

## Report of the Head of Development Management and Building Control

<b>Address:</b>	CEDAR HOUSE VINE LANE HILLINGDON		
<b>Development:</b>	Proposed change of use from Office (Class B1) to Assisted Living Care Beds (Class C2) with internal and external alterations to include a new bin store and access ramp.		
<b>LBH Ref Nos:</b>	12019/APP/2021/2298		
<b>Drawing Nos:</b>	001 Rev. B (Location Plan) 106 (Proposed Store and Ramp Entrance Details) Agent's email dated 11/10/23 101 Rev. B (Existing Floor Plans) 105 Rev. D (Proposed Site Plan Indicating Ownership Boundaries) 102 Rev. A (Existing Elevations) 110 Rev. J (Proposed Floor Plans) Planning Supporting Statement Transport Statement, November 2021 Heritage Statement, May 2021 201 (Existing Sections) 401 (Staircase Detail Drawing) Design and Access Statement, May 2021 111 Rev. D (Proposed Elevations) 202 Rev. A (Proposed Sections) 100 Rev. A (Existing Site and Block Plan) 104 (Proposed Demolition Plan)		
<b>Date Plans received:</b>	07-06-2021	<b>Date(s) of Amendments(s):</b>	07-06-2021
<b>Date Application valid</b>	16-12-2021		25-11-2021
			03-02-2022
			11-10-2023

### 1. SUMMARY

It is proposed to change the use of part of the Grade II\* Listed Cedar House from Class B1 offices to a Class C2 assisted living care home comprising 8 bedrooms. The proposal mainly involves the 20th Century block and 19th Century extensions to the historic house which are sited along Vine Lane. The internal and external alterations are considered to be relatively minor in this context and would not result in harm to the Listed building or adversely affect the character of the Hillingdon Village Conservation Area. The only exception to this is the siting / design of the proposed new bin store within the existing car parking area, however, revised details of this are being sought by condition, thereby satisfactorily addressing this matter. The proposal is unlikely to give rise to any greater

activity or vehicular trip generation, given the buildings existing commercial use so that the amenities of adjoining residential occupiers would not be harmed. The principle of the change of use from offices is acceptable.

Subject to a S106 Agreement to secure an air quality contribution and conditions, the application is recommended for approval.

## 2. RECOMMENDATION

That delegated powers be given to the Director of Planning, Regeneration and Environment to GRANT planning permission, subject to the following:

A) That the Council enter into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following Heads of Terms:

i) £6,191 is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduce human exposure to pollution levels.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.

C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) That, if the Legal Agreement has not been finalised within 6 months (or such other time frame as may be agreed by the Director of Planning, Regeneration and Environment), delegated authority be given to the Director of Planning, Regeneration and Environment to refuse planning permission for the following reason:

'The applicant has failed to provide measures to mitigate the impacts of the development through enhancements to the environment necessary as a consequence of demands created by the proposed development (in respect of air quality). The scheme therefore conflicts with Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020); the adopted Planning Obligations Supplementary Planning Document (2014); Policy DF1 of the London Plan (2021); and paragraphs 55-58 of the National Planning Policy Framework (2023).'

E) That if the application is approved, the following conditions be imposed:

### 1. COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

### REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

### 2. COM4 Accordance with Approved Plans

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

104 (Proposed Demolition Plan)  
105 Rev. D (Proposed Site Plan Indicating Ownership Boundaries)  
106 (Proposed Store and Ramp Entrance Details)  
110 Rev. J (Proposed Floor Plans)  
111 Rev. D (Proposed Elevations)  
202 Rev. A (Proposed Sections)  
401 (Staircase Detail Drawing)

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. COM5 General compliance with supporting documentation**

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Design and Access Statement, May 2021  
Planning Supporting Statement  
Transport Statement, November 2021  
Heritage Statement, May 2021

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence.

#### REASON

To ensure that the development complies with the objectives of Policies DMHB 1, DMHB 2, DMHB 3, DMT 1, DMT 2, DMT 4, DMT 5, DMT 6 of the Hillingdon Local Plan Part 2 (2020).

### **4. RES8 Tree Protection**

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed.

2.d No materials or waste shall be burnt; and

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

3. Where the arboricultural method statement recommends that the tree protection measures for a site will be monitored and supervised by an arboricultural consultant at key stages of the development, records of the site inspections / meetings shall be submitted to the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020).

#### **5. RES9 Landscaping (car parking & refuse/cycle storage)**

No development shall take place 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 Cycle Storage - secure and accessible space for 2 cycles

2.b Means of enclosure/boundary treatments

2.c Car Parking Layouts (including demonstration that a minimum of 1 space is served by an electrical charging point(s), with all the other parking spaces having passive provision),

2.d Hard Surfacing Materials

2.e External Lighting

2.f 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 turfing/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).

#### **6. RES10 Tree to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### **REASON**

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **7. NONSC Access Ramp Details**

Development shall not commence until details of the ramp gradient, any necessary level landing, and handrail design, including suitable materials to match or otherwise complement this Grade II\* listed building have been submitted to the Local Planning Authority for approval in writing. The approved details shall be implemented prior to the occupation of the development and thereafter shall be permanently maintained and retained.

#### **REASON**

To ensure an accessible and inclusive development for everyone in accordance with London Plan policy D5.

#### **8. NONSC En-suite Assisted Living Bedrooms**

The development hereby approved shall ensure that a minimum of two ensuite assisted living bedrooms, as approved, are sized, designed, and fitted with a level access shower, and otherwise designed in accordance with the guidance set out in the RIBA publication entitled 'A Guide for Assisted Living - Towards Lifehome 21'. The rooms and facilities contained within shall remain in place for the life of the building.

#### **REASON**

To ensure that the accommodation is accessible and welcoming to all sections of the population,

including older and disabled people, in accordance with London Plan policy D5.

#### **9. NONSC Condition Air Quality - Low Emission and Exposure Reduction**

No development shall commence until a low emission strategy (LES) has been submitted to and approved in writing by the Local Planning Authority. The LES shall specify the following

1) A clear and effective strategy to encourage staff to

- a) use public transport;
- b) cycle / walk to work where practicable;
- c) enter car share schemes;
- d) purchase and drive to work zero emission vehicles.

2) A clear and effective strategy to reduce exposure from residents to air pollution. This shall include but be not restricted to:

- a) restrict idling vehicles near the residence;
- b) deployment of a green wall oriented so that nearby emissions are prevented from dispersing near/into to the premises;
- c) design entrance and outdoor areas removed back from any nearby road/source of emissions;
- d) raise awareness of staff to the effects of air pollution on human health, in particular on senior citizens.

The measures in the agreed scheme shall be implemented and maintained throughout the life of the development.

#### **REASON**

As the application site is within an Air Quality Management Area, and to reduce the impact on air quality in accordance with policy EM8 of the Local Plan: Part 1 (November 2012), Policy DMEI 14 of the London Borough of Hillingdon Local Plan (Part 2), the London Borough of Hillingdon Air Quality Action Plan 2019-2023, London Plan (2021) policy SI1 and T4, and paragraphs 174(e), 186 and 188 of the National Planning Policy Framework (2023).

#### **10. NONSC Revised Bin Store Details**

Notwithstanding the details shown on Drw. No. 106 (Proposed Store and Ramp Entrance Details), prior to the commencement of development, revised details of the siting and design of the bin store shall be submitted to and approved in writing by the Local Planning Authority.

The bin store approved pursuant to this condition shall be provided on site prior to the occupation of the Class C2 use and it shall thereafter be retained for so long as the development remains in existence.

#### **REASON**

To ensure that the setting of the listed building is not harmed, in accordance with Policies DMHB 1, DMHB 2 and DMHB 3 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

## **INFORMATIVES**



**1. I52 Compulsory Informative (1)**

The decision to GRANT 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. I2 Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

**3. I3 Building Regulations - Demolition and Building Works**

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).

**4. I5 Party Walls**

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

**5. I6 Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

**6. I15 Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

#### **7. 147 Damage to Verge - For Council Roads:**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

#### **8. 170 LBH worked applicant in a positive & proactive (Granting)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

#### **9. 173 Community Infrastructure Levy (CIL) (Granting Consent)**



Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at [planning@hillingdon.gov.uk](mailto:planning@hillingdon.gov.uk). The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at:  
[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

### 153 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMCI 7	Planning Obligations and Community Infrastructure Levy
DME 2	Employment Uses Outside of Designated Sites
DMEI 10	Water Management, Efficiency and Quality
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMH 3	Office Conversions
DMH 4	Residential Conversions and Redevelopment
DMH 8	Sheltered Housing and Care Homes
DMHB 1	Heritage Assets
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 18	Private Outdoor Amenity Space
DMHB 2	Listed Buildings
DMHB 4	Conservation Areas
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts

DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D11	(2021) Safety, security and resilience to emergency
LPP D12	(2021) Fire safety
LPP D14	(2021) Noise
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D7	(2021) Accessible housing
LPP E1	(2021) Offices
LPP E2	(2021) Providing suitable business space
LPP G7	(2021) Trees and woodlands
LPP GG2	(2021) Making the best use of land
LPP GG3	(2021) Creating a healthy city
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H1	(2021) Increasing housing supply
LPP H12	(2021) Supported and specialised accommodation
LPP HC1	(2021) Heritage conservation and growth
LPP SI1	(2021) Improving air quality
LPP SI13	(2021) Sustainable drainage
LPP SI5	(2021) Water infrastructure
LPP T1	(2021) Strategic approach to transport
LPP T2	(2021) Healthy Streets
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
LPP T7	(2021) Deliveries, servicing and construction
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF8	NPPF 2021 - Promoting healthy and safe communities

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site forms part of the Grade II\* Listed Cedar House and grounds, located at the junction of the A4020 Uxbridge Road / Hillingdon Hill and Vine Lane which comprises a substantial detached historic property set within formally landscaped and walled grounds. Cedar House forms a three storey red brick Tudor building with the top storey contained within a gabled roof form which originally dates from the mid to late 16th century but has been remodelled in the 18th Century and

extended to the south west / west along Vine Lane in the 19th Century. A more modern lower rise block was added in the 20th Century to the north, along the Vine Lane boundary.

There are mature trees on site, including a large Cedar Tree at the front of the site. Vehicular access is provided from Vine Lane, to the north of the 20th Century block.

The change of use proposal primarily relates to the late 20th century block but does involve a small adjacent part of the main house and includes the rear part of the grounds. The block was built as additional office accommodation when Cedar House was converted to offices. It is a simple, one and a half storey brick building with a plain clay tiled, mansard roof form. At roof level a steeply pitched roof faces onto Vine Lane with numerous roof lights. The ground floor features arrow slit window openings. The east elevation faces onto an enclosed, courtyard environment. The elevation features projecting brick detailing separating the window openings.

Immediately to the north of the application site is Cedars Court, which originally formed associated curtilage buildings before being converted to residential dwellings and beyond these are traditional residential properties which front Vine Lane. On the opposite side of Vine Lane to the west are similar residential properties with The Vine PH located on the corner with Uxbridge Road and beyond this fronting the northern side of Uxbridge Road is a small retail parade. On Uxbridge Road to the south east are larger, predominantly residential properties and to the east is a residential estate centred on Cedars Drive. On the opposite side of Uxbridge Road at this point is St John the Baptist Church and Hill Manor Cricket Club Ground.

Cedar House and its grounds are located within the Hillingdon Village Conservation Area and the site is covered by Tree Preservation Order (TPO) 78a. The site also forms part of Hillingdon's Air Quality Management Area and is within the Uxbridge Air Quality Focus Area.

### **3.2 Proposed Scheme**

The proposal is for the change of part of Cedar House and grounds from Office (Class B1) to an Assisted Living Care Home (Class C2) with internal and external alterations to include a new bin store and access ramp. The proposal mainly relates to the 20th Century block and rear part of the grounds, but does include an adjacent single storey Victorian extension to Cedar House.

Within the 20th Century block, a total of 8 bedrooms are proposed, 2 on the ground floor and 6 on the first floor which range in size from 18 to 31 sq.m. and all include en-suite facilities. The ground floor would also provide a communal kitchen / dining room, a lounge and visitor wc, a laundry area and storage space. Within the adjacent Victorian extension, two offices would be provided, one with an en-suite, together with a staff rest room with kitchen. Located between the two blocks would be provided a new staircase to supplement the existing staircase at the northern end of the 20th Century block.

The access ramp is proposed at the northern end of the 20th Century block, adjacent to the site's entrance and the bin store is proposed within the existing car parking area sited to the east of the block. 7 car parking spaces are shown within this area to serve the C2 use with 4 spaces being provided for the retained office use. The existing overspill car parking area is being retained to the north east of the site.

The proposed use would serve as a care home for people with learning difficulties. 24 hour care every day of the week would be provided to the residents by qualified care staff. The proposed care home would provide 21 FTE opportunities, comprising 12 care staff, 1 manager, 6 staff to carry out ancillary duties, 1 staff member to supervise activities and 1 member of staff to carry out administrative duties.

This application is accompanied by an associated application for Listed Building Consent (12019/APP/2021/2299) which is also being reported to this committee.

### **3.3 Relevant Planning History**

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

None directly relevant to this proposal.

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

### **Development Plan**

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)

### **Material Considerations**

The National Planning Policy Framework (NPPF) (2023) 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:

PT1.HE1 (2012) Heritage

PT1.BE1 (2012) Built Environment  
PT1.EM1 (2012) Climate Change Adaptation and Mitigation  
PT1.EM6 (2012) Flood Risk Management  
PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

NPPF2 NPPF 2021 - Achieving sustainable development  
NPPF8 NPPF 2021 - Promoting healthy and safe communities  
NPPF11 NPPF 2021 - Making effective use of land  
NPPF12 NPPF 2021 - Achieving well-designed places  
NPPF16 NPPF 2021 - Conserving & enhancing the historic environment  
LPP GG2 (2021) Making the best use of land  
LPP GG3 (2021) Creating a healthy city  
LPP GG4 (2021) Delivering the homes Londoners needs  
LPP D4 (2021) Delivering good design  
LPP D5 (2021) Inclusive design  
LPP D7 (2021) Accessible housing  
LPP D11 (2021) Safety, security and resilience to emergency  
LPP D12 (2021) Fire safety  
LPP D14 (2021) Noise  
LPP H1 (2021) Increasing housing supply  
LPP H12 (2021) Supported and specialised accommodation  
LPP E1 (2021) Offices  
LPP E2 (2021) Providing suitable business space  
LPP HC1 (2021) Heritage conservation and growth  
LPP G7 (2021) Trees and woodlands  
LPP SI1 (2021) Improving air quality

LPP SI5 (2021) Water infrastructure

LPP SI13 (2021) Sustainable drainage

LPP T1 (2021) Strategic approach to transport

LPP T2 (2021) Healthy Streets

LPP T4 (2021) Assessing and mitigating transport impacts

LPP T5 (2021) Cycling

LPP T6 (2021) Car parking

LPP T6.1 (2021) Residential parking

LPP T7 (2021) Deliveries, servicing and construction

DME 2 Employment Uses Outside of Designated Sites

DMH 3 Office Conversions

DMH 4 Residential Conversions and Redevelopment

DMH 8 Sheltered Housing and Care Homes

DMHB 1 Heritage Assets

DMHB 2 Listed Buildings

DMHB 4 Conservation Areas

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 15 Planning for Safer Places

DMHB 18 Private Outdoor Amenity Space

DMEI 2 Reducing Carbon Emissions

DMEI 10 Water Management, Efficiency and Quality

DMEI 14 Air Quality

DMCI 7 Planning Obligations and Community Infrastructure Levy

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts



DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle Parking

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date: **2nd February 2022**

5.2 Site Notice Expiry Date: Not applicable

## 6. Consultations

### External Consultees

29 neighbouring properties were consulted on the 17/12/21, together with the Hillingdon Residents' Association, the Vine Lane Residents' Association and the Hillingdon Village Conservation Panel. The application was also advertised in the local press on 12/1/22 and a site notice was displayed outside the site on 20/1/22. Amendments have been made to the scheme and further rounds of public consultation have been undertaken, the last one of which expired on 22/8/23. A petition with 69 signatories has been received, requesting that the application be refused, together with 6 responses from neighbouring properties, objecting to the proposal.

The petitioners state:-

'The petitioners object to the development of Cedar House into an assisted living care-home. The Uxbridge Road end of Vine Lane is very busy with the pub and deliveries and Bishopshalt drop off on top of fact, heavy car usage'

Neighbours raise the following concerns (summary):-

### Highway Matters

(i) Proposed use of Cedar House is inappropriate as such facilities need to be located in a secure, secluded position, away from speeding traffic unlike this section of Vine Lane.

(ii) Highway collision data from 2016 to June 2020 has noted 15 incidents in the area and there have been incidents since including a traffic fatality on Uxbridge Road opposite Cedar House, and safety of unaccompanied assisted care home residents crossing Vine Lane is a real concern.

(iii) Deliveries to the Vine Pub and shops on Hillingdon Hill which use the service road behind the pub and refuse trucks often block the road and obscure vision, increasing traffic hazard for pedestrians and drivers alike.

(iv) Parking on Vine Lane and in surrounding area is already limited, especially around Bishopshalt School drop off and pick up times and this proposal will increase the problem.

(v) Efforts by local residents to install speed limit cameras and a pedestrian crossing on Vine Lane have been unsuccessful.

### Amenity

(vi) Residents in Vine Lane, Uxbridge Road and Cedars Court which backs onto and overlooks the car park at Cedar House will be adversely affected by noise issues, which would change from occurring during office hours to 24 hours a day.

(vii) There will be an increase in waste and rodents with residents cooking etc.

#### Other Issues

(viii) Would like to know the number of day and night care staff and where will they be housed.

(ix) There are plumbing and sewerage concerns as the road has weak water pressure and experienced several incidents of blocked pipes.

(x) Building has deteriorated steadily over the years and neglect is not acceptable in a conservation area and a commitment is needed to building maintenance.

(xi) A second hand car sales business was established recently with a hard core parking area illegally constructed before seeking planning permission which has since been refused.

(xii) Proposed development has potential to impact the conservation area and hope authority continues to believe in "Putting our residents first".

(xiii) This could be first step in a longer term strategy to use site for residential, with possible demolition of the house.

(xiv) Potential security risk with increase in crime.

(xv) A car park extension within grounds of the listed building would have a dramatic impact and should not be allowed.

#### Case Officer comments:-

As regards points (i) and (ii) and the petitioners concern, Policy DMH 8 of the Local Plan does require sheltered housing to be located near to shops and community facilities and within easy access of public transport. These facilities and services tend to be sited on the busier roads within the Borough and the site with its walled boundaries is not inherently unsafe for the proposed use with the safety of its residents largely being a matter for the management of the site. In terms of points (iii) and (iv), the proposed use is likely to generate less traffic than the existing offices (particularly if fully occupied) and the proposal would provide adequate off-street parking. Point (v) is noted. As regards point (vi), the proposed care home use is unlikely to generate significant amounts of noise and general disturbance over and above its existing office use or the residential uses of surrounding properties. Material issues included within points (vii), (viii), (xii) and (xiv) are dealt with in the main report. As regards points (ix), (x) and (xi), these do not raise material planning objections to the scheme. As regards point (xiii), this is speculation and any future applications that may arise would need to be considered and assessed on their individual merits. As regards point (xv) this proposal does not include an extension to the car park.

#### HISTORIC ENGLAND:

We have no comments to make on this application and advice should be sought from your specialist conservation and archaeology advisors.

#### VINE LANE RESIDENTS' ASSOCIATION:

The Vine Lane Residents' Association has ceased to function as there is no longer a chairperson.

#### Internal Consultees

POLICY OFFICER (comments on revised scheme):

#### Employment floorspace

Policy DME3 (Office Development) identifies preferred locations for new office development. It also states that proposals involving the loss of office floorspace in preferred locations for office growth should include information to demonstrate that the site has been actively marketed for two years, that the site is no longer viable for office use, taking account of the potential for internal and external refurbishment, and surrounding employment uses will not be undermined. Part D of the policy also requires proposals involving the loss of office floorspace within designated town centres to be supported by evidence of

continuous vacancy and marketing over a 12 month period. Offices outside of these locations are not protected by the policy. As the existing offices are not within a preferred location or designated town centre, these requirements of policy DME3 do not apply.

While DME2 requires marketing for the loss of any employment floorspace, DME3, which relates specifically to offices states that the Council will support proposals for new office development in the preferred locations of Stockley Park and Uxbridge Town Centre, and in designated town centres and LSELS (mentioned in para 2.14). DME3 only requires marketing in these locations. As DME3 requires proposals for new office floorspace to be in preferred locations, town centres or LSELS unless supported by a sequential test, we will not require marketing to justify the loss of office floorspace outside of these locations.

The London Plan supports this position. Part D of Policy E1 outlines that diverse office markets in outer London should be consolidated and extended where viable, focusing new development in town centres and other existing office clusters supported by improvements to walking, cycling and public transport connectivity and capacity. It outlines in part D2), that some existing business parks (such as Chiswick Park, Stockley Park and Bedfont Lakes) should be included in this list of locations where office floorspace should be consolidated and extended. Part E suggests retaining viable office floorspace outside of these areas (and releasing surplus capacity) and supporting this through Article 4 Directions, however, we have chosen not to support this area through the recent confirmation of A4Ds across the borough.

#### Supported Housing

The applicant has provided more information on the type of supported housing being proposed and the level of care being proposed. They are offering 24 hour care with full-time staff for people with learning disabilities. Generally the scheme looks to be policy compliant, however, to fully meet the requirements of Policy DMH8, it would be useful if they could give an indication of the level of need for this use (for which I am sure there is a need), and also 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 reason for this is to ensure sub-standard facilities won't be provided and for us to know what need is being met and it would be good for us to know what the level of that need in the borough might be.

#### CONSERVATION / URBAN DESIGN OFFICER:

Summary of comments dated November 2022

#### Historic Environment Designation(s)

- Locally Listed Building - The Cedars (non-designated heritage asset)
- Grade II\* Listed Building - Cedar House (NHLE: 1284903)
- Setting and curtilage of Grade II\* Listed Building - Cedar House (NHLE: 1284903)
- Hillingdon Village Conservation Area (HVCA)

#### Assessment - Background/ Significance

The Cedars, a Locally Listed Building, is a late 20th century addition to the Grade II\* listed Cedar House. It forms part of the curtilage of the listed building, and by virtue of its affixation to the principal listed building it is afforded the same protection. However, the building has individually been recognised as a non-designated heritage asset in the past, hence its local listing. The submitted heritage statement fails to acknowledge this however, reiterates the local list description, word for word, under paragraph 2.1.2.

The building was built as additional office accommodation when Cedar House was converted to offices. It

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is a simple, one and a half storey brick building with a plain clay tiled, mansard roof form. At roof level a steeply pitched gable end faces onto Vine Lane alongside numerous roof lights. The ground floor features, arrow slit window openings. The east elevation faces onto an enclosed, courtyard environment. The elevation features projecting brick detailing separating the window openings.

The original building to the site, Cedar House is a Grade II\* Tudor building set within a spacious, corner plot. The building originally dates from the mid to late 16th century, however the property was partly remodelled in the 18th century. During the 18th century the property was occupied by the botanist, Samuel Reynardson who is thought to have planted the original Cedar tree to the south of the house (fronting onto the Uxbridge Road) which in turn lends its name to the property. In the 1950s the house was used as a school, known as Rutland School and then subsequently became offices in the latter part of the 20th century (c.1971).

The main portion of the historic building is three storeys in height with the top storey contained within the roof form which features gables. It is externally characterised by its red brick exterior and historic plain clay tiled roof. The elevations are decorated with traditional timber windows, comprising of vertical sliding, multi-paned sash windows and casement windows at roof level and along the northern elevation.

The two-storey built form located to the south-west of the main brick building and abutting Vine Lane is a half-timbered 19th century wing built for Sir Howard Button.

The buildings to the north of Cedar House were originally ancillary buildings associated to Cedar House and the later school. They formed part of the curtilage of the original property. Whilst now separated from Cedar House, in line with Historic England guidance they are considered curtilage listed due to their age, historic association and use and ownership at the time of listing. As existing it is understood they are residential dwellings. They contribute to the setting and significance of Cedar House.

The entire site is bounded by brick walls. Gates provide access to the site however only the western access is used. The red brick garden walls to the east of the house are listed in their own right, and originally date from the 16th century. The wall encloses what would have most likely have been the former historic Tudor gardens, which contributes to the significance and historic interest of the site. The estate itself was most likely much larger and the area to the east of the garden wall has historically existed as an orchard. Unfortunately, the walls themselves have clearly been neglected over the years and are in much need of sensitive repairs.

The area to the south of the house, fronting onto Uxbridge Road, is characterised by open grassland. The Cedar tree is a prominent positive feature of the site and conservation area. Its existence contributes to the historic interest of the house. A path leads from the southern pedestrian gate to the entrance of the house.

The area to the north of the house has been significantly altered due to the new modern block along the western boundary and separation of the curtilage listed ancillary buildings to the north, from Cedar House. The space is defined by detracting hardstanding to facilitate car parking. A low-rise brick wall separates the car parking area from the listed building and wider site.

It is recognised the original quality of the gardens was most likely eroded when the property was used as a school hence the extensive areas of hardstanding to the north of the building. Whilst somewhat altered, the open, verdant nature of the site contributes to the setting of Cedar House and what was once a formal garden space, particularly to the south and east of the site. The setting contributes to how the heritage assets are experienced. The grounds are interlinked with the significance of the house and garden walls which bound it, contributing to its historic interest. The space associated to heritage assets form part of the historic environment and preservation of original settings and where appropriate opportunities to enhance

or reinstate such settings should be taken.

In addition to the buildings and garden walls being listed the site also forms part of the Hillingdon Village Conservation Area. The conservation area is characterised by the historic Hillingdon Village and large areas of green belt land. Whilst some of the village-like qualities have been diminished by the Uxbridge Road, it contains a notable number of Listed Buildings contributing to its historic integrity and architectural interest. Cedar House, The Cedars and its respective site positively contribute to the significance and interest of Hillingdon Village.

#### Assessment

The discrepancies on the drawings have now been corrected on the as existing and proposed drawings. The annotation also shows the correct construction materials of the existing building. The amended drawings and updated heritage statement confirm that there would be very little external alteration to the building and that it is proposed to retain the existing built fabric including the existing rooflights and windows etc.

The drawings now show the addition of two soil vent pipes to the roof. If these are all that are required then these would be considered acceptable in principle. These are, however, shown rising up through the sloping roof tiles and would as a consequence be quite visible. It would be better if the soil vent pipes went through the top of the roof and be of a low height and be black in colour to minimise their impact. If further additions to ventilate the building are required either through the roof or walls then these will need to be clearly indicated on the drawings so that their impact can be properly assessed. The drawings are vague in this respect. There is a suggestion of SVP tile vents but location and number are not shown. There would be concerns with additional unsightly visual clutter being added to the building.

A large bin store has now been included on the drawings which wasn't present on the original submission. There are concerns with this element which introduces an intrusive building to the setting of the listed building. The design incorporates brick elevations with a flat roof that would be to the same height as the soffit of the existing office block.

The design of the bin store looks utilitarian and incongruous to the setting of the listed building. The height appears excessive and the detailed design with flat roof and fascia boards along with metal doors would result in an unsympathetic addition.

A more discreet location should be sought for the bin store along with a more sympathetic design so that it is 'softer' in appearance and sits quietly within the setting of the listed buildings.

#### PLANNING OFFICER COMMENT:

The soil vent pipes have been revised and are acceptable and a condition is recommended which seeks a revised location and design of the bin store.

#### CONSERVATION / URBAN DESIGN OFFICER - FURTHER COMMENTS ON LATEST REVISED PLANS:

Heritage Environment Designation(s) :

- Locally Listed Building - The Cedars (non-designated heritage asset)
- Grade II\* Listed Building - Cedar House (NHLE: 1284903)
- Setting and curtilage of Grade II\* Listed Building - Cedar House (NHLE: 1284903)

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·Hillingdon Village Conservation Area (HVCA)

**Background:**

Conservation comments dated March 2022 and November 2022 have already been submitted. The issues raised in the comments have been successfully addressed and will not be discussed further here.

Since November 2022 new plans have been submitted which include alterations to the Victorian extensions that sit between the locally listed The Cedars and the more significant buildings phases of the Grade II\* Cedar House.

**Proposal:**

The proposed works to the Victorian extensions involve creating offices, staff room, kitchen and WC, the foul drainage will connect into the existing run.

**Impact:**

The highest impact aspect of these proposals will be the creation of a new WC with new study walls and foul drainage. There will be no external impact with this aspect of the proposal and the stud walling is reversible.

Elsewhere, the fitting of kitchen cabinets and redecoration of floors, walls and ceilings will have minimal impact as these are currently modern. The significance of these Victorian extensions will be unaffected by these proposals.

**Conclusion:**

No objection.

**Suggested conditions for the overall application:**

- Full details of the partition, door and door furniture to be installed within the ground floor of the listed Cedar House to the south of the Victorian extensions.
- Full details of blocking up of doorway between the locally listed building The Cedars and the Victorian extensions of Cedars House on the first floor.
- All windows shall be constructed of timber. Any replacement double glazed windows shall be limited to The Cedars, the locally listed building. No other windows shall be replaced without consent.

**PLANNING OFFICER COMMENT:**

The above recommended conditions have been attached to the officer's recommendation on the associated application for Listed Building Consent (12019/APP/2021/2299) (which is also being presented to this committee), as they relate to works which require listed building consent as opposed to planning permission.

**HIGHWAY ENGINEER:**

**Site Characteristics and background:**

The address is situated on the corner of Vine Lane & Uxbridge Road and is designated for several business use purposes totalling 5 offices (3 vacant & 2 occupied - GIFA (190m<sup>2</sup>)). The local area is extensively covered by parking controls which take the form of a Controlled Parking Zone operating from



9am to 5pm - Monday to Friday. The public transport accessibility level (PTAL) for the site equates to 2 which is considered as poor and hence encourages dependency on the use of private motor transport to and from the address.

Based on financial viability, it is now proposed to convert part of the existing building from an office to an 'assisted living' care-home use consisting of 8 bedrooms provided for individuals with learning difficulties. 21 FTE staff would be required to operate the care-home (4 on-site at any one time) and 7 formal on-plot parking spaces are to be inclusive to the proposal accessed via an established 'bell-mouth' aperture on Vine Lane which is to remain unaltered.

#### Parking Provision:

Local Plan: Part 2 Policy - DMT 6 requires that new development will only be permitted where it accords with the council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

There are 7 on-plot spaces specifically designated for the care-home use with 4 separate retained spaces allocated to the office use which are considered sufficient in terms of quantum. The council's care-home standard requires appraisal either by virtue of a Transport Assessment (TA) or 1 space per 4 dwelling units (with a minimum of 2 spaces) to be provided for a care home use (plus 1 warden space). When applying the latter, this would therefore equate to a requirement of 3 spaces. There are no other prescriptive standards (regional or otherwise) that can be applied hence there would appear to be an over-provision. However, this is considered acceptable in this case as it reduces the potential for injudicious parking within the site or untoward on-street parking displacement resulting from the higher dependency on private motor transport due to the 'poor' PTAL rating.

#### Electric Vehicle Charging Points (EVCP's):

In accord with the Local Plan: Part 2 DMT 6 policy and parking standard, there is a requirement for EVCPs which would equate to a minimum facility of 5% of the total parking quantum for 'active' provision with a further 5% acting as 'passive' provision for future activation.

As there is a strong move toward hybrid and fully electrified vehicles which will only increase in time, it is considered appropriate to encourage that 1 on-plot space is designated as an 'active' provision with the remaining 10 dedicated as 'passive'. This aspect has not been acknowledged and should therefore be secured via planning condition.

#### Cycle Provision:

In terms of cycle parking, there should be a provision of 1 space secure and accessible spaces per 3 staff equating to approximately 1 space for the level of anticipated daily total of 4 staff on-site at any one time (total 21 FTE) in order to conform to the adopted borough cycle parking standard. 2 spaces have been indicated within a suitable location hence there are no further observations.

#### Vehicular Trip Generation/Vehicular Access Arrangements:

Local Plan: Part 2 Policies - DMT 1 and DMT 2 require the council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

On the basis of the database evidence from the land use trip generation database (TRICS), it is confirmed

that general activity would be relatively low as compared to the office-based use (when fully active) coupled with the nature of the relatively dormant use profile of care home uses. Hence no notable concerns are raised.

The existing 'bell-mouth' vehicular access is to remain without amendment and is considered fit for purpose.

Operational Servicing requirements/ Waste Storage Location:

As this is 'commercial' enterprise, collections would be organised by way of a private contractor hence this will require a separate conversation with the appropriate waste collection service. There are no further observations.

Conclusion:

The application has been reviewed by the Highway Authority who are satisfied 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 Management Plan (2020) - Policies DMT 1, DMT 2 & DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

PLANNING OFFICER COMMENT:

With reference to the Highway Officer's comments, it is noted that there are in fact 8 spaces designated to the proposed C2 use as opposed to 7 as stated by the Highway Officer. This does not affect the acceptability of the proposal, as it has already been confirmed that there is surplus parking (in relation to standards), however this would be beneficial in such a location.

TREE / LANDSCAPE OFFICER:

This site is occupied by a Grade II\* listed building, with a walled garden car park and two-storey extension which runs on a north-south axis to the east of Vine Lane. The focus of the application is on the two-storey building which has been used as an office which is currently unused. The site lies within the Hillingdon Village Conservation Area, a designation which protects trees. Selected trees on the site are also protected by TPO 78. According to the TPO schedule, two individual trees and a group are situated within the car park associated with the office building; T67 mulberry, T68 ash and G32 horse chestnuts.

COMMENT No tree survey has been submitted and none are indicated on plan. According to the D&AS (section 8, Landscape) no trees will be affected by the proposed development. It is accepted that the proposals only seek to amend the internal layout of the building which will pose no direct threat to trees on the site, however, they will require protection from unintended / indirect damage related to the contract work to strip out and amend the internal layout. External space will be required for contractors vehicles, welfare facilities, storage of materials and so on. To this end tree protection measures will need to be written into a Construction Management Plan. The D&AS also states that no landscaping is proposed as part of the development. Given the proposed change of use to assisted living care, soft landscape enhancement of the site should be provided, by condition.

Recommendation:

No objection subject to pre-commencement conditions RES8, and condition RES9 (parts 1, 2, 4 and 5 and RES10).

ACCESS OFFICER:

The revised plans have been reviewed following the previous accessibility objections which have now been addressed. The proposed Change of Use raises no further accessibility concerns subject to the following conditions attached to any planning approval:

Development shall not commence until details of the ramp gradient, any necessary level landing, and handrail design, including suitable materials to match or otherwise complement this Grade II listed building. The submitted details shall be approved in writing by the Local Planning Authority prior to occupation of the development, with all such facilities permanently retained thereafter. REASON: To ensure an Accessible and Inclusive development for everyone in accordance with London Plan policy D5.

The development hereby approved shall ensure that a minimum of two ensuite assisted living bedrooms, as approved, are sized, designed, and fitted with a level access shower, and otherwise designed in accordance with the guidance set out in the RIBA publication entitled 'A Guide for Assisted Living - Towards Lifeline 21'. The rooms and facilities contained within shall remain in place for the life of the building. REASON To ensure that London's visitor infrastructure is accessible and welcoming to all sections of the population, including older and disabled people, in accordance with London Plan policy D5.

#### WASTE SERVICES:

The location of the bins looks satisfactory. Will the gates be kept open, or will the crew need a key or fob to access gates to collect the bins? A dropped kerb will be needed here. Please also note below:

If using bulk bins they must be placed on smooth impervious material that is 100 mm thick to withstand the weight. If multiple bins are needed they are better kept in an enclosure. This discourages non-residents from using the bins and also improves the aesthetics of the development.

The enclosure or chamber should be large enough to allow clearance of 150 mm between each bin and the walls. There should be space in front of the bins to allow residents to easily access the bins when depositing waste. If many multiple bins are used then there should be sufficient space to rotate the bins in between collections. The walls should be made from an impervious, non-combustible material that ideally has a fire resistance of one hour when tested to BS 476-21. If a gate or door is added to the enclosure or chamber it should be metal, hardwood or softwood clad with metal. Ideally it should have a fire resistance of 30 minutes when tested to BS 476-22. The door frame should allow clearance of 150 mm either side of the bin, when it is being pulled out for collection. The door frame should be rebated into the reveals of the opening. There should be a latch or clasp to hold the gate / door open while the collection process takes place.

The collectors should not have to cart a 1,100 litre bulk bin more than 10 metres from the point of storage to the collection vehicle. The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the storage area 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. The roadway the vehicle parks on should be able to withstand the load of a 26 tonne vehicle.

#### AIR QUALITY OFFICER:

##### Summary of Comments

The proposed development is located within the LBH Air Quality Management area (AQMA), and within LBH Uxbridge Focus Area, bringing additional traffic emissions which will add to current likely

exceedances. Proposals are required to improve air quality within Focus Areas. In addition, due to its nature, the proposed development has the potential to expose vulnerable individuals to air pollution. Based on the information provided, the proposal is not air quality neutral for transport emissions.

As per the London Plan and LBH Local Action Plan 2019-2024, developments need to be neutral as minimum and positive in Focus Areas, contributing to the reduction of air pollutant emissions in these sensitive locations. LBH requires new developments to incorporate air quality positive design measures from the outset and suitable mitigation measures to reduce pollution, especially in areas where the air quality is already poor (LBH Air Quality Local Action Plan 2019-2024), namely Focus Areas. Furthermore, policy DME1 14 of the emerging London Borough of Hillingdon Local Plan (part 2), requires active contribution towards the continued improvement of air quality, especially within the Air Quality Management Area. Finally, the London Plan (March 2021) requires development to be air quality neutral as minimum and air quality positive in certain circumstances, actively contributing to reduce pollutant emissions to the atmosphere.

#### Damage Cost and Mitigation Measures:

The development is not Air Quality Neutral and further action is required to reduce emissions. In addition, exposure reduction measures need to be implemented to protect the care home residents from exposure to air pollution levels.

Mitigation measures to reduce emissions can be applied on-site or off-site. Where this is not practical or desirable, pollutant off-setting will be applied. The level of mitigation required associated with the operation phase of the proposed development is calculated using Defra's Damage Cost Approach.

The level of mitigation required to the proposed development for traffic emissions is £7,283. Once all deductions were applied, the remaining value of mitigation due is £6,191. Flat rate deductions applied are as follow: Green Sustainable Measures (5%), contribution to long term LBH strategic long-term strategies (10%), totalling a reduction of £1,092.

Therefore, a section 106 agreement with the LAP of £6,191 is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduces human exposure to nitrogen dioxide levels. A condition is required to secure exposure reduction from the residents of the care home.

#### Observations:

In addition, the following conditions will apply. See text below.

#### Condition Air Quality - Low Emission and Exposure Reduction Strategy

No development shall commence until a low emission strategy (LES) has been submitted to and approved in writing by the Local Planning Authority. The LES shall specify the following

1) A clear and effective strategy to encourage staff to

- a) use public transport;
- b) cycle / walk to work where practicable;
- c) enter car share schemes;
- d) purchase and drive to work zero emission vehicles.

2) A clear and effective strategy to reduce exposure from residents to air pollution. This shall include but be not restricted to:

- a) restrict idling vehicles near the residence;

b) raise awareness of staff to the effects of air pollution on human health, in particular on senior citizens.

The measures in the agreed scheme shall be maintained throughout the life of the development.

#### Reason

As the application site is within an Air Quality Management Area, and to reduce the impact on air quality in accordance with policy EM8 of the Local Plan: Part 1 (November 2012), policy DME1 14 of the London Borough of Hillingdon Local Plan (part 2), the London Borough of Hillingdon Air Quality Action Plan 2019-2023, London Plan (2021) policy SI1 and T4, and paragraphs 174(e), 186 and 188 of the National Planning Policy Framework (2023).

#### Conditions - Reducing Emissions from Demolition and Construction

1. No development shall commence until a Plan has been submitted to, and approved in writing by, the LPA. This must demonstrate compliance (drawn up in accordance with) the GLA Control of Dust and Emissions from Construction and Demolition SPG (or any successor document).

#### Reason

Compliance with London Plan Policy 7.14 and in accordance with Mayor of London "The Non-road mobile machinery (standard condition recommended by Mayor of London, London Local Air Quality Management Policy Guidance 2019)

2. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>."

#### Reason

Compliance with the London's Low Emission Zone for non-road mobile machinery as per requirements of the London Environment Strategy

#### Context

The proposed development is within an Air Quality Management Area and will affect identified Air Quality Focus Area(s). Air Quality Focus Areas are defined by the GLA as areas already suffering from poor air quality where prioritisation of improvements is required. This is supported by:

Local Plan Part 2 Policy DME1 14

A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

B) Development proposals should, as a minimum:

i) be at least "air quality neutral";

ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and

iii) actively contribute towards the continued improvement of air quality, especially within the Air Quality Management Area.

#### Case Officer comment:

Due to the limited extent and nature of the proposed demolition and construction works which would mainly be internal to the building, it is considered that the air quality officer's two recommended conditions relating to reducing emissions from demolition and construction work would be unnecessary and onerous.

## ADULT SOCIAL CARE:

From the information submitted, we can support the application although the provider does need to understand that we would only be placing on a spot provision as we have block contracts in place already so no guarantee of placements.

Case Officer comment:

The applicant has been made aware of this.

## 7. MAIN PLANNING ISSUES

### 7.01 The principle of the development

#### Loss of Office Space

Cedar House does not form part of a designated employment site within the Local Plan, nor is it within a designated preferred location for office development or a designated town centre.

Policy DME 2 (Employment Sites Outside Designated Employment Areas) of the Local Plan: Part Two - Development Management Policies (2020) advises that the loss of employment floorspace or land outside of designated employment areas will normally be permitted if:

- i) the existing use negatively impacts on local amenity, through disturbance to neighbours, visual intrusion or has an adverse impact on the character of the area; or
- ii) the site is unsuitable for employment reuse or development because of its size, shape, location, or unsuitability of access; or
- iii) Sufficient evidence has been provided to demonstrate there is no realistic prospect of land being reused for employment purposes (12 months marketing evidence); or
- iv) The new use will not adversely affect the functioning of any adjoining employment land; or
- v) The proposed use relates to a specific land use allocation or designation identified elsewhere in the plan.

Policy DME3 (Office Development) identifies preferred locations for new office development and also states that proposals involving the loss of office floorspace in preferred locations for office growth should include information to demonstrate that the site has been actively marketed for two years, that the site is no longer viable for office use, taking account of the potential for internal and external refurbishment, and surrounding employment uses will not be undermined. Part D of the policy also requires proposals involving the loss of office floorspace within designated town centres to be supported by evidence of continuous vacancy and marketing over a 12 month period. The Council's Policy Officer has confirmed that while Policy DME2 requires marketing for the loss of any employment floorspace, Policy DME3 specifically relates to offices and it only requires evidence of marketing in the preferred locations of Stockley Park, designated town centres and LSELS. Offices outside of these locations such as Cedar House are not protected by the policy and therefore do not require marketing evidence to justify the loss of their office floorspace.

The Policy Officer also advises that Part D of Policy E1 of the London Plan lends weight to this stance in that it outlines that diverse office markets in outer London should be consolidated and extended



where viable, focusing new development in town centres and other existing office clusters supported by improvements to walking, cycling and public transport connectivity and capacity. It outlines in part D2), that some existing business parks (such as Chiswick Park, Stockley Park and Bedfont Lakes) should be included in this list of locations where office floorspace should be consolidated and extended and Part E goes on to suggest retaining viable office floorspace outside of these areas (and releasing surplus capacity) and supporting this through Article 4 Directions. The officer notes that this is not an area being supported through the confirmation of various Article 4 Directions across the borough.

### Principle of Supported Housing

Policy H12 of the London Plan (2021) states that:

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.

Policy DMH 8 of the Hillingdon Local Plan: Part Two (2020) states that:

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).

In relation to initial concerns raised by the Council's Policy Officer as regards how the use meets the requirements of Policy DMH8, the applicant advises that information for the Projecting Adult Needs and Service Information (PANSI) developed by the Institute of Public Care and Oxford Brookes University suggests that there were 5,588 people aged 18 and above living in Hillingdon in 2020 who had a learning disability and projected that this would increase by 5.8% to 5,914 by 2030. PANSI projections also suggest that the number of people with a moderate to severe learning disability and, therefore, likely to be accessing statutory services will increase by 5% from 1,198 in 2020 to 1,258 in 2030.

The applicant goes on to advise that the Council's Learning Disabilities Team is responsible for assessing and reviewing the needs of people with learning disabilities. This includes the potential use of the 12 residential care homes in the borough for people with learning disabilities. Whilst the Council's objective is to support people with learning disabilities in the community and not in a care home setting, this may not always be the best and most effective way of dealing with the individual's needs. Therefore, there will always be an important role played by residential care homes in helping meet this need.

Considering these factors, it is considered that the proposal meets the requirements of Policy DMH8.

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

Not applicable to this application proposing a change of use from offices to assisted living accommodation (Class C2).

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

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, imposes a statutory duty on Local Planning Authorities requiring that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in determining a planning application relating to a building or other land in a conservation area, the Local Planning Authority shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

The NPPF at Chapter 16, places great importance on the protection of heritage assets. Paragraph 199 states: 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

Policy HC1 of the London Plan (2021) states, inter alia, that 'development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.'

Policy HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that the Council will conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape (including locally and statutorily Listed Buildings, Conservation Areas, Areas of Special Local Character and Archaeological Priority Zones and Areas), and encourage the reuse, modification and regeneration of historic assets.

Policy DMHB 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the Council will expect development proposals to avoid harm to the historic environment and to prevent the loss of significance or harm to the character, appearance and setting of heritage assets.

Policy DMHB 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) will only permit developments that retain the significance and value of Listed Buildings whilst being appropriate in terms of the fabric, historic integrity, spatial quality and layout of the building. In addition, any alterations or additions to a Listed Building should be sympathetic in terms of scale, proportion, detailed design, materials and workmanship.

Policy DMHB 3 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020),

relates specifically to Locally Listed Buildings and states:

'A) There is a general presumption in favour of the retention of buildings, structures and features included in the Local List. The Council will take into account the effect of a proposal on the building's significance and the scale of any harm of loss when considering planning applications, including those for major alterations and extensions. Proposals will be permitted where they retain the significance, appearance, character or setting of a Locally Listed Building.

B) Applications should include a Heritage Statement that demonstrates a clear understanding of the importance of the structure and the impact of the proposals on the significance of the Locally Listed Building.

C) Replacement will only be considered if it can be demonstrated that the community benefits of such a proposal significantly outweigh those of retaining the Locally Listed Building.'

Policy DMHB 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) protects Conservation Areas and seeks to (inter alia) preserve or enhance the character or appearance of such areas.

The impact of the proposals on the Listed Building are discussed in detail within the associated Application for Listed Building Consent (12019/APP/2021/2299 refers) which is also being presented to this committee. In respect of those works which require planning permission, it is considered that the conversion works have been carefully conceived to limit external changes to the installation of a ramped access, bin store and two vents to the roof of the 20th Century block. It is considered that the installation of a ramp and vents are minor additions, that would not cause harm to the fabric or setting of the heritage assets. There are however concerns with the design and location of the bin store as proposed, as it is considered that it would detract from the setting of the Listed Buildings.

Notwithstanding the above, this matter can be readily addressed by the imposition of a condition requiring details of a revised bin store to be submitted for approval, as there is ample space on site to accommodate a more suitably designed bin store. This condition has been included within the officer's recommendation on this application. Overall, it is considered that the proposal would not result in harm to the listed buildings, their setting or the surrounding conservation area and the significance of these heritage assets would be preserved.

As regards the use affecting the character of the conservation area, there is unlikely to be any significant increase in the intensity of the use of the site as compared to the potential occupation of the building in its current authorised use as commercial offices.

#### **7.04 Airport safeguarding**

There are no airport safeguarding concerns raised by this scheme for office conversion.

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

The application site is not located within or sited close to the green belt so that no green belt issues are raised by this application.

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

Updated policies aimed at improving the design of new developments have been introduced into the NPPF in response to the findings of the Building Better, Building Beautiful Commission. These include changes to the overarching social objective of the planning system (paragraph 8b) to include the fostering of 'well-designed, beautiful and safe places'.

Paragraph 134 introduces a new requirement that development should be well designed.

Development that is not well designed should be refused, 'especially where it fails to reflect local

design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.'

Conversely, paragraph 134 then goes on to say that significant weight should be given to developments that reflect 'local design policies and government guidance on design' and/ or 'outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area'.

Policy D1 of the London Plan (London's form, character and capacity for growth) requires developments to respond to local context by delivering buildings and spaces that are positioned and are of a scale, appearance and shape that responds successfully to the identity and character of the locality. Further, Policy D5 (Inclusive Design) requires developments to deliver inclusive environments that meet the needs of all Londoners.

Policy DMHB 11 of the Local Plan Part 2 (2020) requires all development to be designed to the highest standards and incorporate principles of good design, including harmonising with the local context; use of high quality building materials and finishes; internal design and layout maximises sustainability and is adaptable; protects features of positive value and their settings and includes landscaping and tree planting. Proposals should also not impact upon the amenity, daylight and sunlight of adjoining properties and open space, development does not prejudice the development of adjoining sites and appropriate provision is made for the storage of waste and recycling.

Policy DMHB 12 re-iterates Policy DMHB 11 by stating that development should be well integrated with the surrounding area and be accessible by improving legibility and promote routes and wayfinding between the development and local amenities; public realm design takes account of the established townscape character and quality of the surrounding area; includes landscaping that is suitable for the area; makes provision for the safe and direct movement of pedestrians and cyclists; incorporates appropriate and robust hard landscaping; incorporates public art where appropriate and incorporates inclusive design.

As noted above it is not considered that there would be any harm to the character and appearance of the area from the proposal.

### **7.08 Impact on neighbours**

Policy DMHB 11 of the Local Plan: Part Two (2020) requires that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The proposal does not involve any material alteration to the external fabric of the existing building (aside from the 2no. soil vents proposed to the roof of the 20th Century block), including its fenestration and the only material additions to the building would be a new access ramp and a proposed new bin store. These would both be sited within the site, screened by existing buildings and the boundary wall. There would therefore be no impact on surrounding residential properties in terms of undue dominance, loss of sunlight and/or privacy, in accordance with Policy DMHB 11 of the Local Plan: Part Two (2020).

Noise and air quality issues are dealt with in Section 7.18 below.

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

There are no set planning standards for a Class C2 care home.

However, the proposed bedrooms are of a generous size, ranging from 18 to 31 sq.m and all of the rooms would have en-suite facilities. The communal rooms are also considered to be of an appropriate size to serve the number of residents and sufficient ancillary space would be provided to support residents and staff.

The ground floor communal rooms, bedrooms and offices would be served by the existing traditional windows, whilst the first floor bedrooms would be served by existing rooflights which are at a height that would allow good outlook, as well as natural light.

That part of the walled garden proposed for use by the Care Home would provide some 886sq.m of amenity space which is considered to be appropriate for use by the home's residents, staff and visitors.

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

The NPPF (2023) states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impact of development are severe. The NPPF also says that developments should be located and designed where practical to give priority to pedestrian and cycle movements; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Policy T2 of the London Plan (2021) states that development proposals should deliver patterns of land use that enable residents to make shorter regular trips by walking and cycling and:-

- i) demonstrate how they will deliver improvements that support the ten Healthy Street Indicators in line with TfL guidance,
- ii) reduce the dominance of vehicles on London's streets, whether stationary or moving, and
- iii) be permeable by foot and cycle and connect to local walking, cycle and public transport networks.

Policy T4 requires where appropriate, the submission of transport assessments / statements to ensure that impacts on the capacity of the transport network are fully assessed and mitigated.

Policy T5 requires development proposals to remove barriers to cycling and create a healthy environment in which people choose to cycle and development proposals should be in accordance with cycle standards.

Policy T6 states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity and that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking. Car-free development with no general parking should still provide disabled persons parking in line with standards.

Policy T6.1 advises that new residential development should not exceed the maximum parking standards and residential parking spaces must make appropriate provision for electric or Ultra-Low Emission vehicles.

Policy DMT 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) states that development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner and to be acceptable,



schemes are required to i) be accessible by public transport, walking and cycling; ii) maximise safe, convenient and inclusive accessibility; iii) provide equal access for all people; iv) adequately address servicing requirements and v) have no significant adverse transport or associated air quality and noise impacts on the local and wider environment. Policy DMT 2 seeks to minimise the impact of development on the surrounding highway with regards to traffic, air quality, noise, local amenity and safety.

Policy DMT 5 seeks to ensure development proposals make adequate and safe provision for pedestrians and cyclists.

Policy DMT 6 sets maximum parking standards for new development as outlined in Appendix C Table 1 to facilitate sustainable development. A variation of these requirements may be acceptable 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 recommendation.

The policy also states that all car parks provided for new development will be required to provide conveniently located parking spaces for wheelchair users and those with restricted mobility.

The application and the supporting Transport Statement have been reviewed by the Council's Highway Engineer. They advise that the local area is extensively covered by parking controls which take the form of a Controlled Parking Zone operating from 9am to 5pm - Monday to Friday and the public transport accessibility level (PTAL) for the site equates to 2 which is considered to be poor and hence encourages dependency on the use of private motor transport. The application states that 21 FTE staff would be required to operate the care-home (4 on-site at any one time) and 12 on-plot parking spaces are provided within the shared car park, accessed via the established 'bell-mouth' aperture on Vine Lane which is to remain unaltered.

#### Vehicular Trip Generation/Vehicular Access Arrangements

The Highway Engineer advises that on the basis of the database evidence from the land use trip generation database (TRICS), it is confirmed that general activity would be relatively low as compared to the office-based use (when fully active) coupled with the nature of the relatively dormant use profile of care home uses and therefore, there are no measurable concerns raised as regards trip generation.

The existing 'bell-mouth' vehicular access is to remain without amendment and the officer advises that this is considered acceptable for the proposed use.

#### Parking Provision:

Policy DMT 6 of the Local Plan requires that new development will only be permitted where it accords with the council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network. 8 on-plot parking spaces are specifically designated for the care-home use with 4 separate retained spaces allocated to the office use which are considered sufficient in terms of quantum. The council's care-home standard requires appraisal either by virtue of a Transport Assessment (TA) or 1 space per 4 dwelling units (with a minimum of 2 spaces) to be provided for a care home use (plus 1 warden space). When applying the latter, this would therefore equate to a requirement of 3 spaces. There are no other



prescriptive standards (regional or otherwise) that can be applied hence there would appear to be an over-provision. However, this is considered acceptable in this case as it reduces the potential for injudicious parking within the site or untoward on-street parking displacement resulting from the higher dependency on private motor transport due to the 'poor' PTAL rating.

#### Electric Vehicle Charging Points (EVCP's):

In accord with the Local Plan: Part 2 DMT 6 policy and parking standard, there is a requirement for EVCPs which would equate to a minimum facility of 5% of the total parking quantum for 'active' provision with a further 5% acting as 'passive' provision for future activation. The Highway Engineer advises that as there is a strong move toward hybrid and fully electrified vehicles which will only increase in time, it is considered appropriate to encourage that 1 on-plot space is designated as an 'active' provision with the remaining 11 dedicated as 'passive'. This aspect would be secured by means of a specific clause within the landscape scheme condition which forms part of the officer's recommendation.

#### Cycle Provision:

In terms of cycle parking, there should be a provision of 1 secure and accessible space per 3 staff equating to approximately 1 space for the anticipated daily total of 4 staff being on-site at any one time (total 21 FTE) in order to conform to the adopted minimum borough cycle parking standard. 2 spaces have been indicated within a suitable location on the proposed site plan and their provision would be secured as part of the recommended landscape condition.

To conclude, the application has been reviewed by the Highway Authority who are satisfied 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 & DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

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

#### SECURITY

Policy DMHB 15 (Planning for Safer Places) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) seeks to ensure that all new development provides safe and attractive public and private spaces and promotes Secured by Design principles. This is supported by Policy D10 of the London Plan (2021).

It is noted that there are minimal external changes being proposed to the building and further, staff will be present on site 24 hours a day. Accordingly, it is not considered that the proposal raises any significant safety or security concerns and it is not necessary/reasonable to impose a secured by design condition in this case. Nevertheless, a landscaping condition has been proposed to ensure that suitable and attractive landscaping is secured for the scheme.

### **7.12 Disabled access**

Policy D5 (Inclusive Design) of the London Plan (2021) advises that, inter alia, development proposals should achieve the highest standards of accessible and inclusive design.

Following initial concerns raised by the Council's Accessibility Officer, the scheme has been revised and includes an access ramp at the northern end of the building. The officer confirms that the initial accessibility objections have been addressed and the scheme is acceptable, subject to satisfactory

details of the design of the ramp and details that demonstrate that a minimum of two en-suite assisted living bedrooms would satisfy relevant assisted living standards. which can be secured by condition. These conditions form part of the officer's recommendation.

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

The proposal is for special needs housing and would not generate a need to contribute towards affordable housing.

### **7.14 Trees, landscaping and Ecology**

Policy DMHB 14 (Trees and Landscaping) of the Local Plan Part 2 requires developments to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit. The policy further requires developments to provide a landscape scheme that includes both hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity.

The Council's Tree / Landscape Officer has reviewed the proposals and advises that the site lies within the Hillingdon Village Conservation Area, a designation which protects trees. Selected trees on the site are also protected by TPO 78 and according to the TPO schedule, two individual trees and a group are situated within the car park associated with the office building; T67 mulberry, T68 ash and G32 horse chestnuts.

The officer notes that no tree survey has been submitted and none are indicated on plan. However, the submitted Design and Access Statement (Section 8 - Landscape) states that no trees will be affected by the proposed development. The Tree Officer acknowledges that the proposals only seek to amend the internal layout of the building which will pose no direct threat to trees on the site. However, they will require protection from unintended / indirect damage related to the contract work to strip out and amend the internal layout. External space will be required for contractors vehicles, welfare facilities, storage of materials and so on. In addition, the proposed ramp and refuse store would be external to the existing building envelope. To this end, tree protection measures will need to be written into a Construction Management Plan. The D&AS also states that no landscaping is proposed as part of the development. Given the proposed change of use to assisted living care, soft landscape enhancement of the site should be provided, by condition.

The Tree Officer advises that no objections are raised to the proposal, subject to conditions. These are included as part of the officer's recommendation.

### **7.15 Sustainable waste management**

Policy EM11 of the Local Plan: Part 1 (2012) requires all new development to address waste management at all stages of a development's life from design and construction through to the end use and activity on site, ensuring that all waste is managed towards the upper end of the waste hierarchy.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) at Part D 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. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

The Council's Waste Services Manager has reviewed the application and does not raise any objections in principle, noting that multiple bins would be best kept in an enclosure and goes on to provide detailed design advice for the bin store.

Further plans have been received detailing a large bin store sited behind the 20th Century block. However, the Council's Conservation Officer advises that the bin store looks utilitarian and incongruous to the setting of the listed building, its height appears excessive and the detailed design with flat roof and fascia boards along with metal doors would result in an unsympathetic addition and therefore a more discreet location should be sought for the bin store along with a more sympathetic design.

There is ample space within the existing parking area to provide a more discreet location and a condition has been added to the officer's recommendation to ensure that a revised more discreet siting and appropriate design is secured for the bin store which also has regard to the Waste Manager's detailed comments.

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

Not applicable to this development.

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

Not applicable to this application.

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

NOISE ISSUES:

The application is for the change of use of offices (Class B1) to an assisted living care home (Class C2). The proposed use is noise sensitive, but given that it would be located within a predominantly residential area and the building would be largely screened from the Uxbridge Road by the main Cedar House and its walled grounds, it is not considered that the proposed use would be subject to undue noise.

It is noted that local residents have raised concerns about noise and disturbance from the proposed use affecting them and it is accepted that the proposed use would be a 24 hour a day use (as opposed to daytime hours). Nevertheless, the proposed care home would be of relatively small scale and has a reasonable separation from adjacent residential buildings. There would also be a 24 hour a day staff presence, and accordingly it is considered that the proposal would not raise significant noise or disturbance concerns that would justify a refusal of planning permission.

AIR QUALITY ISSUES:

The NPPF supports opportunities to improve air quality or mitigate impacts where necessary.

London Plan Policy SI 1 (Improving Air Quality) states that development proposals should not lead to further deterioration of existing poor air quality, create any new areas that exceed air quality limits or delay the date at which compliance will be achieved or create unacceptable high levels of exposure to poor air quality. In order to achieve this, the Mayor will require development proposals to be at least Air Quality Neutral and be designed to prevent and minimise increasing exposure.

Policy EM 8 (Land, Water, Air and Noise) of the Local Plan Part 1 outlines that all developments should not cause deterioration in local air quality levels and should ensure the protection of both existing and new sensitive receptors.

Policy DMEI 14 (Air Quality) of the Local Plan Part 2 further states that development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants. The policy further requires that development proposals as a minimum should be at least air quality neutral and ensure there is no unacceptable risk from air pollution to sensitive receptors, and actively contribute towards the improvement of air quality, especially within Air Quality Management Areas.

The Council's Air Quality Officer has reviewed the proposal and advises that the proposed development is located within the LBH Air Quality Management area (AQMA), and within LBH Uxbridge Focus Area, bringing additional traffic emissions which will add to current likely exceedances. Proposals are required to improve air quality within Focus Areas. In addition, due to its nature, the proposed development has the potential to expose vulnerable individuals to air pollution. Based on the information provided, the proposal is not air quality neutral for transport emissions.

As per the London Plan and LBH Local Action Plan 2019-2024, developments need to be neutral as minimum and positive in Focus Areas, contributing to the reduction of air pollutant emissions in these sensitive locations. LBH requires new developments to incorporate air quality positive design measures from the outset and suitable mitigation measures to reduce pollution, especially in areas where the air quality is already poor (LBH Air Quality Local Action Plan 2019-2024), namely Focus Areas. Furthermore, policy DMEI 14 of the London Borough of Hillingdon Local Plan (part 2), requires active contribution towards the continued improvement of air quality, especially within the Air Quality Management Area. Finally, the London Plan (March 2021) requires development to be air quality neutral as minimum and air quality positive in certain circumstances, actively contributing to reduce pollutant emissions to the atmosphere.

The Air Quality Officer advises that the development is not Air Quality Neutral and further action is required to reduce emissions. In addition, exposure reduction measures need to be implemented to protect the care home residents from exposure to air pollution levels.

Mitigation measures to reduce emissions can be applied on-site or off-site. Where this is not practical or desirable, pollutant off-setting will be applied. The level of mitigation required associated with the operation phase of the proposed development is calculated using Defra's Damage Cost Approach.

The officer calculates that the level of mitigation required to the proposed development for traffic emissions is £7,283. Once all deductions were applied, the remaining value of mitigation due is £6,191. Flat rate deductions applied are as follow: Green Sustainable Measures (5%), contribution to long term LBH strategic long-term strategies (10%), totalling a reduction of £1,092.

Therefore, a section 106 agreement with the LAP of £6,191 is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduces human exposure to nitrogen dioxide levels. The officer also advises of the requirement for a condition to secure exposure reduction from the residents of the care home, together with two conditions to reduce emissions from demolition and construction work. However, given the limited extent and nature of the proposed demolition and construction works which would mainly be internal to the building, it is considered that the two conditions to reduce emissions from demolition and construction work would be unnecessary and onerous.

The S106 air quality contribution and the exposure reduction condition form part of the officer recommendation.

## 7.19 Comments on Public Consultations

See external consultee section above.

## 7.20 Planning obligations

S106 PLANNING OBLIGATIONS:

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) To ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

B) Planning obligations will be sought on a scheme-by-scheme basis: i) to secure the provision of affordable housing in relation to residential development schemes; ii) where a development has infrastructure needs that are not addressed through CIL; and iii) to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

C) Applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

- i.necessary to make the development acceptable in planning terms
- ii.directly related to the development, and
- iii.fairly and reasonable related in scale and kind to the development

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

On the basis of the NPPF and the Community Infrastructure Levy Regulation 2010, it is considered that the planning obligations set out in section 2 of this report can be requested.

## 7.21 Expediency of enforcement action

Not applicable to this application.

## 7.22 Other Issues

There are no other issues raised by this application.

## 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 internal and external alterations are considered to be relatively minor and would not result in harm to the Listed building or adversely affect the character of the Hillingdon Village Conservation



Area. The only exception to this is the siting / design of the proposed new bin store within the existing car parking area but revised details of the store are being sought by condition. The proposal is unlikely to give rise to any greater activity or vehicular trip generation, given the buildings existing commercial use so that the amenities of adjoining residential occupiers would not be harmed.

Subject to a S106 Agreement to secure an air quality contribution and conditions, the application is considered to comply with the Development Plan and is recommended for approval.

#### **11. Reference Documents**

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

Hillingdon Local Plan: Part 2 - Development Management policies (January 2020)

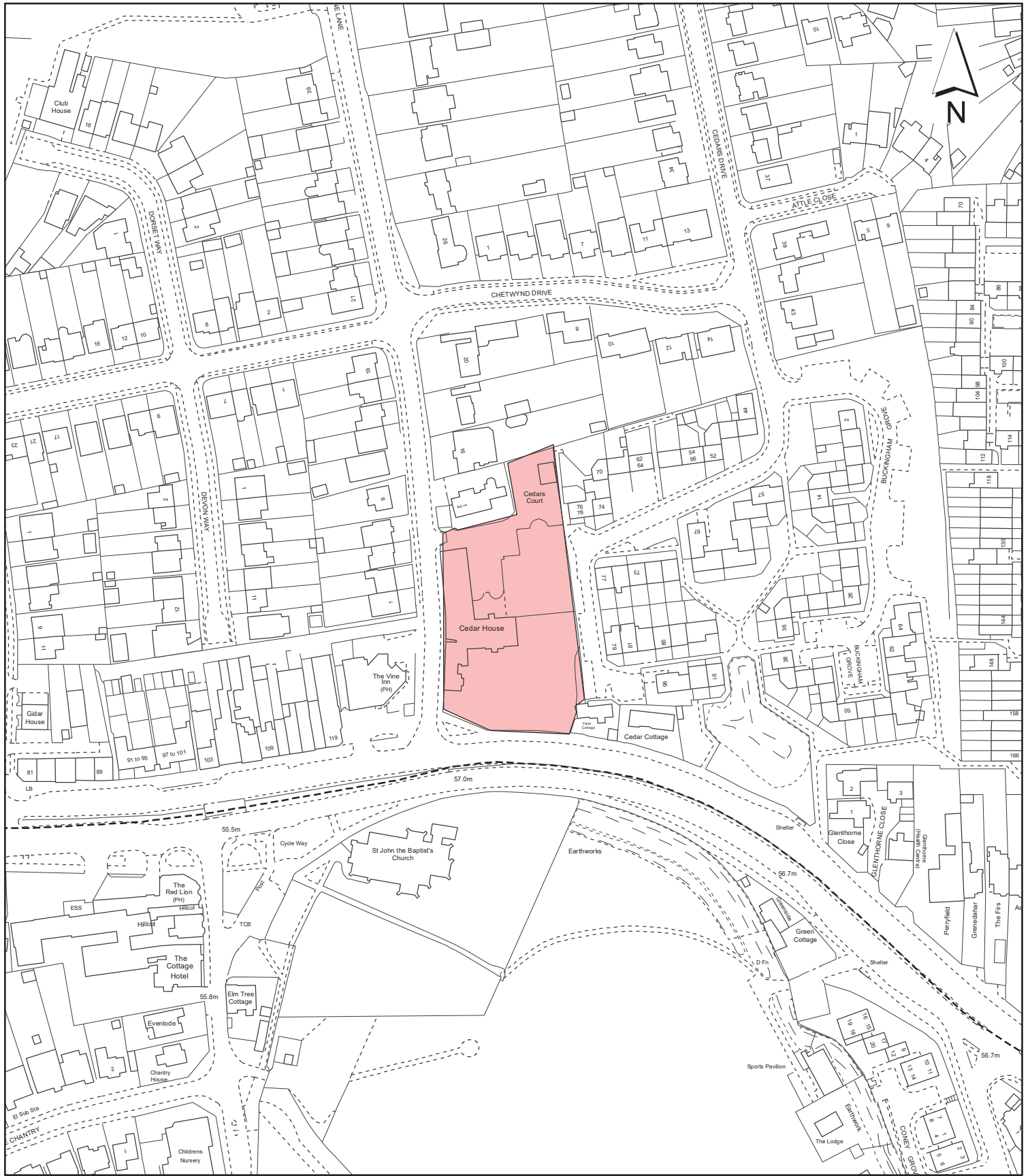
London Plan (March 2021)

National Planning Policy Framework (2023)

Council's Supplementary Planning Document - Accessible Hillingdon

Council's Supplementary Planning Document - Planning Obligations

**Contact Officer:** Richard Phillips                      **Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**Cedar House  
 Vine Lane**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

**12019/APP/2021/2298**

Scale:

**1:2,000**

Planning Committee:

**Minors**

Date:

**December 2023**



**HILLINGDON**  
 LONDON