

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

- | | |
|--|--------------------------|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. There is no Committee resolution for the enforcement action | ☐ |
| 4. There is no effect on listed buildings or their settings | ☐ |
| 5. The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | ☐ |
| 7. No petition of 20 or more signatures has been received | ☐ |
| 8. Application has not been supported independently by a person/s | ☐ |
| 9. The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | |
|--|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | ☐ |
| 13. Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | ☐ |
| 19. PRIOR APPROVAL APPLICATION | ☐ |
| 20. OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. CIRCULAR 18/84 APPLICATION | ☐ |
| 22. CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. APPROVAL OF DETAILS | ☐ |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning, Transportation and Regeneration**

Address SEYMOUR HOUSE 30-38 CHESTER ROAD NORTHWOOD

Development: Erection of 29-bed residential care home (Use Class C2) on land at Nos. 30-32 Chester Road and the change of use of three existing rear bedrooms to storage and ancillary rooms to No. 34 Chester Road.

LBH Ref Nos: **50613/APP/2020/3628**

Drawing Nos: SCH01_20-01
 SCL01-20-26 Rev. A
 SCH01-20-02
 SCH01-20-03
 SCH01-20-04
 SCH01-20-08
 SCH01-20-09 Rev. 1
 SCH0718-14
 SCH01-20-15
 SCH01_20-05 Rev. A
 SCH01_20-06 Rev. A
 SCH01_20-18 Rev. A
 SCH01_20-11 Rev. A
 SCH03_20-10 Rev. B
 SCH03_20-12 Rev. B
 SCH03_20-13 Rev. B
 SCL01-20-16
 SCL01-20-17
 SCL01-20-18
 SCL01-20-19
 SCL01-20-20
 SCL01-20-27
 SCL01-20-28
 SCL01-20-23 Rev. A
 SCL01-20-24 Rev. A
 SCL01-20-25 Rev. A
 Access Statement
 Design, Access and Planning Statement (Dated November 2020)
 Energy and Sustainability Statement (Dated October 2020)
 VA_290 Rev. B Air Quality Assessment (Dated 2nd November 2020)
 Tree Survey (Dated 27th October 2020)
 71270R1 Land Quality Assessment (Dated October 2020)
 Sustainable Drainage Scheme
 Transport Statement (Dated October 2020)

Date Plans received : 04/11/2020

Date(s) of Amendment(s):

Date Application Valid: 04/11/2020

1. SUMMARY

This application seeks permission for the erection of a 29-bed residential care home (Use Class C2) on land at Nos. 30-32 Chester Road and the change of use of three existing rear bedrooms to storage and ancillary rooms to No. 34 Chester Road. Although the

principle of development is accepted, the proposed development would fail to harmonise with the established local context, to the detriment of the character, appearance and visual amenities of the area and Old Northwood Area of Special Local Character.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Design - Care Home Building

The proposed care home building on land at No.30-32 Chester Road, by reason of its siting, scale, bulk and design, fails to harmonise with the established local context, to the detriment of the character, appearance and visual amenities of the area and Old Northwood Area of Special Local Character. The proposal is therefore contrary to Policies DMHB 5 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy BE 1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policies 7.1, 7.4, 7.6 and 7.8 of the London Plan (March 2016) and Policies D4 and HC1 of the Publication London Plan (December 2020).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon 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
DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 4	Residential Conversions and Redevelopment
DMH 8	Sheltered Housing and Care Homes
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 18	Private Outdoor Amenity Space
DMHB 5	Areas of Special Local Character

DMHD 1	Alterations and Extensions to Residential Dwellings
DMHD 3	Basement Development
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP 3.17	(2016) Health and social care facilities
LPP 5.10	(2016) Urban Greening
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 5.15	(2016) Water use and supplies
LPP 5.17	(2016) Waste capacity
LPP 5.21	(2016) Contaminated land
LPP 5.7	(2016) Renewable energy
LPP 6.12	(2016) Road Network Capacity
LPP 6.13	(2016) Parking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 7.14	(2016) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 7.8	(2016) Heritage assets and archaeology
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 8	NPPF-8 2018 - Promoting healthy and safe communities
NPPF- 9	NPPF-9 2018 - Promoting sustainable transport

3 I71 LBH worked applicant in a positive & proactive (Refusing)
In dealing with the application the Council has implemented the requirement in the

National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 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. It is noted that the amendments required to make the scheme acceptable revert it back to the design already approved under application reference 13800/APP/2020/2272. As such, there was no merit in seeking amendments to the scheme.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the southern side of Chester road, close to its junction with Kemps drive. It comprises a cleared site which previously accommodated a large pair of semi-detached houses with the last known use as a children's home.

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

No. 34 Chester road facilitates 12 bedrooms via a three storey care home with accommodation provided in the mansard roof with dormer windows. This is linked to nos. 36 and 38 Chester Road which facilitates 24 bedrooms, also via a three storey care home with accommodation in the mansard roof.

Plot nos. 30-32, 34 and 36-38 are all under the same ownership/management and Plots 34 and 36-38 are joined via a linked walkway.

The adjacent residential properties to the northwest at 26-28 Chester Road are a pair of two storey, semi-detached houses with accommodation in the roofspace.

The site forms part of the Old Northwood Area of Special Local Character. Based on the Council's GIS, the site forms part of a Critical Drainage Area and is located approximately 130 metres to the north-west and south-west of the Northwood East Air Quality Focus Area. Based on the TfL's WebCAT planning tool, the site has a low Public Transport Accessibility Level (PTAL) of 2.

3.2 Proposed Scheme

This application seeks permission for the erection of a 29-bed residential care home (Use Class C2) on land at Nos. 30-32 Chester Road and the change of use of three existing rear bedrooms to storage and ancillary rooms to No. 34 Chester Road.

The proposed development at Nos. 30-32 Chester Road is summarised as follows:

Lower Ground Floor:

- Kitchen
- Food store

- Staff training and rest room
- Staff changing rooms
- Activity lounge
- 209.484 square metres floorspace

Ground Floor:

- Foyer
- Dining room and lounge
- 5 x bedrooms
- 1 x visitors room
- 314.598 square metres floorspace

First Floor:

- 12 x bedrooms
- 1 x bathroom
- 1 x wet/shower room
- 311.283 square metres floorspace

Second Floor:

- 12 x bedrooms
- 1 x bathroom
- Laundry room
- 311.283 square metres floorspace

Total floorspace = 1146.648 square metres

At No. 34 Chester Road, the proposed development would change the use of three existing rear bedrooms as follows:

Ground Floor:

- Bedroom repurposed as a sluice room

First Floor:

- Bedroom repurposed as a cleaning laundry/ironing room

Second Floor:

- Bedroom repurposed as a maintenance store room

This would reduce the number of bedrooms located at No. 34 Chester Road from 12 to 9. Overall, the number of bedrooms across the two addresses would be increase by 26 and is summarised as follows:

- Nos. 30-32 Chester Road: 29 bedrooms
- No. 34 Chester Road: decrease from 12 to 9 bedrooms
- Nos. 36-38: 24 bedrooms
- Total: 62 bedrooms

Other matters are summarised as follows:

Access and Parking

- 8 car parking spaces including 3 disabled spaces.

Amenity Provision

- Communal garden space measuring in excess of 1500 square metres
- Space to include amenity decks and 2 x summer houses

Refuse & Recycling Provision

- Bin stores located to the front of the Nos. 30-32 Chester Road

3.3 Relevant Planning History

13800/APP/2019/604 Land At 30 - 32 Chester Road Northwood

Development of 29-bed Residential Care Home, alterations to access, to vehicular crossover and associated landscaping.

Decision: 22-08-2019 Refused **Appeal:** 08-01-2020 Dismissed

13800/APP/2020/2272 Land At 30 - 32 Chester Road Northwood

Erection of 26-bed residential care home (Use Class C2), alterations to access, to vehicular crossover and associated landscaping.

Decision: 19-10-2020 Approved

50613/APP/2005/758 34 - 38 Chester Road Northwood

ERECTION OF 24-BEDROOM CARE HOME WITH REFURBISHMENT AND ALTERATIONS TO NO.34 CHESTER ROAD AND ASSOCIATED PARKING (INVOLVING THE DEMOLITION OF NOS.36 AND 38 CHESTER ROAD)

Decision: 23-12-2005 Refused **Appeal:** 27-07-2006 Allowed

50613/APP/2006/1382 34, 36 & 38 Chester Road Northwood

ERECTION OF A NEW 32-BEDROOM CARE HOME WITH ASSOCIATED PARKING (INVOLVING DEMOLITION OF NOS.34, 36 AND 38 CHESTER ROAD).

Decision: 07-08-2006 WD

50613/APP/2006/2768 34 Chester Road Northwood

ERECTION OF A THREE STOREY BUILDING WITH MANSARD ROOF TO PROVIDE FOR 12 SINGLE EN-SUITE ROOMS FOR USE AS A RESIDENTIAL CARE HOME, WITH PROVISION OF ASSOCIATED CAR, MOTORCYCLE AND CYCLE PARKING AND LANDSCAPING (INVOLVING DEMOLITION OF EXISTING BUILDINGS)

Decision: 30-11-2006 Refused **Appeal:** 17-09-2007 Allowed

50613/APP/2020/1371 Seymour House 30-38 Chester Road Northwood

Erection of 29-bed residential care home (Use Class C2) on land at No. 30-32 Chester Road and proposed rear infill extension to No. 34 Chester Road.

Decision: 12-08-2020 WD

Comment on Planning History

Permission was originally granted at No. 30 Chester Road for a two storey side and rear extension to a residential home on the 2/6/89 under reference 4152/B/89/436. This was followed on the 05.03.97, when permission was granted to extend the home again, by allowing the change of use of the adjoining attached property, No. 32 Chester Road from Class C3 (residential) to Class C2 (children's home), incorporating an internal link (ref. 3800/APP/96/1624).

Following this, an application for the erection of a 24 bed residential care home (ref. 13800/APP/2010/623) was refused by the Council and subsequently dismissed at appeal (APP/R5510/A/10/2139386).

Permission was granted by the Council at 30-32 Chester road (reference

13800/APP/2011/1140) for the demolition of 30-32 Chester Road and development of a 22 bedroom residential care home, alterations to access and associated landscaping. As no construction work has taken place this permission has now expired.

Application reference 13800/APP/2019/604 sought permission for the development of 29-bed Residential Care Home, alterations to access, to vehicular crossover and associated landscaping. This application was refused permission and was dismissed at appeal under reference APP/R5510/W/19/3236950.

More recently, application reference 13800/APP/2020/2272 granted permission for the erection of a 26-bed residential care home (Use Class C2), with alterations to access, to the vehicular crossover and associated landscaping. The similarities and differences of this scheme are discussed in detail within the main body of the report.

Other relevant application and appeal decisions on the adjacent sites at no. 34 and 36-38 Chester road are set out below:

Application reference 50613/APP/2004/1907 at 34-38 Chester road for erection of 43-bedroom residential care home (involving demolition of existing buildings) was refused 14.09.04

Application reference 50613/APP/2005/758 at 36-38 Chester road for 'erection of 24-bedroom care home with refurbishment and alterations to no.34 Chester road and associated parking (involving the demolition of nos.36 and 38 Chester road)' was allowed on appeal 27.07.06

Application reference 50613/APP/2006/2768 at 34 Chester road for 'erection of a three storey building with mansard roof to provide for 12 single en-suite rooms for use as a residential care home, with provision of associated car, motorcycle and cycle parking and landscaping (involving demolition of existing buildings)' was allowed on appeal 17.09.07

Application reference 50613/AP/2011/397 (Appeal ref. APP/R5510/A/11/2158476) was allowed 25.01.12 and sought non-material amendments to a previous scheme at 36-38 Chester road.

Application reference 50613/APP/2014/4336 at 34 Chester road for 'glazed link walkway between existing dwellings' was approved 23.02.15

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- 3rd December 2020

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

EXTERNAL CONSULTATION

A total of seven objections have been received and are summarised as follows:

Principle

- There are already care homes in Hallowell Road, Frithwood Avenue, Eastbury Road, Eastbury Avenue, Watford Road, Rickmansworth Road, Ducks Hill Road, High Meadow Close, Wellington Road, Oxhey Drive, Moss Lane, Sandy Lodge Way, Uxbridge Road,

Briarwood Drive, and Wiltshire Lane. These are all within a 1.9 mile radius of the proposed development. The existing development already provide substantial care home accommodation for 36 residents.

- Given the large number of care homes already established, there are concerns that the London Borough of Hillingdon don't actually need more care home spaces in Northwood.
- Residential accommodation for families is required, not residential care homes.
- The building is a commercial enterprise in a residential road, larger than any other care home in Northwood, apart from Erskine Hall which is not right next to neighbours.

Design

- The quality of facilities is inadequate.
- Concerns over the density of residents and potentially dangerous evacuation for vulnerable elderly people.
- The development is completely out of character for the area.
- Nos. 30-38 Chester Road extend further into the gardens than the original building line.
- Given the Area of Special Local Character designation, new buildings should fit in with the old buildings and not increase the footprint in this intrusive way.
- The proposal is commercial in appearance and should be residential.

Impact on Neighbours

- The proposal includes windows are third floor level and would oppress neighbours and impact on privacy.
- There is concern that very bright lights will be installed on the rear elevation, similar to nos. 34-38 Chester Road.
- The proposal will increase noise pollution.
- The proposed cycle/motorbike stall would detrimentally affect the peace and quiet of the rear gardens.

Highways

- The proposal will add pressure to the local highway network and infrastructure.
- Whilst Chester Road has parking restrictions in force at certain times of the day, neither Roy Road nor Reginald Road have any controls.
- There are no measures in this plan to deal with the additional traffic and parking problems which will be caused by this proposed development, including residents, visitors and staff.
- The parking provision proposed is inadequate and is going to increase in on-street parking.

Flood and Water Management

- It is inappropriate to build into the ground with a basement where there are already problems with water flow and flooding.
- Building impermeable hardstanding where there used to be garden is only going to worsen the situation.
- The developer removed the mature trees which were supposed to be retained on the site and this has increased the saturation of the ground and the surface run-off of water from the development site.
- The area is known to have a number of underground streams and aquifers, but this is not mentioned in any of the reports.
- There should be a Thames Water pre development enquiry regarding the sewerage capacity, and a Local Authority Environment Agency enquiry regarding susceptibility of controlled water in the wider area.
- There is no back-up or emergency facility in the event that the primary pump fails.
- The ground water saturation and surface flooding is already extremely damaging in this area and the insertion of 209 sqm of lower ground floor into the land is likely to make a significant difference to that problem.
- The drainage and flooding mitigation measures appear inadequate in capacity.

- The previous development of this plot involved the sinking of a vessel into the ground which is affecting the water table and saturates gardens in the autumn and winter.

Sewage

- There is no adequate assessment as to whether the Victorian sewerage system in Chester Road is sufficient to cope with the influx of all of the water which would previously have been absorbed by the ground and by the trees which the developer tore down. Further, there appears to have been no assessment of the impact and effect on the sewerage system of converting a modest family home into a commercial operation involving an additional 29 bedrooms and shower and WC facilities together with facilities for catering and staff use.

Ecology

- If the proposed development is allowed to extend so far into the plot from the road, the natural sanctuary for birds and wildlife in these gardens will be irreparably damaged.

Services

- There is no provision to increase the services to the property.
- There has been a decrease in water pressure and the proposed development would exacerbate this.

General

- If permission was to be granted it should ensure that development takes no more than a year to reduce disturbance to neighbours.
- The land should be compulsory purchased for the local community.
- There are no guarantees that the proposed development will benefit local employment.

NORTHWOOD RESIDENTS ASSOCIATION:

The NRA requests that consent be refused.

Drainage: We have been told there have been drainage problems affecting the residents in Roy Road since the existing care homes were constructed, linked to the removal of several trees that helped reduce water overspill. The ground levels are lower in Roy Road. We would ask specifically that this aspect is looked at in detail by the Council from both the drainage and tree removal aspects.

There are already two care homes on the adjacent sites of 34 and 36/8 Chester Road. Another care home becomes an over-intensification of the use contrary to Local Plan DMH 8 A) i. The property is located within an ASLC and the intensified use in this one location will change the area from family residential to care home. The intensification of use will lead to further parking problems for residents in the surrounding streets which is already being experienced with the two existing care homes.

Staff: There is inadequate on-site parking for the number of staff. The Local Plan parking requirements state 1 space per three members of staff, but we question whether a total of 6 full-time and part-time staff are sufficient for a minimum of 29 residents given cleaning and kitchen requirements as well as care, particularly as it will be a C2 use care home.

Visiting Care Professionals: This will add to parking on the surrounding roads.

Visitors: The limited car parking provision on site will automatically lead to further parking in surrounding streets by visitors.

Parking: Notwithstanding the view stated in the application that staff will use public transport, the only way to enforce that is by way of conditions if consent is granted.

Otherwise, it would be natural for staff to drive given the experience elsewhere in Northwood.

Light spillage: Residents in Roy Road have complained about all the lights to the rear being left on and affecting them. When raised we understand the Management claimed the lights had to be left on for health & safety reasons. If that was correct then light spillage will be a constant blanket impact on the Roy Road properties but with a further increase if the third care home is permitted.

PLANNING OFFICER COMMENT:

All relevant material planning considerations are addressed within the main body of the report. It should be noted that Local Plan parking requirements are not 1 space per three members of staff (this standard is for cycle parking)

THAMES WATER:

Waste Comments

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdevelopers.thameswater.co.uk%2FDeveloping-a-large-site%2FPlanning-your-development%2FWorking-near-or-diverting-our-pipes&data=04%7C01%7C%7Cf51e96989ee84ca6cbb208d88c7239ba%7Caaacb679c38148fbb320f9d581ee948f%7C0%7C0%7C637413769520694423%7CUnknown%7CTWFPbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikk1haWwiLCJXVCi6Mn0%3D%7C1000&sdata=pp7Or2IHFLMP6SJGBujDNxpmMf0IQicoQNsLzjBtWk%3D&reserved=0>.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdevelopers.thameswater.co.uk%2FDeveloping-a-large-site%2FApply-and-pay-for-services%2FWastewater-services&data=04%7C01%7C%7Cf51e96989ee84ca6cbb208d88c7239ba%7Caaacb679c38148fbb320f9d581ee948f%7C0%7C0%7C637413769520694423%7CUnknown%7CTWFPbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikk1haWwiLCJXVCi6Mn0%3D%7C1000&sdata=r8QqFoXviYnhXJ27g1tL2EY6X5QULC%2FSyEXHer1a9xk%3D&reserved=0>

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will

undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via <https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.thameswater.co.uk%2F&data=04%7C01%7C%7Cf51e96989ee84ca6cbb208d88c7239ba%7Caaacb679c38148fbb320f9d581ee948f%7C0%7C0%7C637413769520694423%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C1000&sdata=Q%2FknV%2BLL%2BkwplKqcd1qVduFwCk5LIK%2FOT01Yo9xJw4%3D&reserved=0>. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Affinity Water will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fpublications%2Fgroundwater-protection-position-statements&data=04%7C01%7C%7Cf51e96989ee84ca6cbb208d88c7239ba%7Caaacb679c38148fbb320f9d581ee948f%7C0%7C0%7C637413769520694423%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C1000&sdata=t6qHA3Aplqijk2VvVnln%2BcAbpWK5SZK8QPUifXVE42k%3D&reserved=0>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

NHS HILLINGDON CLINICAL COMMISSIONING GROUP (CCG):

No comment.

INTERNAL CONSULTATION

ACCESS OFFICER:

This latest application concerning the development of a 29 bed residential care home attracts exactly the same accessibility concerns as submitted for the previous scheme, copied below:

In assessing this application reference is made to the London Plan and its contained policy 3.5(b) 7.2. Reference is also made to the Care Standards Act 2000 and the Department of Health, Care Homes Regulations (3rd edition) - National Minimum Standards, entitled "Care Homes for Older People", and the Council's Supplementary Planning Document 'Accessible Hillingdon' (Adopted September 2017). Whilst the proposal demonstrates some commitment to the principles of accessibility, but is lacking in the following areas:

1. Standard 21 as set out in the Department of Health document could referenced above, all newly built homes, new extensions to homes and first time registrations, should include a ratio of 1 assisted bath (or assisted shower provided this meets residents needs) to 8 service users. Where suitably adapted en-suite bathing/shower facilities are provided in service users' rooms, these rooms can be excluded from this calculation.

2. Standard 21 also stipulates, in subsection 21.8, that ensuite facilities intended to accommodate wheelchair users should be accessible to them. Given that the intended care home would likely need to accommodate a wheelchair user at some point, 10% of the intended residents' rooms should incorporate an ensuite bathroom that has been designed, sized and furnished to an appropriate standard.

3. Concern was raised about the provision of only one lift within a development of this type where residents will be hugely dependent on a lift for vertical circulation. Standard 22 states that service users should have access to all parts of the building through the provision of ramps and passenger lifts. The provision of only one lift in this instance is deemed to be insufficient, as equipment of this nature will break down from time to time or will otherwise be out of action.

Conclusion: unacceptable. A revision to the scheme should be requested.

AIR QUALITY OFFICER:

1 Summary of Comments

The proposed development is outside LBH Air Quality Management Area (AQMA) but in the vicinity of the identified Northwood East Air Quality Focus Area (AQFA), where special focus in reducing elevated levels of air pollution is a priority of the Borough.

Focus areas are defined as locations where pollution levels are already high and there is relevant public exposure in a high population density, with current measures not being sufficient to improve air quality. In such circumstances LBH has a requirement to put in place additional actions to improve air quality and therefore the damage cost, wherever applicable, is calculated on total development emissions.

Analysis of the air quality report submitted to support the planning application has indicated that the proposed development is air quality neutral. In addition, the occupiers of the proposed residential care home are exposed to safe levels of air quality, with values ranging from 25 to 28 g/m³ within and in the vicinity of the application site, well below the limit value set to protect human health (40 g/m³).

Damage Cost and Mitigation Measures

Therefore, no constraints are identified in terms of air quality and no mitigation measures are required in this instance.

2 Reason for Refusal (if objecting)

N/A

3 Observations

The following air quality condition is required:

Conditions - Reducing Emissions from Demolition and Construction

A No development shall commence until a Plan has been submitted to, and approved in writing by, the LPA. This must demonstrate compliance (drawn up 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 Nonroad mobile machinery (standard condition recommended by Mayor of London, London Local Air

Quality Management Policy Guidance 2019)

B 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 GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in 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

HIGHWAYS OFFICER:

Site Characteristics and background

It is proposed to provide a new build comprising of a 29-bedroom care home on what is a vacant piece of land situated within a residential catchment on the southern side of Chester Road (between Reginald and Hallowell Road) in Northwood. The surrounding properties exhibit reasonably sized frontages with some on-plot parking facilities and the area is extensively covered by parking controls which take the form of a Controlled Parking Zone operating for one hour per day - Monday to Friday. The public transport accessibility level (PTAL) for the site equates to 2 which is considered as low and hence encourages dependency on the use of the private motor vehicle.

The address benefits from an expired planning permission (13800/APP/2011/1140) for a 22-bedroom care home which featured 3 on-plot car parking spaces on the site frontage. The layout and parking quantum currently proposed is to be replicated. Prior to the above permission a marginally larger care home with 24 bedrooms on this site was refused (which included a highway related reason) but a subsequent appeal was dismissed and considered satisfactory from the Highway perspective. A more recent comparable application for a 29-bed provision (13800/APP/2019/604) was also refused (and appealed/dismissed thereafter) but not on highway related grounds.

Thereafter, an application for a 26-bedroom home was afforded planning permission (13800/APP/2020/2272) with the same level of on-plot parking provision (3 spaces) in October this year with a comparable layout but with a smaller rear build projection as compared to this current application.

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 3 on-plot frontage parking places shown as proposed which include 1 disabled compliant space. The Council's 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 7 spaces. There are no other prescriptive standards (regional or otherwise) that can be applied hence there would appear to be an under-provision.

However, as the aforementioned and comparable scheme for 29-bedrooms with the same level of parking was considered acceptable by the Planning Inspectorate upon appeal coupled with a demonstrated level of spare on-street parking capacity, there is no further comment on the proposed level of on-plot provision.

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 all 3 on-plot spaces are designated as an 'active' provision. This should be secured via planning condition.

Cycling Provision

In terms of cycle parking there should be a provision of 1 space secure and accessible spaces per 3 staff equating to approximately 3 spaces for the level of anticipated 7 staff (maximum on-site at any one time) in order to conform to the adopted minimum borough cycle parking standard. 4 spaces have been indicated within a suitable location to the rear hence there are no further observations.

Vehicular Trip Generation/Vehicular Access Arrangements

On the basis of the Planning Inspectorate verdict and database evidence from the land use trip generation database (TRAVL/TRICS), it is confirmed that that general activity would be relatively low given the nature of the relatively dormant use profile of care home uses. Hence no measurable concerns are raised.

There are three existing carriage crossings emerging onto Chester Road which have served the development envelope in the past. To facilitate the new internal parking arrangement one of these crossings, which is located to the easternmost of the site frontage, will now become redundant. It will therefore be necessary to reinstate the adjacent raised kerbing on the public footway to maintain footway/roadway continuity at this point.

The westernmost crossing is to be retained for refuse collection purposes and existing centrally located access is to remain as the main site aperture but with modification in width. In terms of the modified central crossing, the scale proposed broadly meets the Council's crossing specification.

It is noted that the modifications to the existing central crossing and closure of one of the other crossings would need to be executed to an appropriate Council design and construction standard post-permission under a S184 of the Highways Act 1980 (or suitable alternative arrangement) at the applicant's expense.

Operational Servicing requirements/ Waste Storage Location

Bin storage placement should generally be within 10m of the collection point on the public highway in order to accord with the Council's maximum waste collection distance standard. A store/collection point is indicated at the highway boundary on the site frontage which readily conforms to the standard. The existing westernmost carriageway crossing would also aid collection of the wheeled refuse bins. 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 Plan Policies DMT 1, DMT 2 & DMT 6 and Policies 6.3, 6.9, and 6.13 of the London Plan (2016).

PLANNING OFFICER COMMENT ON FLOOD AND WATER MANAGEMENT:

The Flood and Water Management Officer provided the following comments on a similar scheme on the same application site:

A surface water drainage strategy has been provided with the application to demonstrate that a Sustainable Drainage System (SuDS) can be provided within the development. Whilst the submitted report is comprehensive, there are aspects of that design that should be secured by way of a condition. The following wording is recommended:

Prior to commencement, (excluding demolition and site clearance) a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall generally follow the strategy set out in the Surface Water Drainage Strategy produced by GeoSmart Information dated January 2019, Final Revision, however every effort should be made to reduce the need for a pumped drainage system.

The scheme shall clearly demonstrate how it manages water and demonstrate ways of controlling the surface water on site by providing information on:

a) Sustainable Drainage:

i. Pumped drainage system - collected surface water from impermeable surfaces to the rear of the development should be discharged, as a preference, to rain gardens or other suitable means integrated within the rear landscaping. The submitted scheme should provide adequate justification should a pumped system be retained.

ii. Runoff rates - surface water discharge from the site must be no greater than 2l/s at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus 40% climate change. Any increases above greenfield rates must be adequately justified.

iii. Drainage calculations - include calculations to demonstrate the volume of storage and size of drainage features provided is adequate to control surface water for a range of storm duration and rainfall intensities for events up to and including the critical 1 in 100 plus 40% climate change rainfall event.

b) Long-term management and maintenance of the drainage system.

i. Provide a Management and Maintenance Plan for the drainage system that includes clear plans showing all of the drainage network above and below ground, and identifies the responsibility of different parties for each component of the drainage network.

ii. Include details of the necessary inspection regimes, maintenance frequencies and responsible authority (Private Management Company, homeowner, etc.).

c) Minimise water use.

i. incorporate water saving measures and equipment.

ii. provide details of how rain and/or grey water will be recycled and reused in the

development.

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

REASON

To ensure that surface water run off is controlled and to ensure the development does not increase the risk of flooding contrary to:

Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012); Hillingdon Local Plan Part 2 Saved Unitary Development Plan Policy OE8; Policy DME1 10 Water Management, Efficiency and Quality in emerging Hillingdon Local Plan Part 2 Development Management Policies; Policy 5.12 Flood Risk Management of the London Plan (March 2016); To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (March 2016); Conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (March 2016); National Planning Policy Framework (July 2018); and the, Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

Observations:

The applicant has submitted a Surface Water Drainage Strategy (GeoSmart Information dated January 2019, Final Revision) to accompany the application. The drainage strategy sets out the proposed method of disposing collected surface water for the development. Permeable paving will be used for the areas of hardstanding on the site, with geocellular storage beneath the permeable paving at the front of the property to provide sufficient attenuation volume. Roof drainage will be directed towards this storage beneath the permeable paving. A restricted connection is proposed from this to the surface water sewer in Chester Road at a maximum rate of 2l/s. Hardstanding to the rear of the development, including the lightwells and summer house, is currently proposed to be collected in a GRP pump chamber and pumped to the surface water sewer on Chester Road. This is not considered to be a sustainable method of draining these isolated areas of impermeable surface and the detailed design should consider at-source methods of surface water disposal, including rain gardens incorporated into the landscaping strategy.

The proposals include the provision of water butts to reduce water consumption, which should be retained during detailed design. There is the potential for a development of this size with a shared landscaped garden to utilise a more formal rainwater harvesting system that can be used to irrigate the gardens.

Further comment:

Prior to the commencement of development (excluding site clearance and demolition), a Basement Impact Assessment shall be submitted to and be approved in writing by the Local Planning Authority. The assessment shall include:

- the results of an appropriate site investigation that has identified the nature of the underlying geology and confirmed the depth of any groundwater beneath the site (taking into account the seasonal variability of groundwater);
- an assessment to identify any mitigation measures that need to be put in place to maintain the passage of groundwater around the building without impacting local groundwater levels; and, shallow infiltration rates to inform the utilisation of Sustainable Drainage Systems (SuDS) on the site. The development shall only be undertaken in accordance with those approved details, and the approved scheme shall be implemented prior to the first use of the development hereby permitted and retained for the duration of the development.

REASON

The proposal could increase groundwater flood risk contrary to Policy EM6 Flood Risk

Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012); Policy DMHD 3: Basement Development in emerging Hillingdon Local Plan Part 2 Development Management Policies with Main Modifications (March 2019); Policy 5.12 Flood Risk Management of the London Plan (March 2016); National Planning Policy Framework (February 2019); and the, Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

With the emerging Local Plan Part 2 (March 2019) now being given more weight, we are now putting more emphasis on obtaining reassurances for basements.

FLOOD AND WATER MANAGEMENT OFFICER FOLLOW-UP:

I don't believe we have had drainage issues to residents on Roy Road reported to us. The previous information was acceptable subject to conditions as you mention. The trees in the south of the site along the boundary with Roy Road will be retained, with more planted I believe as part of the landscaping. There was a previous ground investigation which confirmed that there is no shallow groundwater and therefore we do not expect the Basement Impact Assessment to report anything substantial.

There is no surface water flood risk nearby other than in extreme events to the rear of properties on Roy Road.

I don't think this information would change our comments unless supported by direct evidence that we can investigate further.

CONSERVATION AND URBAN DESIGN OFFICER:

The application seeks planning permission for the Erection of a 29-bed residential care home (Use Class C2) on land at Nos. 30-32 Chester Road and the change of use of three existing rear bedrooms to storage and ancillary rooms to No. 34 Chester Road.

Chester Road is a traditional residential street located within the Old Northwood Area of Special Local Character (ASLC). The road is characterised by predominantly two-storey houses with traditional gabled or hipped roofs that date mainly from the late Victorian / Edwardian period. Many of the houses have attic accommodation within the roofs that are lit by modest dormer windows.

The effect of the proposal on the character and appearance of Chester Road and the Old Northwood Area of Special Local Character needs to be taken into consideration along with recent planning appeals and consented schemes for the adjacent sites in particular nos. 34-38 Chester Road.

The proposed mansard roof is not historically a traditional roof form of the road and its crude detailing and proportions are at odds with the more traditional character of hipped or gabled roofs. The dormers which cut through the eaves line are particularly incongruous elements that detract from the street scene.

Notwithstanding the above concerns there have been some recent developments namely those at nos. 34-38 Chester Road which have a similar roof configuration to the proposed scheme which was allowed on appeal.

Taking in to consideration the Inspectors decisions on application 50613/APP/2005/758 (nos. 34-38 Chester Road), where it allowed a mansard roof form with double dormers, I would raise no objection to the proposed roof form in this instance despite the aforementioned concerns.

The design of the roof could be better designed if it reflected the previously consented scheme for the site which had a traditional hipped roof with dormer windows that were appropriately set back from the eaves. The mansard roof design of the current scheme could, however, still be improved if the dormers were set back slightly on the roof and did not cut through the eaves line so that they appeared more secondary.

Concerns are raised with the rearward projection of the building. The houses along this stretch of Chester Road have a fairly consistent rear building line where the main body of the houses are clearly defined and appreciated. Some of the houses originally had rear wings or were later extended but, in each case, they are subordinate to the main body of the houses. The previously consented schemes adjacent to the site were also designed to respect this characteristic with the main bulk of the building respecting the established rear building line with secondary subordinate wings to the rear.

The proposed scheme does not respect the established rear building line as the main body of the building extends all the way back to the depth of the rear wings of nos. 34 and 36-38 and beyond the extensions of other adjacent buildings. This adds considerable bulk to the development and results in the building becoming overly dominant and incongruous within this part of the ASLC where it would be clearly seen from adjacent gardens as well as from houses that back onto the site.

The scheme could be improved if the main bulk of the building respected the rear building line and a rear wing was incorporated in a similar fashion to no. 34 and nos. 36-38.

It is suggested that the above comments be taken into consideration and the proposals be amended so that harm is not caused to the character and appearance of the ASLC.

PLANNING OFFICER COMMENT ON TREES AND LANDSCAPING:

The following comments are taken from application reference 13800/APP/2020/2272 which is materially similar in terms of the trees and landscaping proposals:

This site comprises a spacious double-width plot, on the south side of Chester Road, which has recently been cleared. The boundaries are currently secured with hoarding - no access was gained into the site. There are no TPO's or Conservation Area designations affecting the site, however, it is locally listed as an Area of Special Local Character.

Comment: The site has been the subject of several recent amended applications following the earlier approval of application ref. 2011/604. The current application is for a 26 bed care home. A tree survey by Arbtech, has identified and assessed the seven trees /groups of trees which affect the site, all of which are located around the boundaries, with some on adjacent land. The survey confirms that there are no 'A' grade trees, but two are grade 'B' - T2 willow and T4 London plane. There are two 'U' grade trees, T3 and T5 whose very poor condition and value indicate that they could be removed for sound arboricultural reasons. All other trees are 'C' grade - of no particular merit, albeit they provide green infrastructure and screening. The D&AS makes a brief reference to the landscape and use of external amenity spaces. A rudimentary landscape layout has been indicated in the back garden. A high quality landscape scheme should be provided to ensure that the external spaces are accessible and attractive for use by the residents, their visitors and staff. The front garden is dominated by hard surfacing for car parking and manoeuvring space which cuts across the pedestrian access to the front door. The front boundary will be planted with a hedge. Tree protection measures should be submitted to ensure that the off-site / boundary trees are protected throughout the development of the site.

Recommendation: If you are minded to approve this application please add pre-commencement condition RES8 and post-commencement conditions RES9 (parts 1, 2, 3,

4 and 5).

6. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.EM11	(2012) Sustainable Waste Management
PT1.EM6	(2012) Flood Risk Management
PT1.EM7	(2012) Biodiversity and Geological Conservation
PT1.EM8	(2012) Land, Water, Air and Noise
PT1.HE1	(2012) Heritage

Part 2 Policies:

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 4	Residential Conversions and Redevelopment
DMH 8	Sheltered Housing and Care Homes
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 18	Private Outdoor Amenity Space
DMHB 5	Areas of Special Local Character
DMHD 1	Alterations and Extensions to Residential Dwellings
DMHD 3	Basement Development
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP 3.17	(2016) Health and social care facilities
LPP 5.10	(2016) Urban Greening
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 5.15	(2016) Water use and supplies
LPP 5.17	(2016) Waste capacity
LPP 5.21	(2016) Contaminated land

LPP 5.7	(2016) Renewable energy
LPP 6.12	(2016) Road Network Capacity
LPP 6.13	(2016) Parking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 7.14	(2016) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 7.8	(2016) Heritage assets and archaeology
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 8	NPPF-8 2018 - Promoting healthy and safe communities
NPPF- 9	NPPF-9 2018 - Promoting sustainable transport

In addition: Development Plan

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

1.2 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 - Consolidated With Alterations (2016)

Material Considerations

The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Emerging Planning Policies

Paragraph 48 of the National Planning Policy Framework (NPPF) 2019

states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

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

Draft London Plan (Intend to Publish Version, December 2020)

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October 2019.

The Mayor considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required.

On 9th December 2020, the Mayor wrote to the Secretary of State to advise of his intention to formally approve a new draft London Plan, which included his best understanding of the modifications required. The Secretary of State responded on 10th December 2020 requesting that the draft London Plan was re-submitted with more specific amendments to address the 11 previous Directions and 2 additional Directions. On 21st December 2020, the Mayor formally approved a new London Plan, the 'Publication London Plan'. This has been submitted to the Secretary of State. The Secretary of State has 6 weeks to respond or can request a further extension of time. The Mayor can only publish the Plan after the Secretary of State has given approval.

More limited weight should be attached to parts of draft London Plan policies where the Secretary of State has directed specific amendments. Greater weight may be attached to policies that are not subject to the specific amendments from the Secretary of State.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: "The Council will aim to ensure that there is sufficient privacy for

residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary."

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: "For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook."

Paragraph 5.41 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: "The Council will aim to minimise the impact of the loss of daylight and sunlight and unacceptable overshadowing caused by new development on habitable rooms, amenity space and public open space. The Council will also seek to ensure that the design of new development optimises the levels of daylight and sunlight. The Council will expect the impact of the development to be assessed following the methodology set out in the most recent version of the Building Research Establishments (BRE) "Site layout planning for daylight and sunlight: A guide to good practice".

As part of the previous planning permission (reference 13800/APP/2011/1140), the principle rear elevation of the proposed building would have aligned with the principle rear elevation of no.34 and no.28 with the addition of a central rearward projecting element as existing at no.34. As part of the current proposals, the proposed rearward projecting element would measure 12 metres in width, covering more than two thirds the width of the building thereby changing the principle rear elevation. This element would extend approximately 7.34 metres beyond the existing principle rear elevation of both no. 28 and 34 Chester road and would result in a flank wall measuring approximately 21.54 metres in length.

It is noted that the previously refused application (reference 13800/APP/2019/604) was considered to have an adverse impact on the amenity of no. 34 Chester Road in terms of outlook, sunlight and daylight and would be overly dominant. The current application is considered to address this issue by changing the use of the adjoining bedrooms at no.34 Chester Road to accommodate non-habitable service rooms. As such, the development at nos. 30 - 32 Chester Road would not infringe upon the outlook, sunlight and daylight of neighbouring residents.

In terms of the impact on no. 28 Chester Road, it is noted that the Inspector for the dismissed appeal (reference APP/R5510/W/19/3236950, refused application reference 13800/APP/2019/604) stated that:

"The Inspector for the previously dismissed appeal on the site was of the view that the side elevation of the proposal in that instance, which also sat on a similar alignment and proximity to the boundary, would be somewhat overbearing but not to the point that it warranted dismissal of the appeal on that ground. I share this view and overall, I consider that the levels of outlook retained for occupants of No 28 would be acceptable."

The current proposal maintains the same siting and alignment as the previously refused and appealed scheme. For reference, the development at nos. 30 - 32 Chester Road

would be set 1.172 metres from the no. 28 Chester Road and 2 metres away no. 34 Chester Road. In light of the appeal decision, it is not considered reasonable and robust to maintain a reason for refusal based on the impact to the outlook of no. 28 Chester Road.

The proposed development at nos. 30 - 32 Chester Road would also include three light wells, two of which would serve an activity lounge and the third a main kitchen. All three light wells would be located on the side of the development plot adjoining no. 28 Chester, sited approximately 3 metres from the side boundary at its closest point. As noted under the recently refused application, details for the ventilation of the kitchen have not been provided and the activity lounge has the potential to be multi-functional. If these windows are left open when the kitchen is in use, it is considered likely that it would have a detrimental impact on the amenity of neighbouring residents at no.28 Chester road in terms of noise, smells and odour and general disturbance.

However, this was considered by the Inspector at appeal, stating:

"Having regard to the proposed residential care use of the building, the likelihood for there to be some increase in noise and disturbance from an activity room cannot be ruled out. However, I note the position of the windows serving the activity room set in from the boundary and consider the appellant's suggested condition requiring the lightwell windows to be fixed shut and served by mechanical ventilation would be reasonable given this would not be a main habitable room and would be sufficient to mitigate the potential for any material increase in noise and disturbance."

As such, if recommended for approval, a condition would be attached to ensure that the light well windows are fixed shut and served by mechanical ventilation, details of which would need to be secured.

In terms of the proposed development at no. 30 - 32 Chester Road, two ground floor windows and two first floor windows are proposed to face towards no.34 Chester Road. One ground floor window and one first floor window is also proposed to face towards no.28 Chester Road. If recommended for approval, a planning condition would require that these are non-opening and obscure glazed.

With regard to the properties that front Roy Road, a garden depth of approximately 30 metres would be maintained from the rear of the proposed care home to the rear boundary. This is in excess of the Council's recommended 21 metre distance and remote enough for those properties not to be affected by overlooking.

Overall, based on the plans submitted and the recent appeal decision, it is not considered reasonable or robust to refuse the application based on its impact to the amenity of neighbouring residents. Subject to conditions, the proposed development would not be considered contrary to part B) of Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.2 Impact on Street Scene

Chester Road is a traditional residential street located within the Old Northwood Area of Special Local Character. The road is characterised by predominantly two-storey accommodation with traditional pitched or hipped roofs mainly dating from the Victorian and Edwardian periods. The existing buildings are of a variety of styles but with a broad similarity in terms of their scale, alignment in relation to the street and the separation gaps between neighbouring buildings. Where second floor accommodation is provided this is more often contained within the roofspace and served by dormers or by windows set

within gabled pitched roof forms. Where newer development on Chester Road incorporates alternative roof designs, such as the mansard roofs at the neighbouring Nos. 34 - 38, second floor accommodation is still generally provided as a subservient feature within the roofspace.

It is noted that Policy 7.1 of the London Plan (March 2016) sets out a series of overarching design principles for development in London and Policies 7.4 and 7.6 of the London Plan (March 2016) seek to promote high quality design to accord with the local character. This is supported by Policy D4 of the Publication London Plan (December 2020).

Policy BE 1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:

i) harmonising with the local context by taking into account the surrounding:

- scale of development, considering the height, mass and bulk of adjacent structures;
- building plot sizes and widths, plot coverage and established street patterns;
- building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
- architectural composition and quality of detailing;
- local topography, views both from and to the site; and
- impact on neighbouring open spaces and their environment.

ii) ensuring the use of high quality building materials and finishes;

iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;

iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and

v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

C) Development will be required to ensure that the design safeguards the satisfactory redevelopment of any adjoining sites which have development potential. In the case of proposals for major development sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.

D) 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 Area of Special Local Character is a non-designated heritage asset and the significance of an impact should be taken into account in determining an application. Specifically, paragraph 197 of the NPPF (February 2019) states that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Due to the location of the site within the Old Northwood Area of Special Local Character, Policy DMHB 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies

(January 2020) is also taken into consideration and states:

A) Within Areas of Special Local Character, new development should reflect the character of the area and its original layout. Alterations should respect the established scale, building lines, height, design and materials of the area.

B) Extensions to dwellings should be subservient to, and respect the architectural style of the original buildings and allow sufficient space for appropriate landscaping, particularly between, and in front of, buildings.

C) The replacement of buildings which positively contribute to the character and local importance of Areas of Special Local Character will normally be resisted.

The above is supported by Policy 7.8 of the London Plan (March 2016) and Policy HC1 of the Publication London Plan (December 2020).

The proposed 29-bedroom care home at nos. 30-32 Chester Road would measure approximately 340 square metres in footprint, with a 17.64 metre long elevation fronting Chester Road. It would also measure 9.1 metres at its highest point, utilising a mansard roof with dormer windows, including two double width windows and two single width windows on the front elevation and three double width windows on the rear elevation. The building would be set 1.172 metres from the boundary with no. 28 Chester Road and 2 metres away no. 34 Chester Road.

In terms of a comparison to that previously approved under application reference 13800/APP/2020/2272, the approved 26-bedroom residential care home measured approximately 287 square metres in footprint, with a 17.3 metre long elevation fronting Chester Road. It also measured 9.1 metres at its highest point, utilising the same mansard roof with dormer windows. The siting was also the same as that currently proposed. Evidently, the siting and appearance of the proposed development when viewed from Chester Road is established as acceptable. However, the main difference is the additional 53 square meters of developed footprint, equating to at least 420 cubic metres more built volume on-site.

As stated by the Council's Conservation and Urban Design Officer, the houses along Chester Road have a fairly consistent rear building line where the main body of the houses are clearly defined. Some of the houses originally had rear wings or were later extended but, in each case, they are subordinate to the main body of the houses. The previously consented schemes adjacent to the site were also designed to respect this characteristic with the main bulk of the building respecting the established rear building line with secondary subordinate wings to the rear.

The proposed scheme does not respect the established rear building line as the main body of the building extends all the way back to the depth of the rear wings of nos. 34 and 36-38 Chester Road and beyond the extensions of other adjacent buildings. This adds considerable bulk to the development and results in the building becoming overly dominant and incongruous within the Area of Special Local Character where it would be clearly seen from adjacent gardens as well as from houses that back onto the site.

In this instance, the harm is considered to be 'less than substantial harm', as defined by the NPPF (February 2019). In terms of a balanced judgement, the benefits of the scheme are not considered to be significant in light of the site already having been granted permission for a care home with an acceptable design under application reference 13800/APP/2020/2272.

Given the above considerations, the proposal would fail to harmonise adequately with its context, creating an incongruous form of development which causes harm to the

character and appearance of the Old Northwood Area of Special Local Character. As such, the proposal is considered contrary to Policies 7.1, 7.4, 7.6 and 7.8 of the London Plan (March 2016), Policies D4 and HC1 of the Publication London Plan (December 2020), Policy BE 1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), and Policies DMHB 5 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

It is noted that the amendments required to make the scheme acceptable revert it back to the design already approved under application reference 13800/APP/2020/2272. As such, there is no merit in seeking amendments to the scheme.

7.3 Traffic Impact/Pedestrian Safety

The former buildings now demolished comprised of a pair of large semi-detached houses which had been extended and were then converted into a registered children's home providing accommodation for 13 teenagers. The site is now a vacant plot of land with the previous buildings having been demolished and the site now cleared. The site exhibits a low PTAL rating of 2.

The following local plan policies are considered:

Policy DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) Development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner. In order for developments to be acceptable they are required to:

- i) be accessible by public transport, walking and cycling either from the catchment area that it is likely to draw its employees, customers or visitors from and/or the services and facilities necessary to support the development;
- ii) maximise safe, convenient and inclusive accessibility to, and from within developments for pedestrians, cyclists and public transport users;
- iii) provide equal access for all people, including inclusive access for disabled people;
- iv) adequately address delivery, servicing and drop-off requirements; and
- v) have no significant adverse transport or associated air quality and noise impacts on the local and wider environment, particularly on the strategic road network.

B) Development proposals will be required to undertake a satisfactory Transport Assessment and Travel Plan if they meet or exceed the appropriate thresholds. All major developments that fall below these thresholds will be required to produce a satisfactory Transport Statement and Local Level Travel Plan. All these plans should demonstrate how any potential impacts will be mitigated and how such measures will be implemented.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that proposals must ensure that safe and efficient vehicular access to the highway network is provided, schemes do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents. Also that impacts on local amenity and congestion are minimised and there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and roads.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that proposals comply with the Council's parking standards in order to facilitate sustainable development and address issues relating to congestion and amenity.

The National Planning Policy Framework (NPPF) (February 2019) states that development should only be prevented or refused on highways grounds if there would be

an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy 6.3 of the London Plan (March 2016) requires development proposals to ensure that the impacts on transport capacity and the transport network are fully assessed.

The proposed development comprises 29-bed residential care home with three car parking spaces located on the front driveway of nos 30-32 Chester Road. In addition to this provision, two parking spaces are located to the front of no. 34 Chester Road and three car parking spaces are located to the front of nos. 36-38 Chester Road.

PARKING PROVISION

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. Appendix C of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that parking standards for care homes are determined by either using a transport assessment and travel plan, or a maximum of 1 space per four dwelling units (minimum 2 spaces), plus 1 space for warden. Where relevant provision is also to be made for emergency vehicle parking, loading and unloading.

Based on Council standards, a maximum of 8 car parking spaces should be provided for the proposed 29-bed care home. The proposed development includes 3 car parking spaces to the front of no.30-32 Chester, including one accessible parking space. It should be noted that the proposed development also removes three bedrooms from no.34 Chester Road, meaning the number of bedrooms across the two sites are increased by 26.

The submitted Transport Statement uses TRAVL data to support the proposed number of parking spaces, stating that the impact on on-street parking conditions would be negligible. A parking survey has also been submitted and includes Chester Road, Kemps Drive, Wychwood Way, Reginald Road and Roy Road within its scope. The results of the parking survey confirm that while there is parking in the resident permit parking bays in the Controlled Parking Zone (CPZ) and in the uncontrolled area outside the CPZ, there is still substantial vacant space. The overall parking pressure is below normally accepted stress levels.

In light of the Council's Highway Officer comments, the evidence submitted and the fact that parking standards are maximum, it is not considered that the proposal would have an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

ELECTRIC VEHICLE CHARGING POINTS

In conjunction with Policy DMT 6, Appendix C of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that a minimum of 5% of the total parking quantum is for 'active' provision with a further 5% 'passive' provision. The Council's Highways Officer acknowledges the small quantum of parking proposed and it is considered appropriate to secure the 3 proposed on-plot parking spaces as 'passive' provision for electric vehicle charging points. If recommended for approval, this would be secured by condition.

CYCLE PROVISION

In conjunction with Policy DMT 6, Appendix C of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that care home developments are provided with 1 secure and accessible cycle parking space per 3 staff. This equates to 2 spaces for the level of anticipated 7 staff. The proposal for 4 spaces is therefore considered acceptable and will be secured by condition if recommended for approval.

VEHICULAR TRIP GENERATION

As stated by the Council's Highways Officer, general activity would be relatively low given the nature of care home uses. Hence no measurable concerns are raised.

SUMMARY

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 Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policies 6.3, 6.9, and 6.13 of the London Plan (March 2016).

7.4 Carparking & Layout

Car parking and layout matters have already been assessed in full above.

7.5 Urban Design, Access and Security Considerations

Urban design matters are considered within Section 07.2 of the report.

LIVING CONDITIONS FOR FUTURE OCCUPIERS

The residents' bedrooms would be of a reasonable size and each has a window which faces either to the front or the rear of the building so that they would have an adequate outlook and natural lighting. A large dining and lounge area would be provided on the ground floor, together with an activity room, staff area and kitchen in the basement.

Although it would be shared with the care homes located at nos. 34 to 38 Chester Road, the development would retain an extensive rear communal garden measuring in excess of 1500 square metres. There are no adopted standards for care homes in terms of amenity space but the shared amenity space requirement for 29 one-bedroom flats is 580 square metres. The proposed development would exceed this requirement.

As such, it is considered that the proposal would provide suitable accommodation for its residents.

ACCESS

Policy 3.5 of the London Plan (March 2016) states:

B) The design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces, taking particular account of the needs of children, disabled and older people.

Policy 7.2 of the London Plan (March 2016) states:

C) Design and access statements submitted with development proposals should explain how, following engagement with relevant user groups, the principles of inclusive design, including the specific needs of older and disabled people, have been integrated into the proposed development, whether relevant best practice standards such as British Standard

BS 8300:2009 + A1:2010 have been complied with, and how inclusion will be maintained and managed.

The proposed development at no. 30-32 Chester Road includes one wheelchair accessible parking space to the front of the property and an internal lift serving all floors. The external garden area would be accessed via a decked area and ramp at a gradient of 1:15. Access to the rear of the property can also be gained via the side access.

The Design, Access and Planning Statement submitted states that the design of the proposal replicates the design of the neighbouring care homes nos. 34-38 Chester Road, which were successfully registered with the Care Quality Commission (CQC), the relevant health and social care services regulator acting across England. In considering the location, design and layout of the site, Regulation 15 of the Health and Social Care Act 2008 has been referred to, in particular section 15(1)(c), in order to ensure that the premises among other things are 'fit for purpose'.

However, the Council's Access Officer states that the scheme fails to comply with the "Care Homes for Older People", National Minimum Standards, Care Homes Regulations (3rd Edition) by the Department of Health (Dated February 2003), and the Council's Supplementary Planning Document 'Accessible Hillingdon' (Adopted September 2017). The issues noted relate to the ratio of bathrooms to service users, the number of wheelchair accessible en-suite bathrooms and the provision of one lift as opposed to two.

It is noted that the recently refused scheme (application reference 13800/APP/2019/604) did not refuse the application on insufficient accessibility and is considered to provide the same level of accessibility as the current scheme. Although it was a different scheme, the accessibility principles of appeal decision reference APP/R5510/A/10/2139386 are also considered to be materially similar to the current scheme. The appeal Inspector stated:

"The appellant's 'Access Statement' identifies that the proposal would comply with the relevant legislation, including the criteria of the Health and Social Care Act 2008 and Building Regulations, and would be implemented accordingly. Based upon this information and other available details, the proposed layout would address adequately the needs of disabled people and thus would not contravene the objectives of the UDP, particularly as expressed by Policy R16 as supported by the Council's Accessible Hillingdon Supplementary Planning Document."

Although the policy referred to is now superseded, there is no significant difference in the requirements of the policy quoted and the standards that were applied at the time compared to the current policy context. It is also noted that the Care Quality Commission would ensure that the care home is fit for purpose and is subject to legislation outside the remit of planning.

In light of the considerations above, the proposal is considered on balance acceptable with regard to accessibility. If recommended for approval, a condition would be attached to demonstrate that a ratio of 1 assisted bath (or assisted shower provided this meets residents needs) to 8 service users is achieved. Further, 10% of the intended residents' rooms should also incorporate an ensuite bathroom suitable for a wheelchair user. Notably, where suitably adapted en-suite bathing/shower facilities are provided in service users' rooms, these rooms can be excluded from this calculation.

7.6 Other Issues

PRINCIPLE OF DEVELOPMENT

The proposed residential care home (Use Class C2) is considered in against the following planning policy:

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

A) The development of residential care homes and other types of supported housing will be permitted provided that:

- i) it would not lead to an over concentration of similar uses detrimental to residential character or amenity and complies with Policy DMH 4: Residential Conversions;
- ii) it caters for need identified in the Council's Housing Market Assessment, in a needs assessment of a recognised public body, or within an appropriate needs assessment and is deemed to be responding to the needs identified by the Council or other recognised public body such as the Mental Health Trust;
- iii) the accommodation is fully integrated into the residential surroundings; and
- iv) in the case of sheltered housing, it is located near to shops and community facilities and is easily accessible by public transport.

B) Proposals for residential care establishments which fall under Use Class C2 must demonstrate that they would provide levels of care as defined in Article 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

For reference, Article 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) states:

"care" means personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in class C2 also includes the personal care of children and medical care and treatment.

Policy DMH 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that residential conversions and the redevelopment of dwellings into new blocks of flats will only be permitted where:

- i) it is on a residential street where the proposal will not result in more than 10% of properties being redeveloped into flats;
- ii) On residential streets longer than 1km the proposed redevelopment site should be taken as the midpoint of a 1km length of road for assessment purposes;
- iii) the internal floor area of the original building to be converted is at least 120 sqm; and
- iv) units are limited to one unit per floor for residential conversions.

In order to safeguard the traditional residential character of residential roads, proposals that result in 10% of the houses in a street having been converted or redeveloped to provide flats or other forms of more intensive housing, including care homes, are unlikely to be considered acceptable. Chester Road already exceeds this figure, being at approximately 25%. However, it is considered that as the last known use of the site was as a children's home (Use Class C2), the proposal would not result in an increase in the proportion of properties which have been converted or redevelopment for flats or being used for other uses such as care homes. The principle of redevelopment of the site for use as a care home (Use Class C2) was also considered acceptable and granted permission under application reference 13800/APP/2011/1140 in 2012. Although the application was refused, application reference 13800/APP/2019/604 also considered the principle of development to be acceptable.

It is noted that paragraph 4.25 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that there are 34,385 people over the age of 65 in Hillingdon and the population in this age bracket is predicted to increase by 7.1% in the next five years. The population for persons aged 85+ is expected to experience a

higher increase of 8% over the same period. These figures compare with a predicted 5% population increase for the rest of Hillingdon's population. Evidently, there is a general increasing demand for care home provision.

In view of the planning history for the application site and relevant planning policy, the principle of redeveloping the site as a care home is considered acceptable and established.

AFFORDABLE HOUSING

Policy H13 of the Publication London Plan (December 2020) was noted as relevant under application reference 13800/APP/2019/604, and supports the provision of affordable housing in specialist older persons accommodation. However, it should be made clear that supporting paragraph 4.13.4 states:

"This policy contains requirements for 'specialist older person housing'. It does not apply to accommodation that has the following attributes, which is considered 'care home accommodation':

- personal care and accommodation are provided together as a package with no clear separation between the two
- the person using the service cannot choose to receive personal care from another provider
- people using the service do not hold occupancy agreements such as tenancy agreements, licensing agreements, licences to occupy premises, or leasehold agreements or a freehold
- likely CQC-regulated activity will be accommodation for persons who require nursing or personal care"

Paragraph 64 of the NPPF (February 2019) is also a material consideration and seeks to preclude specialist housing for the elderly from a requirement to provide affordable housing. As such, affordable housing provision is not considered necessary and an affordable housing contribution is not considered to be required.

If recommended for approval, a planning condition would secure the premises as Use Class C2 to ensure that the premises is not used as Use Class C3. Notably, the approach to secure this by condition, as opposed to a Section 106 legal agreement, is supported by the Inspector for the dismissed appeal (reference APP/R5510/W/19/3236950, refused application reference 13800/APP/2019/604), who stated:

"The evidence before me confirms that the development would fall under a C2 Use Class and would provide end of life/hospice care and dementia care. There would be no self-contained accommodation, communal facilities would be provided and round the clock care would be available for residents. There would be no extra care provision or sheltered accommodation on the site... If the Council had any future concerns that the accommodation was not being used for this specified use, this could be reasonably investigated and enforced against such a condition... To conclude, the use of the proposed building for residential care falling under a C2 Use Class could be secured by condition and a legal agreement would not be necessary."

If recommended for approval, the condition would be worded as follows:

"Notwithstanding the Town and Country Planning (Use Classes) Order (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the development shall not be used for

any purpose other than as a residential care home (Use Class C2).

REASON

To secure the development as a residential care home, to ensure that affordable housing provision is not required, in accordance with Policy H13 of the Publication London Plan (December 2020). It is also required to ensure parking provisions are sufficient and acceptable, in accordance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)."

TREES AND LANDSCAPING

Policy 5.10 of the London Plan (March 2016) states that development proposals should integrate green infrastructure to contribute to urban greening, including the public realm.

Policy 5.11 of the London Plan (March 2016) states that major development proposals should be designed to include roof, wall and site planting, especially green roofs and walls where feasible.

Policy G5 of the Publication London Plan (December 2020) states:

- a. Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.
- b. Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. The UGF should be based on the factors set out in Table 8.2, but tailored to local circumstances. In the interim, the Mayor recommends a target score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) also requires that new development is high quality, sustainable, adaptable, and harmonises with the local context. Landscaping and tree planting should also enhance amenity, biodiversity and green infrastructure.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

Policy DME1 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that all development proposals are required to comply with the following:

- i) All major development should incorporate living roofs and/or walls into the development. Suitable justification should be provided where living walls and roofs cannot be provided; and
- ii) Major development in Air Quality Management Areas must provide onsite provision of living roofs and/or walls. A suitable offsite contribution may be required where onsite provision is not appropriate.

Concerns were raised by residents who were consulted as part of the application process regarding the removal of trees within the boundaries of the site. As confirmed by the

Council's Trees and Landscaping Officer, none of the trees within the application site are protected by Tree Protection Orders or a Conservation Area designation. Although it is not encouraged for a number of reasons, the owner does not have to seek permission to remove trees.

Based on the information submitted, there are no 'A' grade trees and only two 'B' grade trees within the application site. The Council's Trees and Landscaping Officer noted that the proposed layout plan fails to provide any qualitative re-assurance in terms of landscaping and the front garden fails to meet the 25% soft landscape target promoted in Hillingdon's design guidance. Nevertheless, the boundaries will be planted and the arrangement is similar to that previously approved.

If recommended for approval, planning conditions would be attached to secure tree protection details and a comprehensive and well-designed landscaping scheme, with species which encourage biodiversity while providing ornamental / seasonal interest year-round for the enjoyment of the residents. Details for the inclusion of a green wall could also be included as part of the landscaping scheme condition. Subject to such conditions, the proposal would not be considered contrary to Policies 5.10 and 5.11 of the London Plan (March 2016), Policy G5 of the Publication London Plan (December 2020), Policies DMHB 11, DMHB 14 and DMEI 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

ECOLOGY

Paragraph 170 of the NPPF (February 2019) states that planning decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Policy 7.19 of the London Plan (March 2016) states that development proposals should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that the design and layout of new development should retain and enhance any existing features of biodiversity within the site.

If recommended for approval, an ecological enhancement condition would secure the appropriate protection and enhancement of ecological value within the site. Subject to this condition, the proposal is considered to accord with the NPPF (February 2019), Policy 7.19 of the London Plan (March 2016) and Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

SUSTAINABLE WASTE MANAGEMENT

Policy 5.17 of the London Plan (March 2016) sets out the Mayor's spatial policy for waste management, including the requirements for new developments to provide appropriate facilities for the storage of refuse and recycling.

Bin storage placement should generally be within 10m of the collection point on the public highway (or internal roadway) in order to accord with the Council's waste collection distance standard. A store/collection point is indicated in proximity of the highway boundary on the site frontage which conforms to the standard. As such, the proposal is not considered contrary to Policy 5.17 of the London Plan (March 2016).

ENERGY

Policy 5.2 of the London Plan (March 2016) requires that development proposals make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy: Be lean: use less energy; Be clean: supply energy efficiently; and Be green: use renewable energy. This is supported by Policy SI2 of the Publication London Plan (December 2020).

Policy EM1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will ensure that climate change mitigation is addressed at every stage of the development process. This includes the reduction of carbon emissions through low carbon strategies and encouraging the installation of renewable energy to meet the targets set by the London Plan (March 2016).

Policy DME1 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that:

A) All developments make the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan targets;

B) All major development proposals must be accompanied by an energy assessment showing how these reductions will be achieved;

C) Proposals that fail to take reasonable steps to achieve the required savings will be resisted. However, if the Council is minded to approve the application despite not meeting the carbon reduction targets, then it will seek an off-site contribution to make up for the shortfall. The contribution will be sought at a flat rate at of £/tonne over the lifetime of the development, in accordance with the current 'allowable solutions cost'.

The Mayor of London has not yet enacted the zero carbon element of this policy relating to non-domestic buildings. This means all residential development must be zero carbon (with a minimum of 35% reductions achieved onsite) and all non-residential must achieve 35% improvement over the Target Emission Rate (TER).

An Energy and Sustainability Assessment has been submitted and demonstrates how the development has been designed to exceed Part L1B building regulations requirements. The reports states that in line with the London Plan three-step energy hierarchy, carbon dioxide emissions from the development will be reduced by 82% once energy efficiency measures and clean measures are taken into account.

Subject to condition of details of the low and zero carbon technology required to meet the CO2 reductions, the proposal is considered to accord with Policy 5.2 of the London Plan (March 2016), Policy EM1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policy DME1 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

FLOODING AND DRAINAGE

Policy 5.12 of the London Plan (March 2016) requires that development proposals must comply with the flood risk assessment and management requirements set out in the NPPF and the associated technical Guidance on flood risk over the lifetime of the development.

Policy 5.13 of the London Plan (March 2016) states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated.

Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

Policy DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that development within areas identified at risk from surface water flooding which fail to make adequate provision for the control and reduction of surface water run-off rates will be refused.

Policy DMHD 3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) When determining proposals for basement and other underground development, the Council require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. Developers will be required to demonstrate by methodologies appropriate to the site that their proposals:

i) avoid adversely affecting drainage and run-off or causing other damage to the water environment;

ii) avoid cumulative impacts upon structural stability or the water environment in the local area;

B) Schemes should ensure that they:

i) do not harm the amenity of neighbours;

ii) do not lead to the loss of trees or townscape or amenity value;

iii) do provide satisfactory landscaping, including adequate soil depth;

iv) do not harm the appearance or setting of the property or the established character of the surrounding area, for example through the introduction of front lightwells; and

v) do protect important archaeological remains.

C) The Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding.

D) The Council will not permit basement schemes in Listed Buildings and will not permit them in Conservation Area locations where their introduction would harm the special architectural or historic character of the area.

Based on the Council's GIS, the site forms part of a Critical Drainage Area. As stated by the Council's Flood and Water Management Officer, the submitted surface water drainage strategy demonstrates that a Sustainable Drainage System (SuDS) can be provided within the development. If recommended for approval, the details of this would be secured by condition.

As noted under the previously refused application (reference 13800/APP/2019/604), the proposal could increase groundwater flood risk. Given the extent of the basement and the potential implications on flood risk, a Basement Impact Assessment would be required prior to any development. If recommended for approval, this would be secured by condition.

Subject to the conditions noted above, the proposal would not be considered contrary to Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy DMHD 3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy 5.12 of the London Plan (March 2016), the NPPF (February 2019),

and the Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

NOISE

The proposed development as a care home for the elderly within an established residential area does not raise any noise issues in principle. However, please see Section 07.1 of the report for the consideration of noise in terms of its impact on neighbour amenity.

AIR QUALITY

Paragraph 170, point e), of the NPPF (February 2019) states that planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air quality.

Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will seek to safeguard and improve all land, water, air and noise quality. All development should not cause deterioration in the local air quality levels and should ensure the protection of both existing and new sensitive receptors. Policy 7.14 of the London Plan (March 2016) further supports this.

Policy DME1 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

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 improvement of air quality, especially within the Air Quality Management Area.

Based on the Council's GIS, the site is located approximately 130 metres to the north-west and south-west of the Northwood East Air Quality Focus Area, where special focus in reducing elevated levels of air pollution is a priority of the Borough.

The information submitted indicates that the proposed development is air quality neutral. In addition, the occupiers of the proposed residential care home are exposed to safe levels of air quality, with values ranging from 25 to 28 g/m³ within and in the vicinity of the application site, well below the limit value set to protect human health (40 g/m³).

The proposal is therefore considered acceptable in terms of air quality, subject to conditions reducing emissions from demolition and construction. As such, the proposal would accord with Policy DME1 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and the NPPF (February 2019).

CONTAMINATED LAND

Policy 5.21 of the London Plan (March 2016) states that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or

spread contamination.

Policy DMEI 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

A) Proposals for development on potentially contaminated sites will be expected to be accompanied by at least an initial study of the likely contaminants. The Council will support planning permission for any development of land which is affected by contamination where it can be demonstrated that contamination issues have been adequately assessed and the site can be safely remediated so that the development can be made suitable for the proposed use.

B) Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.

C) Where initial studies reveal potentially harmful levels of contamination, either to human health or controlled waters and other environmental features, full intrusive ground investigations and remediation proposals will be expected prior to any approvals.

D) In some instances, where remedial works relate to an agreed set of measures such as the management of ongoing remedial systems, or remediation of adjoining or other affected land, a S106 planning obligation will be sought.

The submitted information indicates that the overall land quality risks posed by the site are generally assessed as "low and very low". However, an increased risk is identified, as there is a possibility that some contaminants may be present in made ground within areas of the site. The possible contaminants include asbestos. The Council's Contamination Officer considers that the proposal is acceptable subject to a planning condition addressing existing/site won soils, including any imported soils, which may be introduced at the proposed exposed areas of open spaces at the site. Subject to such a condition, the proposal is not considered contrary to Policy DMEI 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and 5.21 of the London Plan (March 2016).

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, the proposed development as a care home (use class C2) is not expected to generate planning obligations.

CONCLUSION

In conclusion, the proposed 29-bed residential care home (Use Class C2) on land at Nos. 30-32 Chester Road and the change of use of three existing rear bedrooms to storage and ancillary rooms to No. 34 Chester Road is considered acceptable in principle. However, the proposed development would fail to harmonise with the established local context, to the detriment of the character, appearance and visual amenities of the area and Old Northwood Area of Special Local Character. For the reasons outlined within the report, the application is recommended for refusal.

8. Reference Documents

National Planning Policy Framework (February 2019)

Publication London Plan (December 2020)

The London Plan (March 2016)

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

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

Accessible Hillingdon Supplementary Planning Document (September 2017)

Planning Obligations Supplementary Planning Document (July 2014)

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