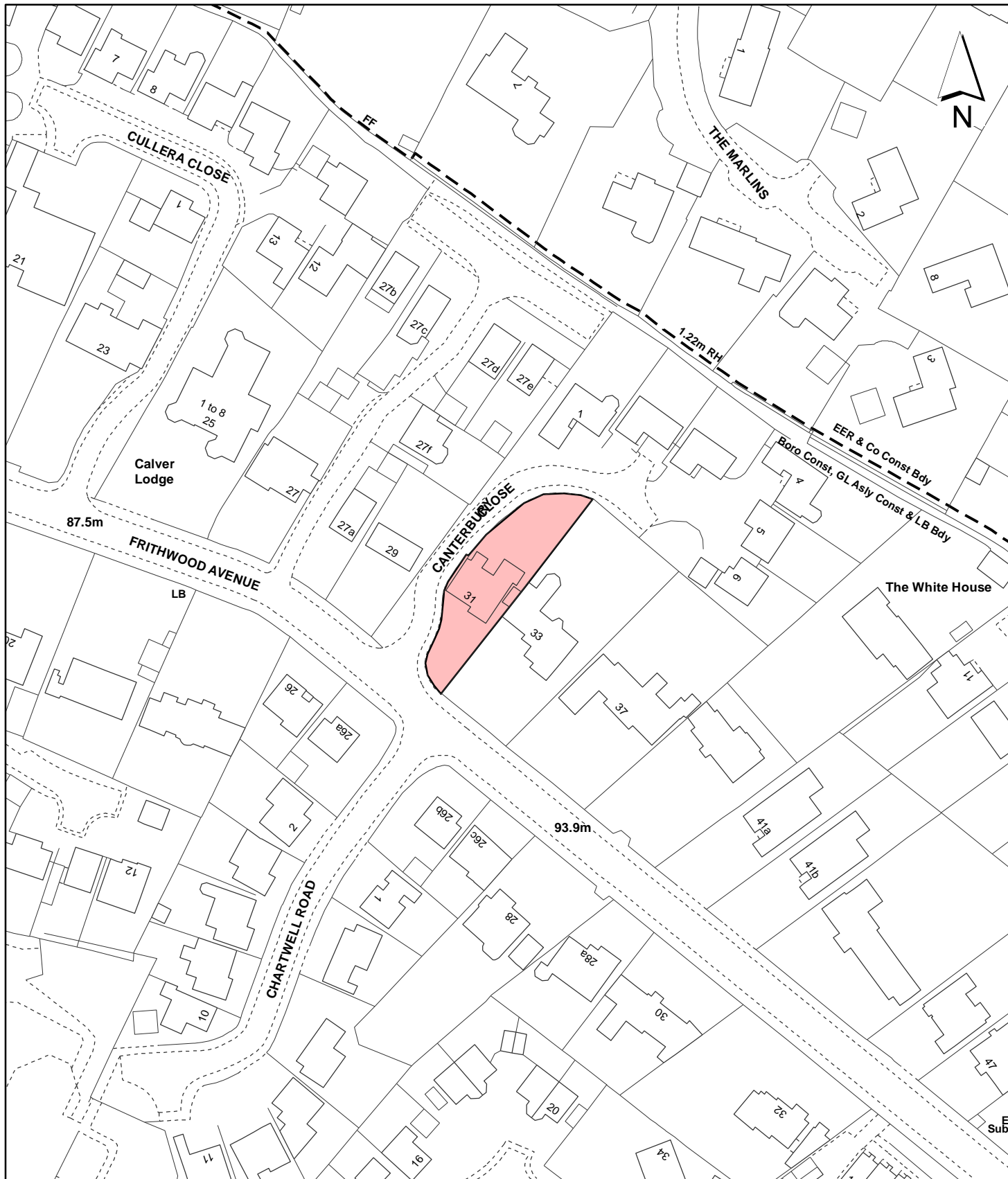
Due to the number of extensions, size, scale, depth would significantly alter the proportions of the original property and would fail to remain subordinate to the host building, would be detrimental to the character and appearance of the area and result in a further loss of the garden contrary BE20, BE21, BE22, BE23, BE24 and BE38 of the Local Plan: Part Two (November 2012). Should the Committee have been making a decision on the application, the recommendation would have been for a refusal.

11. Reference Documents

The Hillingdon Local Plan: Part 1 (November 2012)
Hillingdon Local Plan: Part 2 (November 2012)
London Plan (2016)
National Planning Policy Framework (2012)

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Notes



Site boundary

For identification purposes only.

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Site Address

31 Frithwood Avenue

Planning Application Ref:

8032/APP/2017/3739

Planning Committee

North Application

Scale

1:1,250

Date

June 2018

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