

Report of the Head of Planning, Transportation and Regeneration

Address 16 MURRAY ROAD NORTHWOOD

Development: Two storey rear extension with habitable roofspace to allow for conversion of ground and first floor from part Use Class C3 (Dwellings) and part Class D1 to Class D1 (Non-Residential Institutions - Nursery) and addition of rear dormer to allow for conversion of second floor into 2 x 1-bed self-contained flats.

LBH Ref Nos: 4626/APP/2019/629

Drawing Nos: Heritage Report
5618 - PL101
Tree survey
Tree Schedule
Arboricultural Impact Assessment
5618-PL100
5618 - PL102 D
Heritage Statement

Date Plans Received: 22/02/2019 **Date(s) of Amendment(s):** 12/09/2019

Date Application Valid: 28/02/2019 22/02/2019
13/08/2019

1. SUMMARY

The property is located within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). This proposal is for the erection of two storey rear extension with habitable roof space, including a rear dormer window and the change of use from part class C3 (dwelling) and D1 (non residential) to D1 use for the ground and first floor and the creation of 2 x 1 bed flats at second floor.

The proposal would result in the net loss of residential floorspace and has failed demonstrate that the proposed community facility is required to serve the local demand. The proposed extension would be an overly large and incongruous addition to the original property, which would fail to respect the architectural character of the original dwelling, the group of three of which it forms a part and the wider Conservation Area. The proposed flats would afford an unsatisfactory living accommodation for future occupiers and would be detrimental to the amenity of the neighbouring occupiers at no. 18. As such the proposal is considered not to comply with the relevant policies contained in the Local Plan: Part Two - Development Management Policies (2020) and therefore the proposal is recommended for refusal.

A petition against the proposal has been received.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal would result in the net loss of residential floorspace contrary to the requirements of policy DMH 1 of the Local Plan: Part Two - Development Management Policies (2020).

2 NON2 Non Standard reason for refusal

The proposed rear extension and raising of the roof height, by reason of its size, scale, bulk and design would be an intrusive addition to the property which would fail to harmonise with the existing character of the original dwelling, the group of three properties of which it forms a part and the wider street scene. The proposal therefore fails to either preserve or enhance the Northwood Town Conservation Area and would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 4, DMHB 11, DMHB 12 and DMHD 1 of Local Plan: Part Two - Development Management Policies (2020).

3 NON2 Non Standard reason for refusal

The proposal would provide an indoor living area of an unsatisfactory quality for the future occupiers of the proposed dwellings and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policy DMHB 16 of the Local Plan: Part Two - Development Management Policies (2020) and Policy 3.5 of the London Plan (2016).

4 NON2 Non Standard reason for refusal

The proposed two storey rear extension by virtue of its height and proximity, would be detrimental to the amenities of the adjoining occupiers at no. 18 by reason of overdominance, loss of outlook and loss of light. Therefore the proposal would be contrary to Policies DMHB 11 and DMHD 1 Local Plan: Part Two - Development Management Policies (2020).

5 NON2 Non Standard reason for refusal

The proposed development, by virtue of its failure to provide usable quality amenity space would result in an over-development of the site detrimental to the residential amenity of future occupiers. The proposal is therefore contrary to Policy DMHB 18 of the Local Plan: Part Two - Development Management Policies (2020).

6 NON2 Non Standard reason for refusal

The proposed development has failed to demonstrate that unacceptable levels of noise and disturbance to surrounding residential occupiers would not occur. In the absence of any noise surveys or noise mitigations measures, the proposed development is considered to result in noise and disturbance to the detriment of the amenity of adjoining occupiers, contrary to Policy DMHB 11 of the Local Plan: Part Two - Development Management Policies (2020).

7 NON2 Non Standard reason for refusal

The proposed use of the premise as a day-nursery does not provide adequate onsite car parking, on-site pickup and drop off facilities to the detriment of child safety and fails to have regard to existing highway and pedestrian safety concerns. The proposed use would result in an increase in parking stress on the local highway network and surrounding area which is already subject to considerable pressure and would create an environment that would present considerable hazard to pedestrians and will be disruptive to residents of neighbouring dwellings. The proposed use is therefore in conflict with Policies DMT 1, DMT 2 and DMT 6 of the of the Local Plan: Part Two - Development Management Policies (2020) and Policies 6.10, 6.13, 7.4 and 7.5 of the London Plan (2016).

INFORMATIVES

1 I59 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 policies in the Local Plan: Part Two - Development Management Policies (2020), 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 is occupied by a detached two and a half storey building which is currently in residential use, with planning history showing that part of the ground floor had been used as a veterinary clinic in the past and, more recently, as a space for providing catering tutorials.

The building is L-shaped with a hipped end lateral roof and a gable ended roof running perpendicular to this. The elevation walls are predominantly finished in red brick. There are prominent ground and first floor level bay windows on the building frontage, which is set well back from the street with a hard surfaced parking area provided to the front. A sizeable two-storey flat roof extension, which includes bay windows, has been added to the rear as well as a modestly sized single-storey lean-to style extension. It appears that these extensions were made prior to 1948, when the Town & Country Planning Act first came into effect. The rear amenity space includes a hard surfaced terrace area adjacent to the building, with the majority of the space being a lawn. Site boundaries are marked by mature landscaping.

The site is located on a residential road that is characterised by large, detached two and three - storey buildings that are set well back from the road, on deep plots. The level of set back is uniform and creates a strong building line. The presence of mature landscaping both within plots and in the form of street trees softens the visual impact of built forms and generates a verdant character and appearance to the street. Gaps to the side of buildings are minimal and as a result, views to the rear of buildings are limited. Extensions to the rear of buildings, both single and two-storey, are a relatively common feature whilst side and front elevations are largely unmodified.

The majority of buildings on the road are single dwellings or contain flats although there is a Doctor's Surgery and a Synagogue nearby. At the end of the road, to the north of the site, is Northwood Town Centre and Primary Shopping Area. Northwood Underground Station is sited within the Town Centre, approximately 200 metres walking distance from the site.

The application site lies within the Northwood Town Centre Conservation Area and the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). The site is also covered by TPO483.

3.2 Proposed Scheme

This application seeks permission for the erection of a two storey rear extension, the extension of the roofspace including a rear dormer and the conversion of the lost space to provide 2 x 1 bed flats. The proposal also includes the change of use of the ground and first floor from C3 residential with a small element of D1 (non residential use) to form a D1 Nursery.

3.3 Relevant Planning History

4626/APP/2018/1772 16 Murray Road Northwood

Part two storey, part single storey rear extension, extension to roofspace and change of use from Use Class C3 (Dwellings) to Use Class D1 (Non Residential Institutions - Nursery)

Decision: 26-10-2018 Withdrawn

4626/B/83/0811 16 Murray Road Northwood

Change of use from res. to veterinary surgeon on part of ground floor.

Decision: 06-09-1983 Approved

4626/C/98/0027 16 Murray Road Northwood

Change of use from veterinary surgery to tuition room for catering purposes, languages, terminology etc.

Decision: 15-09-1998 NFA

4626/PRC/2018/51 16 Murray Road Northwood

Part single, part two-storey rear extension and Change of Use from part use class C3, part D1 to a nursery (Use Class D1)

Decision: 13-06-2018 OBJ

Comment on Relevant Planning History

A 1983 approval was granted for the change of use of part of the ground floor from residential to a Veterinary surgery.

Pre-application advice was also sought in regard to the current proposal. This advised that overall, there are concerns with regards to the loss of the residential unit on this site which is contrary to the councils position which is to retain residential units. There are a number of policies which confirm the council's position to refuse applications to convert residential units into non-residential institutions of this kind. If an application is submitted, careful consideration needs to be given to support the proposed loss of the residential unit and the design of any development to ensure that it does not have a detrimental impact on the character of the area, streetscene, residential amenity, the local highway network or pedestrian safety.

A subsequent application failed to address this and was withdrawn before a decision was issued.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

DMH 1 Safeguarding Existing Housing

DMH 2 Housing Mix

DMH 4 Residential Conversions and Redevelopment

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

DMHB 4 Conservation Areas

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP 3.3 (2016) Increasing housing supply

LPP 3.4 (2015) Optimising housing potential

LPP 3.5 (2016) Quality and design of housing developments

LPP 3.8 (2016) Housing Choice

LPP 6.13 (2016) Parking

LPP 6.10 (2016) Walking

LPP 7.4 (2016) Local character

LPP 7.5 (2016) Public realm

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **3rd April 2019**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

12 neighbours and the Northwood Residents Association were consulted for a period of 21 days

expiring on the 26 March 2019. A site notice was also erected to the parking sign at the front of the building. 14 responses were received raising the following issues:

- Increased traffic problems on the road
- Increased noise pollution
- Loss of light
- Loss of sunlight
- Loss of views
- No details of no. of children or provision for set-down/pick up areas
- Out of keeping with the character of the conservation area
- Scale and design of the proposal detrimental to the character and appearance of the building
- Loss of a large residential dwelling
- Nursery not necessary
- The previous non residential use was very minor in scale compared to the house as a whole, this should continue to the case
- Overshadowing
- Loss of privacy
- Over development of the original property
- Loss of front landscaping to accommodate parking detrimental to the historic look of the road
- Inappropriate location for a nursery
- Visual intrusion and loss of outlook
- The applicant states that the hours of opening are relevant but has not provided opening hours
- Loss of hedges to the front to provide cycle shed and parking
- Entry and exit from the site hazardous due to limited sight lines
- Application would create similar issues to the previously refused scheme at no. 11
- Discrepancy on vehicle parking. They state 5 existing spaces and 5 proposed but the plans show 4 spaces
- Does not advise equivalent full time staff
- Contrary to national and local policy
- No number of children
- Deeds have a restrictive covenant which would prevent me operating such a business
- Further to the applicant's ttp consulting Parking Review, I have carried out my own brief survey. Ttp should have uses the section of Murray Road between it junction with Maxwell Road and Elgin Close. There are 28 allocated parking spaces, one of which is for disabled use. Over 2 weeks there are never more than 3 vacant spaces except during the prohibited time period. More important is the rate of traffic flow along the single lane between parked vehicles. Random spot checks over a 2 week period show that on average a vehicle passes 16 Murray Road every 22.78 seconds a obviously a considerable hazard

A petition against the proposal has also been received.

Internal Consultees

Conservation Officer -

Despite attempts by the MOLA Heritage Statement to argue that the impact of the proposal is neutral, their argument is found to be unconvincing and it is felt that the amended plans will still have a negative impact on the conservation area. This is due to the disproportionately out of scale design, alterations to the front elevation that impact on the relationship with number 18 and 20 and the visibility of the proposal in the gap between numbers 16 and 18 and the impact that the change of use would have on this historically residential road. Refusal is recommended.

Officer response: MOLA produced additional comments following on from their Heritage Statement. The Conservation Officer responded as follows:

The proposal remains too large. This has consistently been pointed out both with this application and the previous application. Any successful proposal from a conservation perspective needs to

genuinely preserve the front elevation, preserve the gap between numbers 16 and 18 by reducing the length of the extensions to the rear and ensure that the rear extensions themselves are clearly subordinate to the original building. If it is considered appropriate to produce further amended plans, the applicants should amend the plan in line with these three key points. However, as the plans stand they should be refused.

Tree/Landscaping -

No objection subject to pre-commencement conditions for tree protections measures and landscaping.

Highways -

There are highway objections to this planning application as it is contrary to the Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 2: Highway Impacts and Policy DMT6: Vehicle Parking. The development does not have adequate parking or drop off and pick up facilities to cater for demand nor a robust way of managing patrons arriving or departing in lieu of these facilities. This will result in the built up of vehicles parked on-street. People will be walking around these vehicles opening and closing car doors as they lift children in and out of child seats. The sheer volume of activity taking place will obscure sight lines and serve as a distraction to passing drivers. This presents a risk to road safety and would impede the free flow of traffic.

Environmental Protection Unit -

There is no objective information regarding the noise impact that the proposed use (capacity levels is cited as 60)will have on the surrounding neighbors. 60 pupils is a considerable number of children for this type of location(residential area, as opposed to mixed light business)

The Planning statement mentions parking spaces for only 4 vehicles and these are intended for Staff members and resident parking, there is no mention of space being made available for for customers/ parents when dropping off the children, there is likely to be a substantial increase in noise levels at drop off/collection times in the nearby roads to the nursery. Background noise levels may be lower in this location, at present there is no information to draw any type of conclusion other than an increase is likely to occur..

There is also no assessment of the impact of noise from the regular use of the garden area and the number of children anticipated at each occasion. It is reasonable to assume that noise levels will vary to some extent and will depend on how many children are playing in the outdoor space, even if children are supervised the noise levels can increase considerable. Ofsted have outdoor play requirements and the applicant has not stated how this be managed and the noise control. No reliable mechanism has been put forward to mitigate any harmful noise impacts.

Although the dwelling is detached the classrooms will be used for learning and development within a converted residential dwelling, again the capacity for each room has not been stated and its suitability to manage noise break out.

Access Officer -

I have considered the detail of this planning application and have no accessibility comments to make at this planning stage. However, the following informative should be attached to any grant of planning permission: The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people. Particular attention should be made to the entrance lobby arrangement and the corridor width leading to the accessible toilet facility. Conclusion: Acceptable

7. MAIN PLANNING ISSUES

7.01 The principle of the development

DMH 1 of Local Plan: Part Two - Development Management Policies (2020) advises that the net loss of existing self contained housing will be resisted unless housing is replaced with at least equivalent residential floorspace.

DMH 2 requires the provision of a mix of housing unit of different sizes in schemes of residential development to reflect the Council's latest information on housing need.

The existing property comprises a substantial 5 bed dwelling (use class C3) with a floor area of approximately 240.15sqm set over 3 floors, with an additional area of 48sqm on the ground floor with a commercial use for the tuition for catering purposes (use class D1). The proposal would include the erection of a large two storey rear extension with habitable roofspace and the change of use of the ground floor and first floor to Class D1 to provide a children's nursery facility and the provision of 2 x 1 bed flats within the loft space. The proposed residential floor area as scaled from the plans would be a total of 84.65sqm, significantly less than the existing. The proposal would result in the net loss of 155.5sqm of residential floorspace contrary to the requirements of policy DMH 1.

Policy DMCI 2 considers the provision of new community infrastructure. It advises that the provision of new facilities will be supported where they are located within the community or catchment that they are intended to serve and they provide buildings that are inclusive, accessible, flexible and which provide design and space standards that meet the needs of the intended occupants.

The Council is committed to supporting the provision of facilities to meet the needs of the residents and recognises the value and importance of suitable day care provision. However no details have been provided within the application to demonstrate that there is a requirement for this type of facility within the community or catchment area for Northwood, in compliance with the requirements of Policy DMCI 2.

As such the proposal would fail to comply with the requirements of policies DMH 1 and DMCI 2. Therefore the proposal is considered unacceptable in principle.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2015) seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

The site has a Public Transport Accessibility Level (PTAL) of 2 (poor). The London Plan (2015) range for sites with a PTAL of 2 - 3 in a suburban area is 35-65 units per hectare. Based on a total site area of 0.1058 ha the site would have a residential density of 75 units per hectare, which is slightly above this range.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its impact on adjoining occupiers.

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.

Policy DMHB 4 Local Plan: Part Two - Development Management Policies (2020) of the 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 adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling. It also required that there is no unacceptable loss of outlook to neighbouring occupiers.

The site lies within the Northwood Town Centre Conservation Area and comprises a large detached property, which is one of a set of 3 double fronted late Victorian houses designed and built at the same time. The 3 houses are amongst the earliest houses built on Murray Road. The existing property has previously been extended to the rear with the inclusion of a small single extension and a larger flat roofed two storey extension.

This proposal includes the erection of a substantial two storey rear extension, replacing the existing additions, which would measure between 7.25m and 10.25m in depth from the original rear wall of the property. This would be set beneath a double pitched roof with an extended valley gutter between projecting from a raised crown roof detail to accommodate the flats within the loft space. The Conservation Officer has raised strong concerns over the scale and form of the extensions. They have advised that contrary to the submitted Heritage Statements assertion that the proposal would have a neutral impact on the Conservation Area; the proposals would have a negative impact. To the rear the overly large extension would be set beneath a gabled roof form but with the gables ends set back behind uncharacteristic crown roofs with skirts. Whilst this is an attempt to reduce the bulk of the extension, this is not a traditional form and is of an unsatisfactory design which is clearly not subordinate to the existing building. Although located to the rear of the property the excessive depth of the rear extension would impact on the gap views between nos. 16 and 18 and will impact negatively on the conservation area.

When viewed from the front the existing roof sits below the left hand gable, the proposal would increase the height to meet a crown roof and the prominence of the left hand gable would be diluted. Although it is noted that all 3 of the matching properties have been widely extended to the rear, the front elevations remain unaltered. The raising of the roof will impact negatively on the group of three houses that currently make a positive impact on the conservation area. Murray Road has a residential character which is part of its interest within the conservation area and its change of use to a large nursery would further erode the residential character of the street.

It is therefore considered that the proposals fail to appear as subordinate additions to the existing property and fail to respect the architectural character and appearance of the original dwelling or the wider street scene and would fail to either preserve or enhance the character of the area contrary to Policies DMHB 4, DMHB 11 and DMHD 1 of the Local Plan: Part Two - Development Management Policies (2020).

7.04 Airport safeguarding

Not relevant to this proposal.

7.05 Impact on the green belt

Not relevant to this proposal.

7.07 Impact on the character & appearance of the area

As detailed under the impact on the Conservation Area.

7.08 Impact on neighbours

Policy DMHB 11 advises that proposals should not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space. Policy DMHD also requires that there is no unacceptable loss of outlook to neighbouring occupiers.

To the north Copperbeach Court is a large flatted development, which would be set back approximately 2.15m from the proposed rear extension, which would project 3.5m beyond their rear elevation. This would comply with the parameters defined within Policy DMHD 1 and it is not considered would significantly impact on the amenity of those occupiers. To the other side no. 18 would be set back approximately 2.6m from the proposed two storey extension, which would project beyond the rear of the ground floor of that property by 2.3m. However what is not shown on the submitted plans is that this property has not been extended at first floor level and the two storey extension would project approximately 10.55m beyond the first floor window and would appear to contravene a 45 degree line of sight from this habitable window.

The principle windows of the development would face the rear of the property with the addition of one north side facing window at first floor level. However as this would serve a staircase this could be conditioned to be obscure glazed and non opening below 1.8m if all other aspects of the proposal were acceptable.

It is therefore considered that the proposed development would have a detrimental impact on the residential amenity of the occupiers of the neighbouring dwelling, no.18 Murray Road, in terms of overdominance, loss of light and loss of outlook. Therefore the proposal fails to comply with the requirements of Policies DMHB 11 and DMHD 1 Local Plan: Part Two - Development Management Policies (2020).

7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

Policy DMHB 16 advises all housing developments should have an adequate provision of internal space in order to provide an appropriate living environment. For a 1 bed, 1 person flat a minimum floor area of 39sqm should be provided. The submitted floor plans annotate a floor area of 45sqm and 52sqm for units 1 and 2 respectively. However when scaled the floor plans show a floor area of approximately 44.4sqm and 36.1sqm respectively. Therefore the floor area for unit 2 would fail to achieve the minimum standards. It is also noted that no sections have been submitted for the proposed residential units and there are concerns over the level of usable floor space with regard to head height. The standards advise that at least 75% of the gross internal area of the dwelling should exceed 2.3m. The rear elevation appears to show a full height window in the gable end of the rear roof projections. This appears to indicate a floor level, which

would give a maximum height at the top of the apex of 2.4m. Both habitable rooms for this unit would be set within these roof slopes and barely any of the floor area would have a roof height in excess of 2.3m. The proposal would therefore fail to comply with policy DMHB 16.

The property benefits from a good sized rear garden, which would appear to be utilised by the nursery, with no private amenity space for the residents of the flats. Policy DMHB 18 advises that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space and for a 1 bed property 20sqm per unit should be provided. As no private amenity space is provided the proposal fails to comply with policy DMHB 18.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The Highways Officer has advised that a Parking Management Scheme (PMS) operates along Murray Road, this restricts parking Monday to Friday 1pm to 2pm to local residents with a parking permit only. This one hour restriction prevents people from parking on-street all day. The developer highlights that the nearest on-street unrestricted parking is 450m away. The developer also mentions that a supermarket is located to the northeast of the application site which provides free parking for customers for a maximum stay of 2 hours, Monday to Friday between 7:30 and 9.30pm. The car park provides 180 spaces in total. Additional car parks are located on Oaklands Gate and Green Lane providing access to circa 162 additional spaces.

Transport for London use as system called PTAL (Public Transport Accessibility Level) to measure access the public transport network. PTAL assesses walk times to the nearest public transport location taking into account service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b the best. According to the Transport for London WebCAT service the application site has a PTAL ranking of 2 to 3 indicating access to public transport is limited compared to London as a whole suggesting that there will be some reliance on the private car for trip making.

The proposals seek to provide a nursery that can accommodate 74 children and 21 members of staff at full occupancy. There will also be 2 x 1-bedroom flats provided. The site will retain the existing vehicle crossover in order to provide 4 parking spaces, 2 of these spaces would be for staff, 2 for residents. Parking for 14 bicycles would be provided. Pick-up and drop-off activity would be undertaken on-street in line with existing parking restrictions. Any servicing requirements associated with the site will also be undertaken on-street, again conformity with existing parking restrictions.

The Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 6: Vehicle Parking requires that development proposals must comply with the relevant parking standards. For a development of this type the maximum number of parking spaces permitted is up to 1.5 spaces per flat adding up to 3 in total. Taking into all land use/transportation considerations into account, the Highway Authority has determined that one space per unit or 2 in total is appropriate. For the nursery part of the development, the Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 6: Vehicle Parking requires that the quantum of car parking required is determined on an individual basis using 'a transport assessment and travel plan and in addition to car parking requirements, provision for pick up and drop off facility to be provided'.

The Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 2: Highway Impacts requires that development proposals must ensure that they do not contribute to the deterioration of air quality, noise, local amenity or safety of all road users

and residents. Should a development of this type not provide car parking and/or pick up and drop off facilities able to cater for demand then this activity would take place on-street presenting a risk to road safety whilst impeding the free flow of traffic.

The developer advises that the nursery is proposed to be open Monday to Friday from 7:30am until 6.00pm with arrivals and departures staggered during peak periods. There would also be half day/shorter care periods available. Only 20% of pupils are expected to attend school from start to finish. Capacity during the morning is expected to be 75% whilst during the afternoon capacity would be at 50%.

To determine number of trip rates associated with the development, the applicant has carried out an interrogation of the TRICS (Trip Rate Information Computer System) database. This forecast that there will be 20 vehicle arrivals during the morning peak 8am to 9am and 11 arrivals during the evening peak period 5pm to 6pm. On the basis that it would take between 5 to 15 minutes to drop off or pick up a child and that arrivals and departures will be staggered, the developer asserts that this amounts to a maximum 5 cars dropping off or picking up on-street at any time. The developer also reports that parking surveys have been undertaken which show that there is sufficient on-street parking available to cater for this demand. Furthermore, it is highlighted that the nursery would implement a Travel Plan containing a series of measures to reduce the number of private car trips that the development generates.

The Highway Authority notes that the staggered arrival and departure times is key to the development being able to operate without being contrary to DMT2: Highway Impacts. This is considered undeliverable in practice for many reasons. People driving to the nursery to drop off/pick up children will sometimes inevitably arrive late due to traffic congestion, road works or road traffic accidents, and/or they may simply leave the house later than planned due to everyday domestic issues. Furthermore, it needs to be taken into account that organising this staggered arrival and departure regime will be an onerous commitment and therefore unlikely to be implemented continuously and diligently for the lifetime of the development. The Travel Plan is also unlikely to achieve a significant mode shift away from the private car; people dropping off children are likely to be doing this as part of a multipurpose trip - typically on their way to work.

It is therefore considered that the proposal would fail to comply with the requirements of Policies DMT 2 and DMT 6 of Local Plan: Part Two - Development Management Policies (2020).

7.11 Urban design, access and security

Secured by Design is now covered by Part Q of the Building Regulations.

7.12 Disabled access

The Access Officer has not raised any concerns.

7.13 Provision of affordable & special needs housing

Not relevant to this proposal.

7.14 Trees, Landscaping and Ecology

The Landscape Officer has not raised any concerns subject to pre-commencement conditions for tree protection measures and landscaping.

7.15 Sustainable waste management

Not relevant to this proposal.

7.16 Renewable energy / Sustainability

Not relevant to this proposal.

7.17 Flooding or Drainage Issues

Not relevant to this proposal.

7.18 Noise or Air Quality Issues

The Environmental Protection Officer has raised any concerns that no objective information regarding the noise impact that the proposed use (capacity levels is cited as 60 children) will have on the surrounding neighbours. There is also no assessment of the impact of noise from the regular use of the garden area and the number of children anticipated at each occasion. It is reasonable to assume that noise levels will vary to some extent and will depend on how many children are playing in the outdoor space, even if children are supervised the noise levels can increase considerable. Ofsted have outdoor play requirements and the applicant has not stated how this be managed and the noise control. No reliable mechanism has been put forward to mitigate any harmful noise impacts.

It is therefore considered that the proposal would have a detrimental impact on the occupiers of the neighbouring properties contrary to Policy DMHB 11 of the Local Plan: Part Two - Development Management Policies (2020).

7.19 Comments on Public Consultations

Covenants are civil matter between interested parties and are not material planning considerations. Any grant of planning approval does not override the requirement to comply with other legislation or legal requirement. All other issues have been addressed within 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 residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre.

7.21 Expediency of enforcement action

Not relevant to this proposal.

7.22 Other Issues

Cycle and Waste Storage

No details have been provided to identify that the proposal can satisfactorily provide suitable cycle or waste storage facilities, particularly with regard to medical waste. However these details could be conditioned for provision if all other aspects of the proposal were acceptable.

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 proposal would be unacceptable in principle as it would result in the net loss of residential floorspace and has failed to identify a need for the community facility. The proposed overly large extension would be out of keeping with the character of the original property and neither preserves or enhances the character of the Conservation Area.

Furthermore the proposal fails to provide a satisfactory living accommodation for future occupiers and would be detrimental to the amenity of neighbouring occupiers.

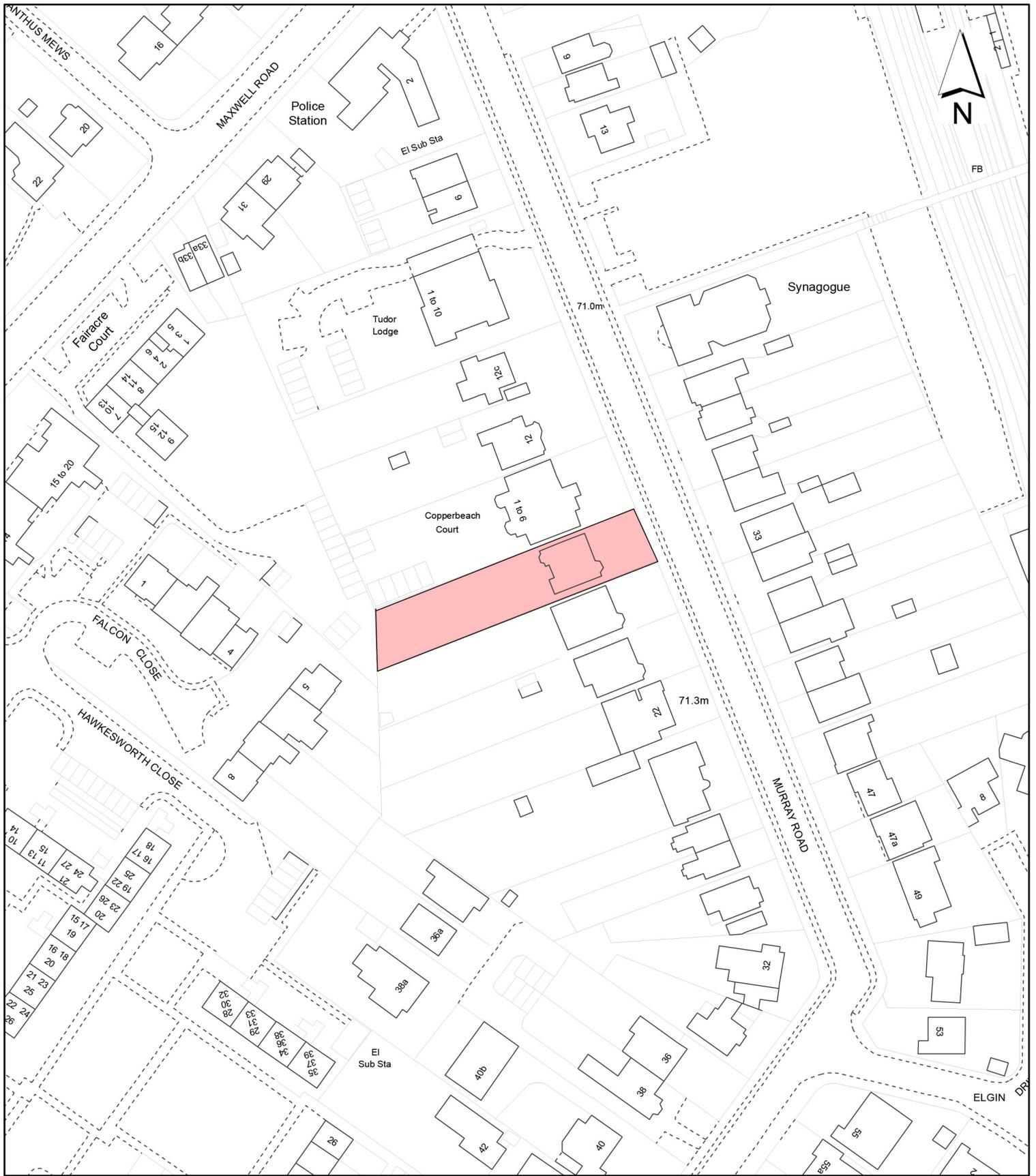
11. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).

Hillingdon Local Plan Part 2.
The London Plan (2016).
Supplementary Planning Document 'Accessible Hillingdon'.
National Planning Policy Framework.

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Notes:

 Site boundary

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Planning Application Ref:
4626/APP/2019/629

Scale:
1:1,250

Planning Committee:
North

Date:
May 2020

