

## Report of the Head of Planning & Enforcement Services

**Address** LAND AT 30 - 32 CHESTER ROAD NORTHWOOD

**Development:** Demolition of 30-32 Chester Road and development of 24-bedroom residential care home, alterations to access and associated landscaping.

**LBH Ref Nos:** 13800/APP/2010/623

**Drawing Nos:** 04/11  
03/1  
05/1  
06/1  
Design and Access Statement and Planning Statement  
23/11  
02/11  
Tree Survey Report, dated 19th April 2010  
Crime Impact Statement  
12/11  
Energy Statement  
Transport Statement  
01/11

**Date Plans Received:** 18/03/2010                      **Date(s) of Amendment(s):**

**Date Application Valid:** 17/06/2010

### 1. SUMMARY

This application seeks permission to demolish a pair of semi-detached houses whose last authorised use was as a children's home, to be replaced by a two storey block with a part lower ground floor and accommodation in the roof to provide a 24 bedroom care home for the elderly with three parking spaces, including a disabled space to the front. The site forms part of the Old Northwood Area of Special Local Character.

The proposal would be adjacent to two care homes that have been allowed at appeal, replacing three former houses. It is considered that no justification has been provided for the demolition, now required by PPS5. Despite the two adjacent similarly designed care homes being allowed at appeal, the cumulative impact of this further block would be to create an incongruous symmetrical architectural 'set piece' within Chester Road with an additional discordant Mansard roof with oversized dormers, creating an extensive 50m frontage of built form which would not be broken up by adequate undeveloped gaps between the buildings. As such, the proposal would be detrimental to the Area of Special Local Character.

Additionally, adequate information has not been submitted to demonstrate that the proposal would not have a detrimental impact upon highway safety and that the proposal would provide a sufficient proportion of its energy demand from renewable sources, to accord with recent policy guidance. Also, it is likely that the scheme would generate additional demand for local health care facilities and the application makes no provision to mitigate this impact.

Finally the layout of the scheme fails to properly integrate accessibility measures.

The application is accordingly recommended for refusal for the above reasons.

## **2. RECOMMENDATION**

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

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

The site forms part of the Old Northwood Area of Special Local Character, which denotes that the area is a designated heritage asset for the purposes of PPS5. This advises that there should be a presumption in favour of the conservation of designated heritage assets and in the absence of any information that justifies the demolition of the pair of semi-detached houses and that their re-use/adaptation has been thoroughly explored, the proposal is contrary to PPS5.

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

The proposal would result in the demolition of two further houses adjacent to a row of three former houses that have already been demolished, to be replaced by a row of three similarly designed blocks which would incorporate large mansard roofs with oversized dormers and would now occupy an extensive 50m wide frontage on Chester Road, with only narrow, sub-standard undeveloped gaps to break up the building mass. As such, the proposal would add another incongruous building to this part of Chester Road, the cumulative impact of which would be to create a symmetrical architectural 'set piece' around the central block at No. 34, resulting in a very cramped and overdeveloped street scene. The proposal therefore fails to harmonise with the mixed architecture and spacious character and appearance of the Old Northwood Area of Special Local Character, contrary to Policies BE5, BE13, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's HDAS: 'Residential Layouts'.

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

The submitted transport statement fails to provide correct information on the Council's car parking requirements and does not deal with the issue of parking demand and availability. In the absence of an accurate, comprehensive and current transport statement, the Local Planning Authority has been unable to assess the individual and cumulative highways impact of the proposal, having regard to the adjoining care homes at Nos. 34 - 38 Chester Road that are currently being implemented. There are real concerns that the proposal could cause on-street parking problems to the detriment of highways and pedestrian safety. The proposal therefore fails to comply with Policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (February 2008).

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

The application has failed to demonstrate that the development would integrate sufficient measures to minimise emissions of carbon dioxide, including provision of a 20% reduction in carbon dioxide emissions through on site renewable energy generation, in accordance with the Mayor's Energy Hierarchy. The proposal is therefore contrary to Policies 4A.1, 4A.3, 4A.4, 4A.6 and 4A.7 of the London Plan (February 2008).

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

The development is estimated to give rise to additional demands being placed on local health care facilities and additional provision would need to be made in the locality to maintain the existing service provision. Given that a legal agreement at this stage has not been offered or secured, the proposal is considered to be contrary to Policy R17 of

the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the adopted London Borough of Hillingdon Planning Obligations Supplementary Planning Document (July 2008).

**6 NON2 Non Standard reason for refusal**

The proposed layout fails to satisfactorily consider fully the needs of disabled people, as such the proposal is contrary to policy R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's Supplementary Planning Document: Accessible Hillingdon (January 2010).

**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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

BE5	New development within areas of special local character
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
H10	Proposals for hostels or other accommodation for people in need of care
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons

LPP	London Plan (February 2008)
PPS3	Housing
PPS5	Planning for the Historic Environment
SPG	HDAS: 'Residential Layouts' & 'Accessible Hillingdon'
SPD	Supplementary Planning Document Planning Obligations, July 2007
LPG	London Plan Interim Housing Supplementary Planning Guidance, April 2010

### 3

Please be advised that the position of the side boundary between No. 34 and the application site was shown in a different position on the scheme allowed at appeal on the 17/9/07 (App. Ref. 50613/APP/2006/2768), with the boundary then maintaining a 1m gap between it and the flank elevation of the 12 bedroom care home whereas on this application, the boundary is shown hard up against the previously approved flank wall. As a result, had this scheme been granted permission, the two schemes could not be implemented together.

## 3. CONSIDERATIONS

### 3.1 Site and Locality

The application site is located on the southern side of Chester Road, some 50m to the west of its junction with Reginald Road. It comprises a pair of large semi-detached, two storey houses that are internally linked and appear to be currently in use as houses in multiple occupation. No. 30 has a two storey side and rear extension and No. 32 has a side garage. There are a number of mature trees in the rear gardens.

The adjoining site to the east, formally occupied by Nos. 34, 36 and 38 Chester Road is currently being re-developed with two blocks as a care home. Chester Road forms part of a traditional residential area mainly dating from the Victorian and Edwardian periods with large detached and semi-detached houses of varied design, a number of which have been converted to flats with some plots having been re-developed with more modern flatted blocks and town house schemes. However, two-storey detached and semi-detached properties with small front gardens but overall generous plots tend to dominate. The overall impression is of an established traditional residential area, with individual detached and semi-detached properties, with a regular pattern and distinctive separation gaps between each building.

The site forms part of the Old Northwood Area of Special Local Character.

### 3.2 Proposed Scheme

This application seeks permission to demolish a pair of semi-detached houses, their last authorised use was as a children's home and erect a 24-bedroom residential care home for the elderly. The proposed two storey building would have accommodation in the roof space and incorporates a lower ground floor on the left hand side of the building towards the rear that would mainly provide ancillary office and staff accommodation. The building

would be 17.75m wide, maintaining 1m and 1.5m gaps to the side boundaries with Nos. 34 and 28 Chester Road respectively and 14.05m deep to the main rear elevation, with a central 6.25m wide, two storey rear wing projecting a further 7.25m into the rear garden. The building would have a mansard type roof, incorporating a flat roof element, 6.1m high to eaves level and 9.2m high to the main ridge height, with four gable roof dormers on the front elevation, comprising two larger outer dormers and two smaller inner dormers and three of the larger dormers on the rear elevation, two on the main roof, the third being on the projecting central wing. At the front, the building would have two 0.75m deep projecting two storey flat roofed outer bays, capped by railings with the larger dormers sited above and two front 'doors', although one appears to be a dummy with no path leading to it and a dividing parapet wall within the roof to create an impression of two semi-detached houses.

Three off-street car parking spaces, including a disabled person space are shown in the front garden, with cycle and bin storage provision being made in the rear garden. A decking area is also shown to the rear of the projecting rear wing.

#### Design & Access Statement and Planning Statement:

This describes the site and the surrounding area, including the developments taking place on adjoining sites and their relative planning history. Examples of more recent re-developments within the local area are highlighted. The site is described as being within easy walking distance of the town and its shops and Northwood Station. The past use of the site is described as a registered children's home catering for the age range of 13 to 18. It goes on to state that the proposal will integrate well within the quiet residential location which will be ideal for the elderly client group for up to 24 residents. Local services are also considered capable of servicing the proposed use as evidenced by the previous use.

The statement then goes on to describe the layout of the proposal in detail, and assesses the development against UDP policies. The statement considers that the recent approvals granted at appeal for both 34 and 36 to 38 Chester Road have established a firm principal for the height, form and general scale of building for this location, together with its massing and height in relation to neighbouring properties. It goes on to state that a number of trees to the rear will be retained, informed by a detailed agrobiologists report, and new planting will complement the site, whilst enhancing privacy. Extensive new shrub and tree planting will soften the parking at the front of the site.

The report considers the existing buildings to be of no real significant architectural merit and therefore not worthy of retention and stresses that there are no policies preventing the demolition of such buildings. The report goes on to describe the mixed architectural composition of the area and considers that great care has been taken as regards the site's 'area of special local character' designation. It describes the proposed building as again being designed as a pair of large semi-detached houses with mansard roofs, in effect copying the building previously allowed at appeal on Nos. 36 - 38 Chester Road, thus creating symmetry around the individually designed building approved at No. 34 Chester Road. It goes on to say that the scheme picks up upon the detailing of adjacent buildings so as to harmonise with the area. High quality traditional materials would be used such as a natural slated roof finish and brick elevations. It considers that the building would positively add to the character of the street and not conflict with local policies and national guidance.

Chester Road provides street parking within a controlled parking zone. It has good

access to public transport services, including buses and a tube station and will therefore not be reliant upon the car. Level access will be provided to the main front entrance and includes a disabled parking space with ramped access at the rear. A lift will provide access to all floors. The statement concludes by asserting that the development fully complies with policy and constitutes a positive planning gain for the area on a vacant Brownfield site. The general proposed built form, apparent massing, architectural appearance and design features have all been tested and approved at appeal by virtue of the previous applications for a residential care home.

#### Transport Statement:

This describes the location, stating that the application site is 550m from Northwood town centre and the tube station. Chester Road is a 7.7m wide, 30mph well lit residential road with 2.3m wide footpaths each side. The site is described as having excellent access to public transport offering regular rail and bus services. It goes on to describe the existing site and former use. The development proposals will create employment for up to 18 persons, with the working hours generally broken up into 3 shifts, morning, afternoon and night. During the early shifts, the maximum number of staff will not exceed 7, and at night this reduces to 2, plus a further member of staff sleeping. It goes on to advise that given the proximity of the town centre, there is a high likelihood that journeys to the care home will be made by bus and rail as this will be more convenient than using a car. As regards parking requirements, the former UDP guidelines are cited and the statements goes on to state that although the scheme proposes less than the recommended minimum standards, the Inspector considered a similar scheme on the adjoining site and concluded that the proximity of the town centre and alternative means of public transport mitigated the shortfall of spaces. As only a maximum of 7 staff would be present 4 spaces would satisfy the 1 space per 2 staff standard. A motorcycle space is also proposed.

#### Energy Statement:

This describes the site, development and the regulatory framework. It goes on to specify the materials that will be used in the construction and identifies the contribution they will make towards energy conservation. This fabric specification has been used to produce a Simplified Building Energy Model (SBEM) to give a projected energy demand for the building. The building will be carefully monitored to ensure good workmanship and be subjected to air permeability testing to ensure the original design criteria have been met.

It goes on to advise that low energy lamps will be used throughout, together with switching controls that for instance, will allow reduced lighting settings in corridors at night. Light tubes will also be used to reduce reliance on electric lights. All habitable rooms have good sized windows, producing high levels of natural light. Passive ventilation will be maximised and where this is not possible, low energy ventilation will be used such as internal bathrooms and en-suites. As infill development, the options for re-orientating the building are limited to maximise the use of passive solar energy. High efficiency boilers will be used.

#### PLANNING OFFICER COMMENT

This statement does not refer to renewable energy or development plan policy relevant to renewable energy (i.e. this statement is of limited value).

#### Tree Survey Report

This explains the methodology used and the tree categorisation used.

### **3.3 Relevant Planning History**

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

There is no relevant planning history, relating to the application site.

At No. 30 Chester Road, permission for a two storey side and rear extension to a residential home was approved on the 2/6/89 (ref. 4152/B/89/436). This was followed on the 5/3/97, when permission was granted to extend the home again, by allowing the change of use of the adjoining attached property, No. 32 Chester Road from Class C3 (residential) to Class C2 (children's home), incorporating an internal link (ref. 3800/A/96/1624).

History on the adjoining site, Nos. 34, 36 & 38 Chester Road is also relevant to the consideration of this application, which is summarised as follows:

Permission was refused on the 14/9/04 for a 43-bedroom residential care home on this site (ref. 50613/APP/2004/1907). Following the Council's initial refusal of permission for the erection of a 24-bedroom care home with refurbishment and alterations to No. 34 Chester Road (involving the demolition of Nos. 36 and 38), a subsequent appeal was allowed on the 27/7/06 (50613/APP/2005/758). This was followed by an application for the erection of a new 32-bedroom care home, involving the demolition of all three properties, but this application was withdrawn. Subsequently, permission for the erection of a three storey building with mansard roof to provide 12 single en-suite rooms for use as a residential care home, involving the demolition of No. 34 Chester Road was initially refused, before an appeal was allowed on the 17/9/07 (ref. 50613/APP/2006/2768).

Subsequently, two applications, one for a new 40-bedroom care home, the other for a new 36-bedroom care home on the entire site at Nos. 34 to 38 Chester Road, both involving the demolition of No. 34 Chester Road (Nos. 36 and 38 had already been demolished) (App. Nos. 50613/APP/2007/395 and 397 refer respectively) were both refused for the following reasons:

1. The proposed development by reason of the building's scale, mass, siting, height and overall site coverage is considered to constitute an over development of the site and would be detrimental to the character and appearance of the Old Northwood Area of Special Local Character. As such the development is contrary to policies BE5, BE13, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan.
2. The development, by reason of its low cycle parking provision, insufficient sightlines and distance of the refuse storage area to the main road, would be contrary to Policies AM7 and AM14 of the Hillingdon Unitary Development Plan.

Subsequent appeals were both dismissed on the 17/9/07.

A residential scheme, comprising 3 terraced and 2 semi-detached three storey houses with mansard roofs and lower ground floors to 3 of the dwellings was refused on the 25/9/08 (50613/APP/2008/2051).

A further application, to make minor changes to the rear elevation and internal alterations has not yet been determined (50613/APP/2010/658).

### **4. Planning Policies and Standards**

## **UDP / LDF Designation and London Plan**

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

### Part 1 Policies:

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.31 To encourage the development and support the retention of a wide range of local services, including shops and community facilities, which are easily accessible to all, including people with disabilities or other mobility handicaps.
- PT1.32 To encourage development for uses other than those providing local services to locate in places which are accessible by public transport.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

### Part 2 Policies:

- BE5 New development within areas of special local character
- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- H10 Proposals for hostels or other accommodation for people in need of care
- R16 Accessibility for elderly people, people with disabilities, women and children
- R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities
- AM7 Consideration of traffic generated by proposed developments.
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- LPP London Plan (February 2008)



PPS3	Housing
PPS5	Planning for the Historic Environment
SPG	HDAS: 'Residential Layouts' & 'Accessible Hillingdon'
SPD	Supplementary Planning Document Planning Obligations, July 2007
LPG	London Plan Interim Housing Supplementary Planning Guidance, April 2010

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **21st July 2010**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

50 neighbouring properties have been consulted and a site notice has been displayed on site. 6 petitions objecting to the proposal have been received, together with 18 individual responses.

The first petition with 26 signatories states:

'We the undersigned are opposed to the above proposal on the grounds that the advent of a further 24 elderly residents plus care staff (in addition to the 36 residents plus care staff. Already sanctioned by the Planning Inspectorate in respect of Nos. 34 - 38), will inevitably cause traffic chaos in Chester Road and surrounding streets when extra delivery vehicles and visitors try to access the already difficult parking conditions in this residential area.

If approved, this additional development will further impinge on the fairly peaceful environment enjoyed by existing residents in an area already designated as being of 'Special Local Character'.

The second petition with 23 signatories states:

'The residents of Roy Road request that the London Borough of Hillingdon Planning Committee reject Planning Application Ref 13800/APP/2010/623 to demolish 30 - 32 Chester Road, Northwood, and build a 24 bedroom Residential Care Home.

We ask them to reject the application for the following reasons:

1) The size of a third 4 storey building will dominate the landscape and result in a number of properties in Roy Road being overlooked;

2) The approval of another 24 bedroom Residential Care Home will result in further loss of resident parking spaces between 28 and 40 Chester Road. This together with the additional spaces necessary for staff, visiting services and visitors will make parking within this local area unmanageable.

We the undersigned request that the planners reject the application accordingly.'

The third petition with 26 signatories states:

'The residents of Reginald Road request that the London Borough of Hillingdon Planning

Committee reject Planning Application Ref 13800/APP/2010/623 to demolish 30 - 32 Chester Road, Northwood, and build a 24 bedroom Residential Care Home.

We ask them to reject the application for the following reasons:

- 1) The size of a third 4 storey building will dominate the landscape and result in a number of properties in Roy Road, Reginald Road and Chester Road being overlooked;
- 2) The approval of another 24 bedroom Residential Care Home will result in further loss of resident parking spaces between 28 and 40 Chester Road. This together with the additional spaces necessary for staff, visiting services and visitors will make parking within this local area unmanageable.

We the undersigned request that the planners reject the application accordingly:'

The fourth petition with 22 signatories states:

'The residents of Hallowell Road request that the London Borough of Hillingdon Planning Committee reject Planning Application Ref 13800/APP/2010/623 to demolish 30 - 32 Chester Road, Northwood, and build a 24 bedroom Residential Care Home.

We ask them to reject the application for the following reasons:

- 1) The size of a third 4 storey building will dominate the landscape and result in a number of properties in Roy Road, Reginald Road and Chester Road being overlooked;
- 2) The approval of another 24 bedroom Residential Care Home will result in further loss of resident parking spaces between 28 and 40 Chester Road. This together with the additional spaces necessary for staff, visiting services and visitors will make parking within this local area unmanageable.

We the undersigned request that the planners reject the application accordingly:'

The fifth petition with 31 signatories states:

'The residents of Chester Road request that the London Borough of Hillingdon Planning Committee reject Planning Application Ref 13800/APP/2010/623 to demolish 30 - 32 Chester Road, Northwood, and build a 24 bedroom Residential Care Home.

We ask them to reject the application for the following reasons:

- 1) The size of a third 4 storey building will dominate the landscape and result in a number of properties in Roy Road, Reginald Road and Chester Road being overlooked;
- 2) The approval of another 24 bedroom Residential Care Home will result in further loss of resident parking spaces between 28 and 40 Chester Road. This together with the additional spaces necessary for staff, visiting services and visitors will make parking within this local area unmanageable.

We the undersigned request that the planners reject the application accordingly:'

The sixth petition with 38 signatories states:

'We the undersigned, urge the London Borough of Hillingdon North Planning Committee to reject

this application for the following reasons:

The flanks of the building are bulkier in depth than the adjoining property at 28 Chester Road and exceeds the scale of the present buildings at Nos. 30 - 32.

There is insufficient off-street parking provision on the plans for 30 - 32, (as is the case with the approved developments at Nos. 34 - 38).

The change in occupancy at Nos. 30 - 32 from about 12 to 24 plus staff, will bring the total occupancy of the 3 care homes (36 plus staff at Nos. 34 - 38) to 60, plus staff. The impact will be a massive increase in road traffic - not only visitors' parking problems, but also delivery vehicles arriving and departing, creating much disturbance to existing residents. Parking problems will affect residents in surrounding streets - Bennett Close, Hawes Close, as well as Reginald and Roy Roads.

Chester, Reginald and Roy Roads form part of an area designated as being of 'Special Local Character'. A large commercial enterprise in a residential area is hardly sympathetic to this designation and will totally alter the residential character of the road.'

The individual responses raise the following concerns:

- (i) The proposed development will adversely affect the character of the road, which forms part of the Old Northwood Area of Special Local Character. It is not acceptable for another 2 houses of historic value to be demolished next to the 3 houses that were demolished to make way for the adjoining care home. Replacing attractive existing housing with another massive modern care home block of similar design will be too dominant and incongruous in this road of varied design. Proposal will diminish the quality of the building stock, and is inappropriate for this traditional area of family housing.
- (ii) This, together with adjoining care home have larger footprints than the properties they have/would replace, removing too much garden space which is now protected. When the inevitable appeal is made, hopefully the Planning Inspectorate will be more favourable to local residents with the new guidance,
- (iii) This commercial care home, together with the adjoining care homes will add 60 residents plus staff living in the road. Proposal will further alter the residential character on this small stretch of road, with visitors, health professionals, ambulances possibly at all hours, catering vehicles, funeral cars, deliveries and refuse collections etc, adversely affecting residential amenity,
- (iv) Increased activity would threaten road safety, particularly young children
- (v) Rear of building at three stories would overlook adjoining properties. Since many of the trees are to be removed, developer should be required to provide full vegetation screening for the houses at the rear of the site,
- (vi) Parking in the area is already a problem. Chester Road has restricted parking and proposal only has limited parking for 3 cars in front of property which is totally inadequate to serve a massive care home.
- (vii) Utilities, particularly Victorian drains and sewers are not adequate to serve this care home. Taking average of 5 persons per household, previous homes would have housed 25 residents whereas now the sewers would have to cope with 60 residents plus staff, a dramatic increase,
- (viii) Local services, particularly GP surgeries would not be able to cope with the influx of 60 elderly (and probably infirm) residents,
- (ix) Residents already suffered enough upheaval with redevelopment of adjoining site, often with building work carried on for months on end from early morning. Chaos will continue once completed due to, increased level of traffic,
- (x) Demolition of a house on the adjoining site was started without permission and although it was stopped, developers eventually allowed to demolish it,
- (xi) Size and scale of side elevations are totally overpowering, dominating adjacent properties

which are much smaller in scale,

(xii) Opposed to development that increase access at rear of site as would be a total invasion of privacy, peace and security,

(xiii) A protected Horse Chestnut Tree at the south east corner of the site (Tree No. 2) was badly burned in 2003 and now showing signs of woodworm and cracking. If tree to be removed, it should be replaced.

(xiv) Application form states that house is unoccupied, but it is very much occupied with every single window lit at night,

(xv) Proposed building with flank wall 1.6m from side boundary with No. 28 would narrow the existing gap between the properties and will block a lot more natural light from main kitchen/dining room window on side of the house,

(xvi) As side boundary with No. 28 is not straight, proposed building would be 40 - 50cm closer to our property where it projects beyond it. This will spoil view and block light and generally change the character of the garden.

(xvii) Scheme on adjoining site involved the removal of trees. Not clear which trees are to be removed on this scheme. There are some beautiful trees on site. If trees 7, 8, 9, 11, 12, 18 and 20 are removed, it will completely change the landscape and general view of back gardens, remove screening of brick wall in the case of tree no. 18 and decrease level of privacy

(xviii) Would prefer height of fencing to be 2.5m instead of 2.0m to protect privacy,

(xix) Contradiction in supporting statements as regards distance building set back from No. 28.

(xx) Although the building looks attractive in the artists impression, the reality as experienced on the adjoining block is quite different,

(xxi) Due to the gradient of the site, building would be overpowering to properties at the rear, particularly as it projects down the garden,

(xxii) Seymour House Residential Care Home Ltd have no respect for the local community or their wishes and deviously bulldoze their way through this money making operation, leaving local residents anxious and upset.

(xxiii) Hillingdon Council conveniently own Nos. 30 and 32 so will not take any notice of those who oppose the application,

(xxiv) Permission previously granted to remove beautiful trees

(xxv) Proposal will decrease property values,

(xxvi) Other sites would be better suited to care home

(xxvii) Lack of consultation

(xxviii) Transport statement suggests that majority of staff would come by public transport. However, with limited car parking numbers and potential number of visitors, severe pressure on road. This is a private residential home and it is unrealistic and naïve to think that the majority of family and visitors will come by public transport.

(xxix) Substantial Council taxes should not be used to subsidise this blight on the landscape

(xxx) Owner does not live in the road so is unaffected by the proposal,

(xxxi) Proposal, with basement floors will exacerbate existing drainage and flooding problems in area, with underground water flowing downhill from Green Lane,

(xxxii) Construction of basement floors will cause noise and disturbance to neighbours and may damage foundations.

Northwood Residents' Association:

BE21: The north west/south east flanks of the development are bulkier in the depth compared to the adjoining 28 Chester Road. This bulk is created by that part of the proposed building that extends into the back garden. BE15: The development exceeds the scale of the original building.

The change of occupancy, from approximately 12 residents to 24, added to the developments in adjoining 34 - 38 Chester Road will result in a massive increase in road traffic, visitors and activity, the sum of which will totally alter the residential nature of the street. Annex 1 Classes C2 - C3 require a minimum of 1 car parking space per bed for nursing homes and 1 space per bed for old

people's or children's homes. The developments from 30 - 38 Chester Road are an excessive commercial enterprise in a residential street enterprise.

### **Internal Consultees**

URBAN DESIGN/CONSERVATION OFFICER:

PROPOSAL: Demolition of existing buildings and replacement with a 24 bed residential care home

BACKGROUND: The site, which currently includes a pair of semi-detached early 20th century two storey houses, is located in the Old Northwood Area of Special Local Character. This part of Chester Road is characterised by large mostly semi-detached, substantial good quality late Victorian and Edwardian houses of varied design. Whilst Nos. 30-32 are quite modest, they are nevertheless attractive and contribute positively to the general character and appearance of the street. Whilst the designation as an Area of Special Local Character does not provide any statutory protection to the area, it nevertheless denotes the area as a designated heritage asset for the purposes of PPS5.

PPS5 advises that:

'There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Once lost, heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification.'

In this instance there is no justification for the demolition of the buildings. No information has been provided re their condition and there has been no discussion of any difficulties re re-use/adaption of the existing structures. In addition, little information has been provided explaining the overriding community benefits of the new building that might justify support of the application.

Should a case be made in support of demolition, then the design of the new building needs to be reconsidered, Policy BE5 of the UDP (Saved policies) advises that:

Within areas of Special Local Character new development should harmonise with the materials, design features, architectural style and building heights predominant in the area. Extensions to dwellings should respect the symmetry of the original buildings.

BE13 also states that:

Development will not be permitted if the layout and appearance fail 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.

In addition, PPS5 also advises that:

Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design includes scale, height, massing, alignment, materials and use.¿

The character of this part of the street is quite varied and this is also noted in the submitted design and access statement. This proposed design of the new build seeks to replicate that i.e. with a large mansard roof (an uncharacteristic roof form for the area) and oversized dormers, approved at

appeal for No. 34 and also for Nos. 36-38 Chester Road. If agreed for this site, this would result in a group of three large new buildings, designed to appear as 5 houses of similar design. Together these would appear as a significant and incongruous architectural set piece within the streetscape.

In addition to these matters:

- \* the proposed parking provision is not clear for Nos. 30-32 and the cumulative impact of the hard surfaced car parking areas along the street frontage in lieu of gardens for all of Nos. 30-38 would detract from the street scene.
- \* the site appears very tight on the boundary with No. 34 given the width and bulk of the proposed building- this is a matter that was discussed by the inspector in his decision letter
- \* there does not appear to be provision for service vehicles/ambulances to easily park/unload
- \* there does not appear to be secure storage for residents buggies
- \* it is currently unclear as to how will the lift overrun would be accommodated within the roof of the building.

RECOMMENDATIONS: The demolition of these buildings should only be considered once an appropriate proposal for the development of the site has been forwarded.

TREE OFFICER:

There is a mass of trees on and close to the site, behind the existing houses. The trees have been surveyed and those in the middle of the site (rear garden) have low or very low values and, in terms of Saved Policy BE38, are not features of merit and do not constrain the development of the site. In contrast, with the exception of one poor quality Chestnut (tree 2), the larger trees on and close to the southernmost part of the site are features of merit and should be retained as part of any development. The trees in the rear gardens of neighbouring properties provide some screening of the site.

The site layout plan details the retention of all of the valuable trees on the southernmost part of the site, and two trees of lower value nearer to the proposed building. In that context, there is no objection to the loss of the trees, mostly conifers, in the middle of the site.

The layout of the parking at the front of the site, and the landscape concept for the whole site, are similar to the schemes for the development of 34-38 Chester Road.

Subject to conditions TL1, TL2, TL3, TL5, TL6, TL7 and TL21, the application is acceptable in terms of Saved Policy BE38 of the UDP.

HIGHWAY ENGINEER:

The proposals include three off-street car parking spaces including a disabled bay at the front and cycle parking to the rear of the proposed building.

There have been parking problems along Chester Road and neighbouring streets, resulting in the establishment of a parking management scheme in parts of this locality.

The Planning Inspectors' considerations on previous appeals on the issue of car parking on the adjacent sites 34-38 were based on the Council's previous maximum parking standards and the close proximity of the site to public transport.

Whilst the site is considered to be sustainable from a public transport point of view, which would be useful in mitigating the shortfall in staff car parking and may also cater for some visitor trips, given the type of visitor trips associated with the proposals, it is likely to have a parking demand, which

would inevitably result in on street parking.

The Council's current car parking standards do not stipulate the number of spaces for this use, but instead each case is dealt with on its own merits based on a transport statement in this case. The applicant's transport statement refers to incorrect parking standards and fails to provide satisfactory information on the issue of car parking demand and availability. A parking demand and/or a modal split survey of similar sites should be provided to ascertain the likely demand for the one proposed and the level of parking demand would then determine the need to carry out a parking stress survey.

In the absence of this information, the application is considered to be contrary to the Council's Policies AM7 and AM14, and is therefore recommended to be refused.

#### ACCESS OFFICER:

1. Given the nature of the proposed development, at least one enlarged accessible parking bay, 3 m x 6 m, should be provided. In accordance with BS 8300:2009, clause 4.2.1.1, a setting down point and parking space, 4.8 m x 8 m, for taxis, Dial-a-Ride and accessible minibus vehicles with tail lifts, should be provided in close proximity to the main entrance.

2. Whilst the ratio of 1 assisted bath (or assisted shower provided this meets residents needs) to 8 service users appears to have been met, details of the internal layout and specification should be provided, including the legislation or guidance that has informed the design of all bathroom types. Reference to BS 8300:2009, clause 12.3, is advised. Floor gully drainage should be provided in all bathrooms where showers are to be provided.

3. A proportion of en-suite bathrooms should be designed to allow independent use by wheelchair users. Reference to BS 8300:2009 should be made.

4. A refuge area does not appear to be shown on plan. Advice from an appropriate fire safety officer or agency should be sought at an early stage to ensure that adequate and appropriate refuge areas are incorporated into the scheme as a whole. Refuge areas provided should be sized and arranged to facilitate manoeuvrability by wheelchair users (Refer to BS 9999). Refuge areas must be adequately signed and accessible communication points should also be provided in the refuge area.

5. A fire rated lifts should be incorporated into the scheme. The lifts should be designed and integrated to support Horizontal Evacuation and:

- a. must be clearly identifiable and have appropriate signage.
- b. should be situated within a protected enclosure.
- c. should consist of lift well and protected lobby at every level.
- d. should be provided with a switch marked "Evacuation Lift" at Exit level. (This switch should cause the lift to return to the final exit & then become controllable.) Alternatively, the lift could be interfaced to the fire alarm system, returning to ground when the alarm sounds.
- e. must feature an exclusive primary electricity supply from a sub-main circuit.
- f. must have an alternative back-up power that should start automatically in an emergency to prevent potential interruption to the electricity supply. The cables should be separate from those of the primary supply and routed through an area of low fire risk.
- g. must have power switches or isolators that are clearly identifiable and labelled at the main switchboard and alternative power supply to indicate the location of the other supply.
- h. must connect to any electrical sub-station, distribution board, generator, hydraulic pump or other apparatus that is fire protected for a period not less than that of the lift shaft.
- i. have a minimum load capacity of not less than 400kg.

j. should have doors that have a minimum of 2 hours fire resistance.

6. Consideration should be given to ensure that arrangements exist to provide adequate means of escape for all, including wheelchair users. Fire exits should incorporate a suitably level threshold and should open onto a suitably level area. Details in this regard should be submitted.

7. Advice from a suitably qualified Fire Safety Officer concerning emergency egress for disabled people should be sought at an early stage.

NB: The applicant is reminded of the duties set out in the Disability Discrimination Act 1995, with regard to employment and service provision. Whilst an employer's duty to make reasonable adjustment is owed to an individual employee or job applicant, the responsibility of service providers is to disabled people at large, and the duty is anticipatory. The failure to take reasonable steps at this stage to facilitate access will therefore count against the service provider, if/when challenged by a disabled person. It is therefore recommended that the applicant takes full advantage of the opportunity that this development offers, to improve the accessibility of the premises to people with mobility and sensory impairments.

Recommendation:

Further details should be submitted in relation to the above should be submitted prior to any grant of planning permission.

#### ACCESS PANEL

- \* Design and Access statement is inadequate. No proper access comments are made, which is wholly inadequate given proposed use (not fit for purpose).
- \* Patio shown as brick which is a concern in terms of potentially not providing an adequate, smooth and level surface.
- \* The lift is too small and would therefore not be suitable. Only 1 lift is proposed (which is not appropriate for this type of use).
- \* Application form does not indicate there would be any staff at the site (surely this is wrong).
- \* Parking inadequate (no visitor / ambulance parking).
- \* Door widths are too narrow to comply with relevant standards.
- \* Fire evacuation appears not to have been considered.
- \* A slope of 1:12 for the rear ramp is too steep.
- \* Bathrooms and toilets are too small and not compliant with relevant standards, additionally the disabled WCs not compliant with relevant standards.
- \* There would be only three bathrooms for 24 residents (concerns over amenity standards) no bathrooms on ground floors concerns over quality of residential environment (esp. if single lift fails).
- \* Deck & ramp is at a slope of 1:12 at end of lounge, this is not accessible.

#### WASTE SERVICES:

- a) If using bulk bins the dimensions of the bin store should ensure there is at least 150 mm clearance in between the bins and the walls of the bin store.
- b) The floor of the bin store should have a surface that is smooth and that can be washed down. The material used for the floor should be 100 mm thick to withstand the weight of the bins.
- c) Arrangements should be made for the cleansing of the bin store with water and disinfectant. A hose union tap should be installed for the water supply. Drainage should be by means of trapped gully connected to the foul sewer. The floor of the bin store area should have a suitable fall towards the drainage points.



d) The collectors should not have to cart a bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard). The current design exceeds this

e) The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, (the current design exceeds this) with a width of at least 2 metres. The surface should be smooth. If the chamber is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.

f) If the value of the construction project is in excess of £300,000 the Site Waste Management Plans Regulations 2008 apply. This requires a document to be produced which explains how waste arising from the building works will be reused, recycled or otherwise handled. This document needs to be prepared before the building work begins.

j) The client for the building work should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.

#### CRIME PREVENTION OFFICER:

Appropriate lockable gates would be needed to prevent un-restricted access to the rear of the property. The cycle store, although having open sides would be behind these lockable gates and therefore would be acceptable. CCTV cameras overlooking the front would enhance security. Developers should speak to the Crime Prevention Officer before any development commences to ensure Secure by Design standards are met.

## **7. MAIN PLANNING ISSUES**

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

Paragraph 3.3 of the Council's Supplementary Planning Document (SPD) HDAS: Residential Layouts advises that in order to safeguard the traditional residential character of residential roads, it is unlikely that proposals will be acceptable where more than 10% of the houses in a street have been converted or redeveloped to provide flats or other forms of more intensive housing, including care homes. Although at approximately 25%, Chester Road already greatly exceeds this figure, it is considered that as the authorised use of these two properties is already as a children's care home, the proposal would not result in any increase in the number of properties in the road being used more intensively.

Since the consideration of the appeals at Nos. 34 and 36 - 38 Chester Road, there have been changes to the policy context concerning the redevelopment of housing plots, notably the Letter to Chief Planning Officers: Development on Garden Land dated 19/01/2010, The London Plan Interim Housing Supplementary Planning Guidance, April 2010 and new Planning Policy Statement (PPS) 3: Housing adopted June 2010. However, these changes mainly reflect a changing emphasis when considering proposals that involve the development of rear garden land and although this proposal does increase the size of the building footprint on site, the proposed building would only marginally extend beyond the rear elevation of the existing properties on site. As such, it is considered that the additional take up of garden land would not be so significant to justify an additional reason for refusal of the application, and an extensive area of rear garden would remain. As such, no objections are raised to the proposal in terms of this latest policy guidance.

The application site does form part of the Old Northwood Area of Special Local Character. Whilst it is noted that such a designation does not afford any statutory protection to the area, it does denote that the area is a designated heritage asset for the purposes of the Government's latest policy guidance, PPS5: Planning for the Historic Environment, which was published on 23 March 2010. At Paragraph HE9.1, PPS5 states that there should be

a presumption in favour of the conservation of designated heritage assets which can have cultural, environmental, economic and social impacts and loss affecting any designated heritage asset should require clear and convincing justification.

In this instance, very little in the way of justification has been provided, with no building survey having been undertaken to assess their condition and possible limitations to their re-use. No discussions have been held with officers as to how the existing buildings could be re-used/adapted and no explanation has been given as regards the community benefits of the new building that may justify support of the application. As such, the principal of demolition has not been justified as now required by PPS5.

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

Not applicable to this development for a residential care home.

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

Given the authorised use of the pair of semi-detached buildings as a children's home, it is unlikely that the use of the site as a care home for the elderly would have a greater material impact in terms of the character of the Old Northwood Area of Special Local Character.

The proposed building would maintain the general building line in Chester Road and align with the two approved adjoining care home buildings so as not to appear unduly prominent in the street scene.

This is an area comprising individually styled houses with varied design elements. However, the general impression is of a mixed area of predominantly traditional design. The proposed building would have a large mansard roof, with large dormers, which are uncharacteristic within this traditional housing area. The Council's Urban Design/Conservation Officer objects to the proposal, as although a similar design was allowed on appeal at the adjoining sites, if approved on this site, the three similarly designed large modern buildings with the buildings at Nos. 36 - 38 and on the application site a strong element of symmetry would be introduced around the smaller middle block at No. 34, which would appear as a significant and incongruous architectural 'set piece' that would be incongruous within the street scene.

Furthermore, Policy BE22 of the saved UDP requires new development of two or more storeys to be set off the side boundaries by a minimum of 1m for their full height in order to preserve the visually open gaps between properties and prevent dwellings from visually coalescing to form a terraced appearance. The expectation is that a minimum 2m gap is maintained between the flank walls of neighbouring properties, but this is a minimum distance, a greater distance may be necessary on more spacious plots. The Inspector, in considering the application for a 24 bedroom care home at Nos. 36 - 38 Chester Road (50613/APP/2005/758), which did not satisfy these separation distances considered that the proposed building would be no nearer to No. 40 than the existing building that would be demolished and the linking building between Nos. 34 and 36 would be demolished, and the resulting building, retaining a 1.25m gap with No. 34 would have a general location and massing similar to the pair of dwellings it would replace. The Inspector in considering the 12 bedroom care home at No. 34 Chester Road (50613/APP/2006/2768) acknowledged that the scheme would not satisfy policy BE22 in that the building would be sited less than 1m from the side boundary with No. 36 and about 1m from the side boundary with No. 32. The Inspector however, did state that the 1.25m gap from the approved building on the adjoining site would be similar to the gap approved on the

previous appeal whilst maintaining a gap of over 2m from the side wall and almost 8m from the upper floor of No. 32 (although the Inspector was incorrect and this distance is nearer 4m) so that 'the new building would be seen as an individual and distinctive building in its own right'. The Inspector concluded on this issue that 'Consequently, I consider the design and siting of the proposed building and its relationship to existing and proposed development would retain a sufficient degree of separation, without creating an unduly long and terraced façade, as feared by the Council.'

This scheme would reduce the undeveloped gap between the approved scheme at No. 34 and the application site to 1.5m as opposed to the existing ground floor gap of over 2m and a first floor gap of some 4m, the retained gap being specifically cited by the Inspector as justification for allowing the scheme at No. 34. This proposal would now result in the approved scheme at No. 34 being left with sub-standard gaps either side of the building, so that it is unlikely that it could still be viewed as an individual and distinctive building in its own right, whilst the proposal would extend the built up frontage along Chester Road to approximately 46m, only alleviated by two small 1.6m undeveloped gaps between the buildings. It is considered that this would constitute an unduly long and terraced façade. As such, the scheme is contrary to policies BE5, BE13, BE19 and BE22 of the adopted UDP.

Although the Council's Urban Design/Conservation Officer also raises a concern over the extension of front garden parking, given that No. 32 already has a hard surfaced drive leading to its garage and No. 30 is entirely hard-surfaced, the proposed car parking does not represent a significant increase in the amount of hardsurfacing.

#### **7.04 Airport safeguarding**

Not applicable to the application site.

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

Not applicable to the application site.

#### **7.06 Environmental Impact**

Apart from the impact of the proposal upon existing trees on and close to the site, which is discussed at Section 7.14 below, no other material environmental impacts are raised by this development.

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

This is discussed at Section 7.03 above.

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

The proposed building would align with the rear building lines of the adjoining care homes at Nos. 34 and 36 - 38. Furthermore, the approved care home at No. 34 does not contain any habitable room windows in its side elevation that would face the application site. As such, the future residents of the care home would not be adversely affected by the proposal.

As regards No. 28, the other adjoining property, the existing two storey rear extension at No. 30 already projects by approximately 5m beyond the main two storey rear elevation of the neighbouring residential property and approximately 1.5m from its extended ground floor on this side. Although the side elevation would be sited approximately 1m closer to the side boundary, the depth of the proposed building adjoining this side would be

reduced by approximately 3.5m so that it would only project by some 1.5m from the main rear elevation of No. 28. Furthermore, the projecting two storey rear wing, although it projects a further 7.25m into the rear garden, would be set back by over 7m from the side boundary of No.28. At this distance, the rear wing would not appear unduly dominant and the proposed building would not encroach upon any 45° line of sight taken from No. 28's rear facing windows.

The flank elevation of No. 28 does contain a ground floor projecting bay window feature which serves a kitchen/dining area. Although this room also has a rear facing window, this is small, the side window is the principal window serving this room due to its size and the bay also has small front and rear facing windows in its sides. Although the flank wall of the existing property is some 4m away from this window, this will close to approximately 3m with the proposal. However, it is considered that such an impact would not be so significant as to justify an additional reason to refuse the application, particularly as the window would receive some benefit from the reduction in the depth of the building on this side. All the other windows in the side elevation of this property either serve non-habitable rooms or are secondary windows such as the side dormer.

Given the relationship of adjoining properties, the proposal would not result in any significant loss of sunlight to justify a refusal of permission.

The proposed care home would only contain non-habitable side windows that could be conditioned to be non-opening and obscure glazed to protect the privacy of the neighbouring properties if the application had otherwise of been recommended differently. Similarly, any potential for overlooking from the decking area could be mitigated by appropriate boundary fencing. Again this could have been dealt with by condition had the application been recommended differently.

As regards the properties that front Roy Road and adjoin the application site at the rear, the rear elevations of these properties are typically some 80m away from the rear elevations of properties on Chester Road so that they would be too remote from the proposal to be affected by overlooking, greatly in excess of the Council's recommended 21m distance, and the rear boundary is also marked by mature trees that would screen the proposal.

The proposed 24 bedroom elderly person care home would replace the authorised use of the pair of semi-detached houses as a 12 bedroom children's home. It is considered that the potential for additional noise and general disturbance over and above that generated by the children's home would not be so significant as to justify a refusal of permission.

As such, it is considered that the proposal would not adversely affect the amenities of surrounding residential properties by reason of noise and general disturbance, dominance, loss of sunlight or overlooking, in accordance with policies OE1, BE20, BE21 and BE24 of the saved UDP.

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

The residents' bedrooms would be of a reasonable size, typically over 16m<sup>2</sup> and face to the front and rear so that they would have an adequate outlook and natural lighting. Although one of the bedrooms on the rear elevation would be sited close to the 7.25m projecting side wall of rear wing, it would be set back by 1.5m from the wall and similar relationships have been allowed by the previous Inspectors considering the adjoining care home schemes.

A good sized dining room and lounges are provided on the ground floor, together with an extensive rear garden in excess of 600m<sup>2</sup>. Although there are no adopted standards for care homes, this provision would exceed the shared amenity space required for 24 one-bedroom flats. Although the privacy of two ground floor bedrooms would need to be improved, this could be achieved with enhanced planting outside the bedroom windows. As this could be achieved by means of a condition which would involve revising the car parking layout, it is not considered that this justifies a further reason to refuse the application.

It is therefore considered that the proposal, as revised would provide suitable accommodation for its residents.

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

The Council's Highway Engineer advises that the Transport Statement submitted with the application relies on former car parking standards and fails to provide satisfactory information on the issue of car parking demand and availability within the area. Therefore, an assessment can not be made of the adequacy of the car parking being proposed and the possible implications for highway safety. As such, the scheme is contrary to Policies AM7 and AM14 of the saved UDP.

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

These issues are mainly dealt with in Section 7.03 above.

As regards security, the Crime Prevention Officer advises that secure fencing would be needed to prevent undesirable access to the rear of the property. Furthermore, although the proposed cycle store has open sides, given that it would be located behind the secure fencing, it would be acceptable. CCTV cameras monitoring the front elevation would also be beneficial.

It is considered that these outstanding matters could have been dealt with by condition had the application not of been recommended for refusal.

#### **7.12 Disabled access**

There is a shopping list of matters raised by the Access Officer and Access Panel concerning accessibility deficiencies with the proposal. Given that many of the issues would need to be factored into the design of the scheme from the outset (such as appropriate parking and refuge arrangements), it is felt that planning conditions could not address all the valid concerns raised by the Access Officer and Access Panel. As such it is considered that the application should also be refused for this reason.

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

N/A to this application.

#### **7.14 Trees, Landscaping and Ecology**

The Council Tree Officer advises that the layout of the parking at the front of the site, and the landscape concept for the whole site, are similar to the care home schemes for the re-development of Nos. 34-38 Chester Road.

Furthermore, the Tree Officer does not raise any objection to the Tree Survey submitted with the application which advises that the trees in the middle of the site (rear garden) have low or very low amenity value and, in terms of Saved Policy BE38, are not features of merit and do not constrain the development of the site. In contrast, with the

exception of one poor quality Chestnut (tree 2), the larger trees on and close to the southernmost part of the site are features of merit and should be retained as part of any development.

The site layout plan details the retention of all of the valuable trees on the southernmost part of the site, and two trees of lower value nearer to the proposed building. In this context, there is no objection to the loss of the trees, mostly conifers, in the middle of the site.

Subject to appropriate conditions, the scheme is acceptable in terms of Saved Policy BE38 of the UDP.

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

A condition could be attached if the application had not of been recommended for refusal, to require appropriate facilities to be provided for the secure and covered storage for waste recycling.

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

Although the submitted Energy Statement deals with the measures to be taken to improve the efficiency of energy use at the site, it fails to provide any discussion on how the development will fulfil or not if there are mitigating circumstances, the requirement to satisfy 20% of its energy demand from renewable sources. As such, the proposal is contrary to Policies 4A.1, 4A.3, 4A.4, 4A.6 and 4A.7 of the London Plan (February 2008).

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

This is not an area that has been identified as a flood risk area.

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

The proposed development as a care home for the elderly within an established residential area does not raise any issues in terms of noise or air quality.

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

The comments raised by the petitioners and points (i) to (vii) and (xi), (xii), (xv), (xvi) (xxi), (xxviii) and (xxxi) have been dealt with in the main report. Points (ix), (x), (xviii), (xix), (xx), (xxii), (xxiii), (xxiv), (xxv), (xxvi), (xxix), (xxx) and (xxxii) are noted but these do not raise material planning considerations which would justify an additional reason for withholding planning permission. As regards points (xiii) and (xvii), the Horse Chestnut tree (Tree 2) is shown to be removed for reasons of sound arboricultural management and the proposal does show some replacement tree planting, albeit not in this position. Tree 18 is shown to be retained. No objections have been raised by the Tree Officer to the proposed tree loss and proposed tree planting. Point (xiv) regarding existing occupation of the property will be investigated by the Planning Enforcement Team. As regards point (xxvii) the extent of public consultation undertaken on this application, which has included the display of a site notice outside the site is considered acceptable.

#### **7.20 Planning Obligations**

Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) is concerned with securing planning obligations to mitigate against the impacts of development upon the provision of recreational open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations. This UDP Policy is supported by more specific supplementary planning guidance.

It is likely that the re-development of this site as a care home for the elderly would place an additional demand for services from local health care facilities. As the application is being recommended for refusal, no detailed negotiations have been entered into with the developer in respect of this contribution. As no legal agreement to address this issue has been offered, the proposal fails to comply with Policy R17 of the UDP Saved Policies (September 2007) and it is recommended the application should be refused on this basis.

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

The proposal does not raise any specific enforcement issues. The current use of the application site, alleged to be as an House in Multiple Occupation will be investigated by the Planning Enforcement Team.

#### **7.22 Other Issues**

This application does not raise any other relevant planning issues.

### **8. Observations of the Borough Solicitor**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

## 9. **Observations of the Director of Finance**

This is not applicable to this application.

## 10. **CONCLUSION**

The proposal would be adjacent and of a similar design to the care homes that have been allowed at appeal on Nos. 34 to 36 Chester Road. However, the simple repetition of what has been allowed in the past is not always appropriate and can raise additional cumulative impacts. In addition, PPS5 which was adopted in March 2010 requires development that destroys historical assets to be fully justified which is missing from this application. The cumulative impact of this further block would be to create an incongruous symmetrical architectural 'set piece' within Chester Road with an additional discordant Mansard roof with oversized dormers. Additionally, this would create an extensive 50m frontage of built form which would not be broken up by adequate undeveloped gaps between the buildings. As such, the proposal would be detrimental to the Area of Special Local Character. Also, adequate information has not been submitted to demonstrate that the proposal would not have a detrimental impact upon highway safety and that the proposal would provide a sufficient proportion of its energy demand from renewable sources, to accord with recent policy guidance. Furthermore, it is likely that the scheme would generate additional demand for local health care facilities and the application makes no provision to mitigate this impact.

Finally the layout of the scheme fails to properly integrate accessibility measures. The application is recommended for refusal.

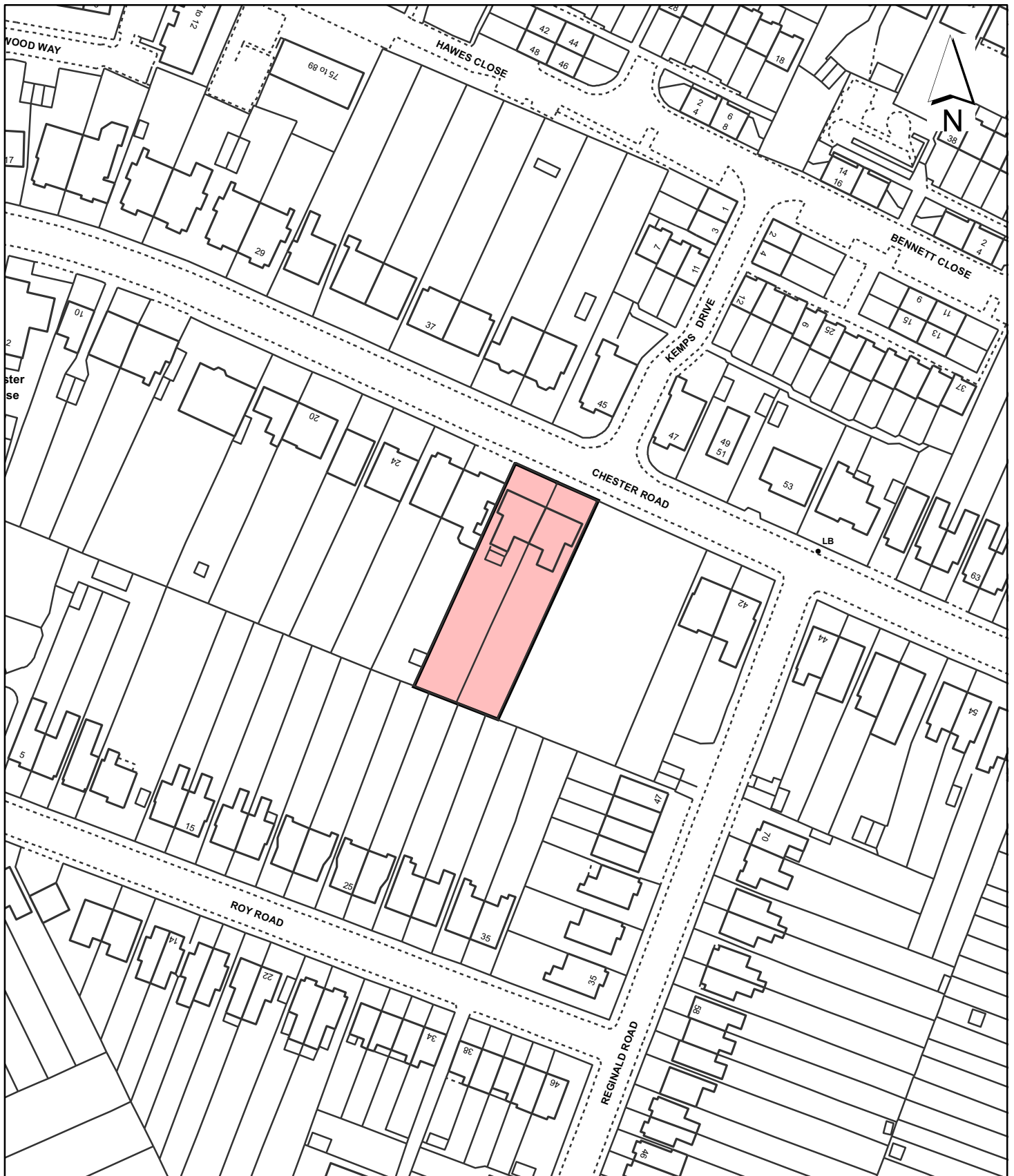
## 11. **Reference Documents**

PPS3: Housing (as amended)  
PPS5: Planning for the Historic Environment  
London Plan (February 2008)  
Hillingdon Unitary Development Plan Saved Policies (September 2007)  
Mayor's Interim Housing Supplementary Planning Guidance, April 2010  
Council's HDAS: Residential Layouts (July 2006) & Accessible Hillingdon (January 2010)  
Council's Planning Obligations Supplementary Planning Document, July 2007  
Consultation responses


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**Notes**

 Site boundary

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Site Address

**Land at 30 - 32 Chester Road  
Northwood**

Planning Application Ref:

**13800/APP/2010/623**

Planning Committee

**North**

Scale

**1:1,250**

Date

**August 2010**

**LONDON BOROUGH  
OF HILLINGDON  
Planning &  
Community Services**

Civic Centre, Uxbridge, Middx. UB8 1UW  
Telephone No.: Uxbridge 250111



**HILLINGDON**  
LONDON