

Report of the Head of Planning, Transportation and Regeneration

Address WOODLANDS CARE HOME 84 LONG LANE ICKENHAM

Development: Extension to the existing care home to provide 14 new rooms.

LBH Ref Nos: 74274/APP/2019/1180

Drawing Nos: 4973-7B
4973-6D
4973-5E
4973-4D
4973-8
4973-1C
4973 Design and Access Statement for 84 Long Lane
4973 -2B GROUND FLOOR PLAN AS EXISTING
4973 -3A FIRST FLOOR PLAN AS EXISTING
4973 -I

Date Plans Received: 05/04/2019 **Date(s) of Amendment(s):** 14/05/2019
Date Application Valid: 05/04/2019 05/04/2019

1. SUMMARY

The application seeks planning permission for the erection of an extension to the existing care home to provide 14 new rooms.

It is considered that the proposed extension would fail to respect the character and appearance of the existing building and the wider Conservation Area and would significantly impact on the amenity of the occupiers of no. 83 Long Lane. The proposal is therefore recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed extension, by reason of its size, scale, bulk and design, would fail to harmonise with the architectural composition of the original building, would be detrimental to the character, appearance and visual amenities of the street scene and would fail to either preserve or enhance the character or appearance of the surrounding Ickenham Village Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies DMHB 1 and DMHB 4 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019), Policy 7.8 of the London Plan (2016) and the NPPF.

2 NON2 Non Standard reason for refusal

The proposed development, by virtue of its siting, size, scale and proximity, would be detrimental to the amenities of the occupiers of no. 82 Long Lane by reason of visual intrusion, loss of outlook and loss of privacy. Therefore the proposal would be contrary to Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP

Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

INFORMATIVES

1 159 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.

2 171 LBH worked applicant in a positive & proactive (Refusing)

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 'Saved' UDP 2007, Local Plan Part 1, 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 site covers an area of approximately 0.15ha situated on the western side of Long Lane. It currently comprises 2 detached two storey buildings set back approximately 12m from the road. The southern most building no 84 is a larger building, extended with a two storey flat roofed extension to the rear and accommodates the care home with existing 18 rooms. To the northern side is no. 84a, formerly a family house, which is now used as a Day Care Centre and offices for the managers. To the rear there is a large area of open space providing a landscaped garden area and a gravelled car park. There is also a smaller storage building and a portacabin. To the front of the buildings the area is laid to hardstanding providing 10 visitor parking spaces. It is bound to the north, east and west by residential properties. To the south is The Douay Martyrs Catholic Secondary School.

The site is within the Ickenham Village Conservation Area and the Developed Area as identified in the Hillingdon Unitary Development Plan (UDP) (November 2012).

3.2 Proposed Scheme

The proposal is for the erection of a two storey rear extension to provide an additional 14 bedrooms to the existing care home.

3.3 Relevant Planning History

74274/PRC/2018/247 Woodlands Care Home 84 Long Lane Ickenham

Extension of the existing care home to provide 13 new rooms

Decision: 20-03-2019 NO

Comment on Relevant Planning History

Pre-application advice was sought for this proposal.

4. Planning Policies and Standards

The Local Plan Part 2 Draft Proposed Submission Version (2015) was submitted to the Secretary of State on 18th May 2018. This comprises of a Development Management Policies document, a Site Allocations and Designations document and associated policies maps. This will replace the current Local Plan: Part 2 - Saved UDP Policies (2012) once adopted.

Modifications (SOPM) which outline the proposed changes to submission version (2015) that are being considered as part of the examination process.

Submission to the Secretary of State on 18th May 2018 represented the start of the Examination in Public (EiP). The public examination hearings concluded on the 9th August 2018. The Inspector submitted a Post Hearing Advice Note outlining the need to undertake a final consultation on the updated SOPM (2019) only. The Council undertook this consultation between 27th March 2019 and 8th May 2019. All consultation responses have been provided to the Inspector for review, before the Inspector's Final Report is published to conclude the EiP process.

Paragraph 48 of the NPPF (2019) outlines that local planning authorities may give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

On the basis that the public hearings have concluded and the Council is awaiting the final Inspector's Report on the emerging Local Plan: Part 2, the document is considered to be in the latter stages of the preparation process. The degree to which weight may be attached to each policy is therefore based on the extent to which there is an unresolved objection being determined through the EiP process and the degree of consistency to the relevant policies in the NPPF (2019).

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:

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

BE4 New development within or on the fringes of conservation areas

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
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.
DMHB 11	Design of New Development
DMHB 4	Conservation Areas
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **23rd May 2019**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

16 neighbours and the Ickenham Residents Association were consulted for a period of 21 days expiring on the 11 May 2019. 2 responses were received raising the following issues:

- Loss of privacy, we request adequate privacy screen/visual barrier is proposed
- Increased noise, particularly from the lounge/dining room and the garden area
- Increased risk of flooding, appropriate drainage of rain water should be provided
- Lack of consultation with residents and their families
- Loss of vital garden amenity area to the detriment of the existing occupiers, resulting in a negative impact on their quality of life
- Parking is already a problem for staff and visitors, this will make it far worse

A petition in support of the proposal was also received.

Ickenham Conservation Area Panel - No response

Thames Water - No objection.

Internal Consultees

Conservation and Urban Design - Woodlands Care Home is situated in the Ickenham Village Conservation Area (CA) and in the setting of the locally listed Douay Martyrs School. It is comprised of what appears to be a much altered and extended converted dwelling with an associated Day Centre, formerly a family home, which shares the same site. It is currently considered to be a negative contributor to the CA, in need of enhancement within the street scene.

A strong characteristic of Ickenham Village CA is its village character. Although there are some areas less village like than others, this is a major characteristic to be supported against erosion over time. Retaining a strong sense of verdant space is extremely important in this goal. This makes the visual gaps between buildings and the scale of the building(s) within the context of their plot and setting very important.

The existing Care Home building is already very large within its plot, most of its domestic character has gone and its garden character is lost to car parking. The proposed extension to the rear would completely block the visual gap between the Care Home and its Day Centre. The proposal is therefore considered unacceptable due to both its scale and location, as it fails to preserve or enhance the CA or the setting of the locally listed building.

The amenity of the public realm is not the only consideration, the amenity of the care home residents and surrounding properties is also to be considered and the loss of verdant space caused by these proposals will also affect their private experience of the CA.

The NPPF 2019, paragraph 193, states:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 196, states:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The applicant proposes a social need for this proposed development, that there is local demand for more elderly, particularly dementia, care beds. However, no actual evidence has been presented and an objection has been raised to the contrary from the Head of Direct Care Provision at Hillingdon Council.

Also to be considered is that, should there indeed be a social need for increased elderly care provision; is this the only location available and is this location the most appropriate given the loss of amenity to the existing residents?

Recommend refusal.

Officer Response: Revised plans were received to try to address the comments by the Conservation Officer, who has advised that the changes do not address their concerns.

Additional Design & Conservation Comments 23/09/2019

The site is located within the Ickenham Village Conservation Area. Ickenham has developed from its origins as a rural village, particularly from the influence of Metroland development in the 1930s however its historic village core is still identifiable and is a positive contributor to the conservation area. Settlements based around historic villages are common within Hillingdon and the neighbouring Ruislip Village Conservation Area is very similar to Ickenham in relation to how it has grown overtime. The development of an area can be defined by various characteristics which in turn contribute to the overall character, appearance and significance of an area. The application site in this instance is located with the residential character area, defined by its garden suburb appearance.

The original dwelling dates from the mid-1930s and comprised of a modestly sized residential

dwelling with a long rear garden. It forms part of the housing development on land formerly associated to the Swakeleys House estate. The area was developed in a manner where properties were orientated to face the road with their rear gardens set behind,

allowing for a green verdant open setting to the dwellings. Properties were designed with individual characteristics however in a garden suburb style reflecting the Metroland aesthetic. Whilst overtime the amount of development has somewhat intensified with some garden areas becoming smaller by the creation of cul-de-sacs in the 1970s, the garden suburb appearance and layout of the Swakeleys area is still identifiable. This character positively contributes to this part of the conservation area.

The original dwelling of the site has been noticeably altered and extended overtime. The addition of a two storey built form to the north of the original dwelling and the large rear extension has significantly increased the development nature of the site. Whilst the site, as existing intends of sitting quietly along the street scene, taking onto account the alterations to the original building and site it is considered a negative contributor to the conservation area. The site would benefit from enhancement however this would need to be appropriately proposed and reflect the character and appearance of the conservation area.

Assessment - Impact

The existing built form already takes up a significant portion of the site and part of the rear garden is occupied by car parking. The proposal would develop the remaining open space on the site leaving small pocket gardens. It would dramatically intensify the developed nature of the site and would fail to relate to the residential pattern of development.

The definable character of Ickenham and particularly this location is suburban, the proposal would result in a site much more urban in character with the loss of the green, verdant space to the rear. This site originally comprised of a small dwelling with ample gaps either side, providing views through from the street scene. Whilst this has been degraded to some degree by the development of the adjacent building to the north, the sense of openness can still be appreciated via the small gap between the buildings. Even though the rear addition would be set well within the site, the gap view between the existing two built masses would be lost resulting in built form stretching across all aspects of the site.

It would be inappropriate to compare the application site to the neighbouring school site to the south. The school site is much larger in size and whilst the arrangement of buildings sprawls towards the rear, it reflects the institutional nature of the site and its historic development.

Precedents of poor design and over development should not be followed particularly within Conservation Areas. The development would add to existing, detracting elements and would fail to take an opportunity to enhance the character and appearance of the site and the contribution it makes to the conservation area. The sprawling nature of the proposal would be considered inappropriate for this site. It would further exacerbate the detracting elements of the site.

It is felt that the purpose of the proposal could be achieved to a lesser extent of harm on the historic environment, which would not only better preserve and enhance the conservation area however it would have the potential to provide better 'fit for purpose' facilities.

The proposal would fail to relate to the residential pattern of development.

5 Conclusion: Objections, recommend refusal The proposal would be considered harmful to the character and appearance of the conservation area. It would result in a severe over development of the site in an inappropriate manner. It is important new development provides a positive contribution to the amenity of the surrounding area and improvement to the existing streetscape, paragraph 64 of the NPPF states that 'Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of the area'.

In accordance to the Planning (Listed Buildings and Conservation Areas) Act 1990 the proposal would fail to preserve or enhance the character and appearance of the conservation area in this instance. In terms of the NPPF it is felt that the optimum viable use of the site could be better explored and achieved, which would be beneficial to the surrounding environment and social service that is being provided.

Highways - The site consists of an existing care home comprising of 18 rooms with 10 parking spaces on the property frontage. It is proposed to increase the number of rooms by 14 within a new build located to the rear of the site envelope. The application has been reviewed by the Highway Authority who are 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).

Access Officer - Given the nature of this proposed development as a care home for people living with dementia, the en-suite bathrooms should be fully accessible and adaptable and otherwise designed in accordance with the prescribed standards set out in BS 8300-2:2018, sub clause 18.2. An assisted bathroom should also be incorporated to ensure that the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 15, and the care and support of people living with dementia can be delivered successfully. The Design & Access Statement should demonstrate how meeting the need of people with care and support needs has informed the design of this proposed development. Conclusion: further details and revised plans should be requested.

Direct Care Provision - I am writing to advise that from a Social care view we would not support this application for an extension to their capacity. Our commissioning strategy is to support service users to remain as independent within their own homes and where this is not possible we would be looking at other resources such as Extra Care facilities in the first instance to provide care & support.

The current provision in the Borough for where residential care is required is sufficient to meet the needs of those who are require this level of support and therefore we would not be commissioning these services.

Officer response: The petition in support of the proposal was submitted along with additional information of need. The Head of Direct Care Provision has advised that there are no further objections to this application.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012), where there is no objection in principle to the extension of the building subject to compliance with the relevant policies set out the Hillingdon Local Plan: Part 2 - Saved UDP Polices (November 2012) and the Hillingdon Design and Accessibility Statement (HDAS) Residential Extensions.

7.02 Density of the proposed development

Not applicable to this proposal.

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

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. Policies BE5, BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area."

Policy DMHB 4 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) advises that within Conservation Areas new development will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significant and make a positive contribution to local character and distinctiveness. Furthermore Policy DMHB 11 advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The proposed two storey extension would sit behind the existing care home and would measure 18.65m in width and 8.65m in depth set beneath a hipped roof of 7.55m in height, the same as the existing building. This would be linked to the existing flat roofed extension with additional flat roofed extension of 2m in depth and 6.25m in width. There are also two single storey side rear extensions to the new two storey element, which would measure 10.3m in depth and 5.78m in width and 7.08m in depth and 10 in width set beneath flats of 3m in height.

This is a substantial addition to the rear of this property and the Conservation officer has advised that a strong characteristic of Ickenham Village Conservation Area is its village character. Although there are some areas less village like than others, this is a major characteristic to be supported against erosion over time. Retaining a strong sense of verdant space is extremely important in this goal. This makes the visual gaps between buildings and the scale of the building(s) within the context of their plot and setting very important.

The existing Care Home building is already very large within its plot, most of its domestic character has gone and its garden character is lost to car parking. The proposed extension to the rear would completely block the visual gap between the Care Home and its Day Centre. The proposal is therefore considered unacceptable due to both its scale and location, as it fails to preserve or enhance the Conservation Area or the setting of the adjacent Douay Martyrs School, a locally listed building.

The applicant has sought to argue that the need for the development should be taken into consideration. The Council's Head of Direct Care provision is saying that the Council has a strategy in place to meet the local need. Arguments regarding national need for private care home provision are not considered to outweigh the harm to the Conservation Area.

As such, it is considered the proposed extensions would fail to respect the character and appearance of the original building and the wider Conservation Area and would fail to comply with the requirements of policies BE 4, BE13, BE15 and BE19 of the Hillingdon Local Plan (November 2012) and Policies DMHB 4 and DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies.

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

As detailed within the impact on the Conservation Area.

7.08 Impact on neighbours

Policy 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).

The proposed building is set back behind the existing buildings to the front. The nearest residential properties to the rear are nos. 17 and 19 Gilbey Close, which would be separated by approximately 26m from the two storey element of the proposal. To the south are the adjacent school buildings whilst to the north no. 82 is separated by approximately 19.4m. This property is set at a slight angle (approximately 10 degrees) to the application site, orientated towards the shared boundary. It has two first floor rear windows which would appear to be within a 45 degree line of sight with the nearest bedroom window of the extension at a distance of approximately 20m and 20.6m.

It is therefore considered that the proposal would result in an unneighbourly form of development, which due to its siting, scale and proximity would result in an overbearing impact and loss of privacy to the neighbouring occupiers. Therefore the proposal would fail to comply with the requirements of policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies November 2012) and Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts.

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 AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

The Highways Officer has advised that there are currently 10 on-plot parking places as shown within the submission. The Council's standard requires 1 space per 4 residents to be provided for a care home use. Hence for the additional 14 rooms this would therefore equate to a figure of 3-4 additional on-plot parking space provision.

The standard has been met with 4 additional on-plot spaces achieved by adding an additional space to the bank of 7 parking bays on the frontage immediately perpendicular to the highway with 3 new 'in-tandem' bays positioned within an access way which forms a pedestrian connection to the rear of the site where the new build would house the proposed 14 units. There is no objection to the 'in-tandem' arrangement in principle as the care home has full control over its use which would be managed accordingly however its placement does somewhat inhibit pedestrian movement to and from the rear of the site to some degree. However it is acknowledged that such pedestrian movement will be limited in extent and therefore this is not considered as a major issue. It is presumed that the new building will require an element of servicing which the parked vehicles may also hinder. Again, as these 3 spaces would be used by staff/visitors to the care home, they would be

empowered to regulate their usage accordingly in order to properly facilitate any required servicing.

Notwithstanding the above, it is considered reasonable to demand a service delivery plan secured via planning condition in order to help ensure a properly managed on-plot arrangement which would also help placate any potential undue impacts on the public highway.

In terms of cycle parking there should be a provision of 1 secure and accessible space per 2 staff. There are no cycling provisions at present and it is proposed to provide 8 spaces which would comfortably cater for the existing 18 and additional 14 room proposal which demands up to 6-7 on-site employees. The 8 spaces are acknowledged within the submission but without detail. As a consequence this provision should be secured via an appropriate planning condition.

Therefore subject to suitable conditions the proposal is considered acceptable and in compliance with policies AM7 and AM14 of the Hillingdon Local Plan (November 2012).

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 Access Officer has advised that given the nature of this proposed development as a care home for people living with dementia, the en-suite bathrooms should be fully accessible and adaptable and otherwise designed in accordance with the prescribed standards set out in BS 8300-2:2018, sub clause 18.2. An assisted bathroom should also be incorporated to ensure that the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 15, and the care and support of people living with dementia can be delivered successfully. The Design & Access Statement should demonstrate how meeting the needs of people with care and support needs has informed the design of this proposed development.

7.13 Provision of affordable & special needs housing

Not applicable to this proposal.

7.14 Trees, Landscaping and Ecology

The proposal would result in the loss of the hedgerow currently bordering part of the rear garden area. No trees of merit are sited within the rear of the premises and there would be no impact on trees adjacent to the site. A planning condition for tree protection measures and landscaping could be conditioned for provision if all other aspects of the proposal were considered acceptable.

7.15 Sustainable waste management

Had the application been recommended for approval a condition would have been imposed requiring details of refuse storage to be provided prior to the commencement of development.

7.16 Renewable energy / Sustainability

Not applicable to this proposal.

7.17 Flooding or Drainage Issues

No drainage issues are considered to arise from the proposed development.

7.18 Noise or Air Quality Issues

No noise or air quality issues are considered to arise from the proposed development. Had

the application been recommended for approval a condition would have been imposed requiring details of SUDS measures to be provided prior to the commencement of development.

7.19 Comments on Public Consultations

Concern has been raised over the loss of the garden area to the detriment of the existing occupiers, resulting in a negative impact on their quality of life. There are no specific standards for amenity space provision for this type of development. Currently the care home has a soft landscaped garden area of approximately 262sqm. The proposed plans identify that there would be 2 areas of amenity space provided, with a total area of approximately 193.5sqm. Although this is a reduction in overall space, this would still provide a usable outdoor amenity area, which with good landscaping should ensure an acceptable quality of life for the residents.

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.

7.21 Expediency of enforcement action

Not applicable to this proposal.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The

obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

Not applicable

10. CONCLUSION

The proposed design and scale of the proposal is considered to fail to respect the character and appearance of the original building and the wider Conservation Area and would 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.

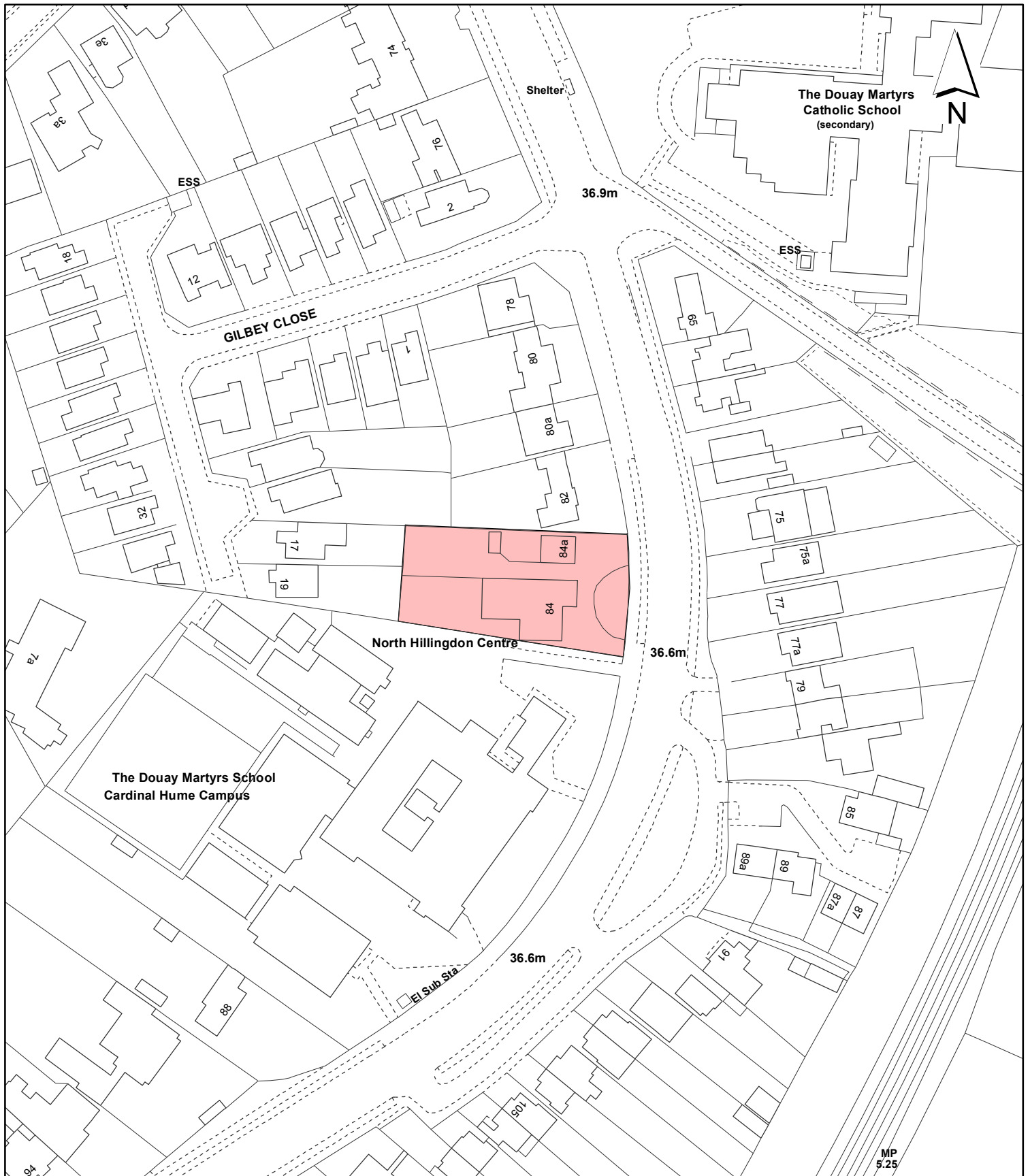
The London Plan (July 2016).

Supplementary Planning Document HDAS: Accessible Hillingdon.

National Planning Policy Framework.

Contact Officer: Liz Arnold

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**Woodlands Care Home
 84 Long Lane**

Planning Application Ref:
74274/APP/2019/1180

Planning Committee:
North

Scale:
1:1,250

Date:
November 2019

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 01895 250111



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