

Report of the Head of Development Management and Building Control

Address: 95-97 WILLOW TREE LANE HAYES

Development: Temporary change of use of a pair of semi-detached dwellings (Class C3 use) to a Children's Home (Class C2 use for maximum of 2 residents with support staff) and all associated external works.

LBH Ref Nos: 70575/APP/2023/1743

Drawing Nos: Design and Access Statement
2023/D/343/P/01
2023/D/343/02
2023/D/343/07 Rev A
2023/D/343/P/04
2023/D/343/P/05
2023/D/343/P/06
2023/D/343/P/03

Date Plans received: 16-06-2023

Date Application valid 16-06-2023

1. SUMMARY

Planning permission is sought to change the use of the pair of semi detached properties (95 and 97 Willow Tree Lane) from residential dwellings (Use Class C3) to a Children's Care Home (Use Class C2) for a temporary period of 5 years.

The proposed development would aid in meeting an identified need for children's care homes in the Borough, whilst utilising previously developed land. This is a significant planning consideration which weighs in favour of the development.

Limited economic benefits (associated with carrying out the works) would also arise from the proposal, weighing in its favour.

Furthermore, the development would cause no notable harm to neighbouring amenities or the local highways network and future users of the building would be provided with a good standard of accommodation.

Notwithstanding the above, the development would cause some harm to the appearance of the area (due to the height and design of the proposed boundary treatments) as well as a reduction in the Borough's housing supply. However the change of use would be temporary, after which the site will be returned to its prior form and the buildings will be put back into their former use. The harm identified is therefore considered to be limited and outweighed by the benefits of the scheme.

Taking into consideration the above, it is recommended that the application be approved, subject to conditions.

2. RECOMMENDATION

APPROVAL subject to the following:

1. COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Once carried out, the proposed development (including gates and boundary treatments) are permitted to remain in place for 5 years from the date of this permission. After the 5 year period has expired, the proposed development (including gates and boundary treatments) shall be removed from the site and the land shall be returned to its former state and use within 8 weeks.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990, to preserve the character and appearance of the area and to restore the Borough's housing supply in line with Policies DMHB 11, DMHB 12, DMH 1 of the Hillingdon Local Plan Part 2 (January 2020), as well as relevant policies in the London Plan (2021) and NPPF (2021).

2. COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on submitted plan numbers:

Design and Access Statement

2023/D/343/P/01

2023/D/343/02

2023/D/343/07 Rev A

2023/D/343/P/04

2023/D/343/P/05

2023/D/343/P/06

2023/D/343/P/03

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

3. RES9 Landscaping (car parking & refuse/cycle storage)

The development shall not be occupied until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

1. Details of Soft Landscaping

- 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
 - 2.a Means of enclosure/boundary treatments (including dimensions, material finishes and design)
 - 2.b Full details of the proposed vehicular access gates (including dimensions, material finishes and design)
 - 2.c Hard Surfacing Materials
 - 2.d External Lighting
 - 2.e Other structures (such as play equipment and furniture)
 3. Details of Landscape Maintenance
 - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
 - 3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DMEI 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policy G5 of the London Plan (2021).

4. NONSC Cycle Parking

The development hereby permitted, shall not be occupied until the cycle storage facilities have been provided in accordance with the approved plans. Thereafter, these facilities shall be permanently retained on site and be kept available for the use of cyclists.

REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policies DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policies T5 and T6 of the London Plan (2021).

5. MCD16 Restriction to Use Applied For

Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any orders revoking and re-enacting either of these orders with or without modification), and subject to Condition 1, the building shall be used only for the purpose of a Children's Care Home and for no other purpose including any other purpose within Use Class C2 of the Town and Country Planning Use Classes Order 1987 (as amended).

REASON

To enable the Local Planning Authority to retain control over the use so as to ensure that it complies with policies DMHB 8, DMHB 11, DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) and Policy D13 of The London Plan (2021).

INFORMATIVES

1. I50 **The Registration of Residential Care Homes for Children**

You are advised that the use hereby approved for a Residential Care Home for Children should be registered with Ofsted and Care Quality Commission, prior to the commencement of the use. Further information can be found on www.ofsted.gov.uk and www.cqc.org.uk

2.

The Equality Act 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.

3. **CONSIDERATIONS**

3.1 **Site and Locality**

The development site is located on the north side of Willow Tree Lane. The site comprises a pair of semi detached properties that are finished in brick and have a contemporary design.

Both properties are set back from the main road and have a shared parking forecourt at their frontage. The surrounding area is residential and is characterised by two storey terraced and semi detached properties. Properties vary in design and material finish but are consistent in that they are set back from Willow Tree Lane.

The development site is located upon potentially contaminated Land and is within the Hillingdon Air Quality Management Area. The site has a PTAL rating of 2.

3.2 **Proposed Scheme**

Planning permission is sought to change the use of the pair of semi detached properties (95 and 97 Willow Tree Lane) from residential dwellings (Use Class C3 C3) to a Children's Care Homes (Use Class C2) for a temporary period of 5 years.

No changes are proposed to the internal layout of the properties.

No external changes are proposed to either of the properties.

No changes are proposed to the site's parking layout or landscaping.

Gates are proposed at the existing vehicular access. These will be installed alongside 1.8m high railings.

In terms of functionality, 2 young adults would reside at each property, with 1 member of staff. As such a total of 6 people would occupy the site on a permanent basis. Two members of staff (operating across both properties) would work shifts in assisting the residing workers and a site manager would visit infrequently.

The care provided for residents of the building would be focused on aiding children/young people that have experienced abuse and neglect, complex emotional and mental health needs, learning disabilities, vulnerability issues and/or lack of stable relationships.

3.3 Relevant Planning History

70575/APP/2015/246 Land Fronting 99-105a And 107-113a Willow Tree Lane Hayes
2 x two-storey, 3-bed detached dwellings with associated parking and amenity space and relocation of existing car parking for flats
Decision: 10-03-2015 Refused **Appeal:** 17-08-2015 Dismissed

70575/APP/2016/1704 Land Fronting 99-105a And 107-113a Willow Tree Lane Hayes
2 x two-storey, 3-bed semi-detached dwellings with associated parking and amenity space, installation of vehicular crossover to front and relocation of existing car parking for flats.
Decision: 13-07-2016 Approved

70575/APP/2017/4363 Land Fronting 99-105a And 107-113a Willow Tree Lane Hayes
2 x two-storey, 3-bed semi-detached dwellings with associated parking and amenity space, installation of vehicular crossover to front and relocation of existing car parking for flats
Decision: 13-03-2018 Approved

70575/APP/2018/1045 Land Fronting 99-105a And 107-113a Willow Tree Lane Hayes
Details pursuant to conditions 3 (Materials), 4 (Finished Floor Levels), 9 (Sustainable Water Management), 10 (Method Statement and Tree Protection Fencing), and 12 (Landscape Scheme) of planning permission 70575/APP/2017/4363 dated 13/03/2018 (2x two-storey, 3-bed semi-detached dwellings with associated parking and amenity space, installation of vehicular crossover to front and relocation of existing car parking for flats)
Decision: 12-06-2018 Approved

70575/APP/2018/3350 Land Fronting 99-105a And 107-113a Willow Tree Lane Hayes
The approval is for 2 x 2 storey 3 bed houses with 4 allocated parking spaces and a relocated car park for 15 existing car spaces. 70575/APP/2017/4363 Conditions(s) Condition 9 v.

Decision: 19-11-2018 No Further
Action(P)

70575/APP/2022/3723 Land Fronting 99-105a And 107-113a Willow Tree Lane Hayes

Details pursuant to the discharge of Condition 5 (parking allocation scheme) of planning permission ref. 70575/APP/2017/4363, dated 13-03-2018 (2 x two-storey, 3-bed semi-detached dwellings with associated parking and amenity space, installation of vehicular crossover to front and relocation of existing car parking for flats)

Decision: 19-01-2023 Withdrawn

70575/PRC/2023/60 95-97 Willow Tree Lane Hayes

Change of use to a childrens home.

Comment on Relevant Planning History

The sites planning history is set out in section 3.3 of this report. There is no planning history which is directly relevant to the proposed development.

4. Planning Policies and Standards

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan Part 2 - Development Management Policies (2020)
The Local Plan Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Local Plan Designation and London Plan

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

Part 1 Policies:

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PART 1 - MEMBERS, PUBLIC & PRESS

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMH 1 Safeguarding Existing Housing

DMH 4 Residential Conversions and Redevelopment

DMH 8 Sheltered Housing and Care Homes

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle Parking

DMEI 12 Development of Land Affected by Contamination

LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

LPP D7 (2021) Accessible housing

LPP T4 (2021) Assessing and mitigating transport impacts

LPP T6 (2021) Car parking

LPP GG2 (2021) Making the best use of land

LPP GG4 (2021) Delivering the homes Londoners needs

LPP H1 (2021) Increasing housing supply

LPP H10 (2021) Housing size mix

LPP H12 (2021) Supported and specialised accommodation

NPPF12 NPPF 2021 - Achieving well-designed places

Borough Planning Committee - 5th October 2023

PART 1 - MEMBERS, PUBLIC & PRESS

- NPPF2 NPPF 2021 - Achieving sustainable development
- NPPF5 NPPF 2021 - Delivering a sufficient supply of homes
- NPPF9 NPPF 2021 - Promoting sustainable transport

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date: Not Applicable

5.2 Site Notice Expiry Date: Not applicable

6. Consultations

External Consultees

A total of 40 neighbouring properties were directly notified of the proposal on 23/06/23.

12 letters of objection have been received in response to consultation on the application. Those comments have been summarised below.

- 1) There is no need for the proposed care homes;
- 2) The proposed development would lead to a loss of parking space at the neighbouring carpark. The carpark already provides insufficient parking for its residents. The development would therefore exacerbate existing parking issues and would also result in vehicles spilling on to Willow Tree Lane, which would reduce pedestrian and highway safety;
- 3) The development is for profit and it will devalue existing properties;
- 4) The proposed development would have an adverse visual impact on the building and appearance of the area;
- 5) The previous development at the site led to the loss of an existing communal garden and parking space. The proposal would exacerbate the problems caused by that development.
- 6) Noise, pollution and debris from construction work.
- 7) Plans do not satisfy local housing needs
- 8) Local infrastructure is insufficient for development
- 9) Impact on neighbours from noise, overlooking, smells and light pollution.
- 10) Layout and density is inappropriate
- 11) Inadequate access for people with disabilities

No comments were received from the Willow Tree Lane Residents' Association.

PLANNING OFFICER COMMENTS:

In relation to point 3, the motivations behind the proposed development are not a material planning consideration nor are property values.

In relation to point 5, the proposed development would not reduce communal gardens, nor would it impact on the neighbouring car park.

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PART 1 - MEMBERS, PUBLIC & PRESS

In relation to point 6, the works required to convert the building would be relatively minor.

In relation to point 8, there would not be significantly greater pressure on local infrastructure as the occupancy would be comparable to if the buildings were occupied as houses.

Issues relating to the remainder of the points are addressed in the main body of the report.

Internal Consultees

DIRECTOR OF ADULT SOCIAL CARE AND HEALTH

There is a significant need for local provision for individual children's home services to keep local children supported in their own locality and not have to move many miles out of the area. This supports family reunification and education of children and young people and the Council's strategy for developing services locally for local children.

PLANNING POLICY OFFICER

No comment.

ACCESS OFFICER:

I have considered the detail of this temporary Change of Use application and consider this proposal to have no impact on accessibility.

HIGHWAYS OFFICER

The site is located on Willow Tree Lane, a residential road with a 30mph speed limit, at the junction with Homefield Close where double yellow lines extend around the junction denoting parking restrictions between Midnight - 8am and 6.30pm - midnight.

The site is located in an area with a PTAL ranking of 2 indicating that the proposal would be located in an area with moderate access to public transport.

Access

Access to the site will be provided over the existing dropped kerb vehicle crossing which will be acceptable.

Car Parking

The existing use of the site requires 0.75no. car parking spaces per dwelling to comply with The London Plan Table 10.3 - Maximum Residential Parking Standards. The London Plan does not provide guidance for car parking for the proposed C2 Children's Home use, however, London Borough of Hillingdon Local Plan Part 2 - Appendix C Table (b) Parking Requirements requires that a minimum of 2no. parking spaces should be provided. Drawing 2023/D/343/07 titled Proposed Site Plan shows that 4no. spaces will be provided in a parking court at the front of the site to serve the 2no. units which will be acceptable.

Cycle Parking

London Borough of Hillingdon Local Plan Part 2: Appendix C - Parking Standards -Table (b) Parking Requirements requires that 1 cycle parking space is provided per 3 staff. 1 cycle parking space should therefore be provided for each unit which should be conditioned for provision and retention.

Recommendation

There are no highway objections to this proposal, however, the Highway Authority would require a suitable condition being applied to any approval to ensure the provision and retention of 2no. cycle parking spaces which could take the form of a Sheffield Stand.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Planning permission is sought to change the use of the pair of semi detached properties (95 and 97 Willow Tree Lane) from residential dwellings (Use Class C3) to a Children's Care Home (Use Class C2) for a temporary period of 5 years.

London Plan Policy H12 states 'The delivery, retention and refurbishment of supported and specialised housing which meets an identified need should be supported. The form this takes will vary, and it should be designed to satisfy the requirements of the specific use or group it is intended for, whilst providing options within the accommodation offer for the diversity of London's population, including disabled Londoners (see Policy D7 Accessible housing) within a wider inclusive community setting. Boroughs should undertake assessments of the need for short-term, medium-term and permanent supported and specialised accommodation within their borough.

Supported and specialised accommodation could include:

- 1) accommodation for people leaving hostels, refuges and other supported housing, as well as care leavers and people leaving prison to enable them to live independently
- 2) accommodation for young people with support needs
- 3) reablement accommodation (intensive short-term) for people who are ready to be discharged from hospital but who require additional support to be able to return safely to live independently at home, or to move into appropriate long-term accommodation
- 4) accommodation for disabled people (including people with physical and sensory impairments and learning difficulties) who require additional support or for whom living independently is not possible
- 5) accommodation (short-term or long-term) for people with mental health issues who require intensive support
- 6) accommodation for rough sleepers
- 7) accommodation for victims of domestic abuse
- 8) accommodation for victims of violence against women and girls.

Policy DMH 1 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) states that 'The net loss of existing self-contained housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent residential floorspace'.

Under section B, policy DMH 1 states that the Council will grant planning permission for the subdivision of dwellings only if: i) car parking standards can be met within the curtilage of the site without being detrimental to the street scene; ii) all units are self contained with exclusive use of sanitary and kitchen facilities and provided with individual entrances and internal staircases to serve units above ground floor level; iii) adequate amenity space is provided for the benefit of residents; and iv) adequate living space standards are met.

Policy DMH 8 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) states:

'A) The development of residential care homes and other types of supported housing will be permitted provided that: i) it would not lead to an over concentration of similar uses detrimental to residential character or amenity and complies with Policy DMH 4: Residential Conversions; ii) it caters for need identified in the Council's Housing Market Assessment, in a needs assessment of a recognised public body, or within an appropriate needs assessment and is deemed to be responding to the needs identified by the Council or other recognised public body such as the Mental Health Trust; iii) the accommodation is fully integrated into the residential surroundings; and iv) in the case of sheltered housing, it is located near to shops and community facilities and is easily accessible by public transport. B) Proposals for residential care establishments which fall under Use Class C2 must demonstrate that they would provide levels of care as defined in Article 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended).'

The proposed care home would provide living accommodation for children and young adults who are vulnerable and/or from disadvantaged backgrounds. The care home would be managed by a recognised and registered care provider. A maximum of 4 young people would reside on the site (2 per property). 1 member of staff would stay at each property. 2 additional support staff would assist at each property and the site manager would visit as required.

A planning history search of the immediate area suggests that there are no similar uses within close proximity of the site. The applicant's covering letter also contains supporting information to demonstrate that there are no similar care facilities within a 1km radius of the application site. Taking into consideration the information available to the Local Planning Authority, it is considered that the proposed development would not result in an over concentration of care homes or similar C2 uses in the area.

With regards to need, there is no identified need for C2 facilities of this nature within the Local Plan or the Council's Strategic Housing Market Assessment (2018). However, those assessments focus on general housing needs, as well as carehome needs for the Borough's older population. They make no specific assessment of the need for other types of care home facility. This being the case, the Borough's Social Care team were consulted on the application. The team advised that there is a need for children's care homes in the borough. This carries weight in the decision.

Taking into consideration that the site would accommodate a similar amount of people and activity to that proposed. It is considered that the proposed development would not result in any harmful levels of noise, disturbance or activity that would be out of keeping with the residential area. Additionally, the facility is to be managed by staff who will minimising the potential for adverse impacts upon the amenity of occupiers of neighbouring dwellings by way of noise or anti-social behaviour. The proposal includes no external alterations to the existing dwelling, and amended plans have been submitted to ensure that the proposed boundary treatments cause no significant visual harm to the areas appearance during the proposed term. The proposal is therefore considered to integrate acceptably into its residential surroundings.

Residents of the property would have their own bedrooms and access to a bathroom shared with one other resident. The residing member of staff would have their own bathroom and bedroom. A large communal dining/living room would be provided for all future users of the site, alongside outdoor amenity space. Parking would be available for staff. Appropriately sized boundary treatments would surround the site to aid in ensuring resident safety. The level of accommodation provided for future residents and workers of the care homes are therefore considered to be acceptable.

The proposal would result in the loss of two family sized dwellings, albeit the site would still provide a

form of residential accommodation. Whilst the loss is regrettable, it is temporary and after a 5 year period, both properties would be put back into C3 use. The temporary reduction in the Borough's Housing stock is therefore considered to be acceptable.

Taking into consideration all of the above, the proposal is considered to comply with the objectives of the relevant planning policies.

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Hillingdon Local Plan Part 1: Strategic Policies (2012) Policy BE1 states 'The Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. All new developments should achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place.'

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: 'All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding scale of development, height, mass and bulk of adjacent structures; building plot sizes and widths, plot coverage and established street patterns; building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment.'

Policy DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) re-emphasises the need for new development to be well integrated with the surrounding area and provides design criteria as to how this would be achieved.

No changes are proposed to the internal layout of the host properties nor are changes proposed to their external finishes of the property or landscaping surrounding the site.

The proposed works include the installation of new gates to the site's vehicular access and additional boundary treatments.

During the process of the application concerns were raised regarding the adverse visual impact of the proposed boundary treatments. Since then amended plans have been submitted showing the removal of the proposed 1.8m high fencing at the front of the site. The proposed frontage would now

comprise of 1.8m high railings, 1.8m high metal railed gates (to match) and soft landscaping. The proposed railings and gates would allow for visibility through the site and would ensure that the development to a large extent maintains the visual openness which exists at this part of Willow Tree Lane. Landscaping surrounding the site would remain as existing.

Taking into consideration that boundary treatments are lower in the area and that gates are uncommon, it is considered that the proposed railings and gates would cause some minor visual harm to the character and appearance of the area. The harm caused to the appearance of the area is considered to be outweighed by the wider benefits of the scheme and this assessment is discussed in the conclusion and summary of this report. A condition would ensure the restoration of a domestic scale of boundary treatment at the end of the 5 year temporary permission.

7.08 Impact on neighbours

Local Plan Policy DMHB 11 sets out design guidance for all new development in the borough. Part B of the policy states 'development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space'.

Guidance for Policy DMHB 11 states 'The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces'.

Paragraph 130 (f) of the NPPF (2021) states that new development should seek to 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'.

Taking into consideration that the buildings subject of this application already exist and that no changes are proposed to their bulk, scale, design or height. The proposed development would have no harmful overbearing or enclosing impact on neighbouring dwellings. Nor would it lead to any additional loss of outlook or additional loss of light to neighbouring properties. The relationship between the subject building and other buildings in the area is established and would remain the same post development. The proposed development includes no additional windows and therefore the care homes would provide identical views to the existing dwellings.

Furthermore each of the 3 bed dwellings would be replaced by a 3 bed care home, the change of use is therefore unlikely to result in a significant increase in people or activity at the site. For these reasons, it is considered that the proposal would not result in a harmful increase in overlooking or a loss of privacy to properties north of the site or any other property nearby.

As discussed previously, the scale of the proposal is considered such that levels of noise and/or disturbance from comings and goings to the premises would not be dissimilar to the sites existing use as two x 3 bed, 5 person, family homes. The proposal is therefore unlikely to result in any harmful increases in activity, noise or disturbance at the site and it is considered to be compatible with the residential location.

Taking into consideration the above, the proposed development is considered to have an acceptable impact on the amenities of surrounding residential properties. The proposed development is therefore considered to comply with Policy DMHB 11 and NPPF paragraph 130 in this respect.

7.09 Living conditions for future occupiers

Paragraph 130(f) of the NPPF (2021) quoted previously, seeks to promote health and well-being, and a high standard of amenity for existing and future users of a development. Furthermore, London Plan (2021) Policy D6 and Hillingdon Local Plan Part 2 - Development Management Policies (2020) Policy DMHB 16 seek to ensure housing is of high quality. This objective is considered relevant to the proposed care homes.

Each of the proposed care homes includes 3 bedrooms, each bedroom would have a window providing unimpeded outlook and access to natural light for its residents. Residents of each care home would also have access to a shared bathroom and living space. Overnight staff would have their own bedroom and en suite facilities. The shared residential environment is considered to be fit for purpose as it comprises numerous shared and private spaces for the site's future residents and workers. Whilst not entirely applicable, it should be noted that each bedroom within the care home would greatly exceed the minimum floorspace standards for a single bedroom outlined in Policy D6 of the London Plan (2021) and the National Space Standards, providing their future residents with spacious private rooms for their individual needs.

In addition to the above, 1.8m high gates and railings are proposed around the site. The boundary treatments would assist in ensuring that vulnerable residents within the site are safe and secure.

Taking into consideration the above, the proposal is considered to provide an acceptable level of amenity for its future users.

Policy DMHB 18: Private Outdoor Amenity Space states that applications for residential development should provide adequate levels of private, well designed and located amenity space.

There are no specific private amenity space standards for C2 uses in the Local Plan.

76sqm of garden space would be provided for the occupants of No.97 and 89sqm of garden space would be provided for the occupants of No.95. Taking into consideration the above, it is considered that adequate amenity space would be provided for future occupants of the care home.

Furthermore, in terms of ensuring an acceptable quality of accommodation and care for future occupiers, both care homes would be subject to controls and regulation outside of the planning system. The homes would be registered with Ofsted who would ensure that adequate levels of care are provided for future residents.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

PARKING AND TRIP GENERATION:

Policy DMT 2 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states: 'Development proposals must ensure that:

- i) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- iii) safe, secure and convenient access and facilities for cyclists and pedestrians are satisfactorily accommodated in the design of highway and traffic management schemes;
- iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and
- v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at

capacity.'

Policy DMT 5 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states: 'A) Development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network, including:

- i) the retention and, where appropriate, enhancement of any existing pedestrian and cycle routes;
- ii) the provision of a high quality and safe public realm or interface with the public realm, which facilitates convenient and direct access to the site for pedestrian and cyclists;
- iii) the provision of well signposted, attractive pedestrian and cycle routes separated from vehicular traffic where possible; and
- iv) the provision of cycle parking and changing facilities in accordance with Appendix C, Table 1 or, in agreement with Council.'

Policy DMT 6 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states: 'Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when:

- i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or
- ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations.

The Mayor of London adopted a new and revised London Plan in March 2021, consequently the car parking standards set out in the London Plan take precedence over those in the Local Development Plan, except where the Local Plan specifies lower local maximum standards or there are no parking standards for the proposed development.

PARKING:

The site has a PTAL rating of 2. As the London Plan (2021) does not set out any specific parking requirements for a development of this nature, Policy DMT 6 is considered to be applicable to the proposed development

With regard to the parking provision requirements for care homes, Policy DMT 6 states 'Either using a transport assessment and travel plan, or 1 space per four dwelling units, minimum 2 spaces, plus 1 space for warden. Where relevant provision is also to be made for emergency vehicle parking, loading and unloading'. Taking into consideration the above, 2 on-site car parking spaces are required.

4 spaces would be provided and this is considered to be acceptable taking into consideration that additional staff and visitors may attend the site infrequently.

BICYCLE PARKING:

Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the provision of cycle parking facilities for new residential units. For a development of this nature secure and sheltered cycle parking is required based on 1 space provision per 3 staff.

At present 2 cycle parking spaces exist in the rear garden of each property these would remain and therefore adequate cycle parking would be provided for the proposed development.

ELECTRIC CHARGING POINTS:

Part G) of Policy T6 and part C) of Policy T6.1 of the London Plan (2021) state that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces. If planning permission were to be granted, EVCP provision could be secured by condition. However as this is a temporary permission it is not considered proportionate to require electric vehicle charging points in this instance.

REFUSE/RECYCLING COLLECTION:

Policy DMHB 11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should make sufficient provision for well-designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. At present bin storage facilities exist within the cycle parking stores of each property. These will remain, as such adequate bin stores would be provided for the proposed development.

ACCESS AND INTERNAL ARRANGEMENTS:

The proposed parking layout, crossover and access location would remain as existing and approved under 70575/APP/2017/4363.

Gates would be installed 5m away from the main road, due to their set back and design (sliding oppose to outward opening), the gates would allow for a vehicle entering the site to park off road while the gates open. The vehicle would therefore not obstruct the highway or cause traffic build up. The gates are considered to be acceptable.

CONSTRUCTION:

A construction management/logistics plan is not considered to be relevant for a development of this nature as no major construction works are being carried out, additionally equipment and cars could be placed on the existing forecourt when installing gates and railings.

Overall, subject to the aforementioned conditions, it is concluded that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 and DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

7.11 Urban design, access and security

These issues are covered in other sections of the report.

7.12 Disabled access

Policy D7 of the London Plan (2021) states 'To provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that: 1) at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings'. 2) all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

Policy D7 of the London Plan is not applicable to conversions/extensions and no objection has been raised by the Council's Access Officer.

7.13 Provision of affordable & special needs housing

Provision of affordable housing not applicable to this application.

7.14 Trees, landscaping and Ecology

Policy DMHB 14: 'Trees and Landscaping' of the Hillingdon Local Plan Part 2: Development Management Policies (2020) requires:

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.
- C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.
- D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

Landscaping within and surrounding the site would remain unchanged. The proposal would cause no harm to the areas appearance.

7.15 Sustainable waste management

Discussed in other sections of this report.

7.16 Renewable energy / Sustainability

Discussed in other sections of this report.

7.17 Flooding or Drainage Issues

Discussed in other sections of this report.

7.18 Noise or Air Quality Issues

Discussed in other sections of this report.

7.19 Comments on Public Consultations

The issues raised during the consultation process have been addressed in the sections above.

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. The proposed development is not CIL liable.

No s106 or equivalent legal agreement is required for the proposed development.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

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

determine in all of the circumstances.

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

9. Observations of the Director of Finance

Not applicable

10. CONCLUSION

The proposed development would aid in meeting an identified need for children's care homes in the Borough, whilst using previously developed land. This is a significant planning consideration which weighs in favour of the development.

Limited economic benefits (associated with carrying out the works) would also arise from the proposal, weighing in its favour.

Furthermore, the development would cause no notable harm to neighbouring amenities or the local highways network and future users of the building would be provided with a good standard of accommodation.

Notwithstanding the above, the development would cause some harm to the appearance of the area (due to the height and design of the proposed boundary treatments) as well as a reduction in the Borough's housing supply. However the identified harm would be limited, as planning permission is sought for a temporary change of use (5 years), after which the site will be returned to its prior form and the buildings will be put back into their former use.

Taking into consideration the above, it is considered that the limited harm caused by the temporary change of use would be outweighed by the benefits of the proposed development.

It is therefore recommended that planning permission be granted for the proposed development, subject to conditions.

11. Reference Documents

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The West London Waste Plan (2015)

The London Plan (2021)

Contact Officer:

Haydon Richardson

Telephone No:

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Notes:

 Site boundary

For identification purposes only.
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LONDON BOROUGH OF HILLINGDON
 Residents Services
 Planning Section

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 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

70575/APP/2023/1743

Scale:

1:1,250

Planning Committee:

Borough

Date:

October 2023



HILLINGDON
 LONDON