



Mr Salim Rhemtulla
Seymour House Residential Care
Seymour House
13-17 Rectory Road
Rickmansworth WD3 1FH

Application Ref: 13800/APP/2019/604

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **REFUSES** permission for the following:-

Description of development:

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

Location of development: Land At 30 - 32 Chester Road Northwood

Date of application: 19 February 2019

Plan Numbers: See attached Schedule of plans

Permission is refused for the reason(s) listed on the attached schedule:-

Head of Planning, Transportation and Regeneration

Date: 22 August 2019

NOTES: (i) Please also see the informatives included in the Schedule of Reasons.

(ii) Should you wish to appeal against this decision please read the attached sheet which explains the procedure.

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SCHEDULE OF REASONS

- 1 · The proposal would result in a row of three similarly designed blocks which would incorporate large mansard roofs with oversized dormers and would result in an extensive 50m wide frontage on Chester road, with only narrow, sub-standard undeveloped gaps to break up the building mass. As such, the proposal would add another incongruous building to this part of Chester Road, the cumulative impact of which would result in a very cramped and overdeveloped street scene. The proposal therefore fails to harmonise with the mixed architecture and spacious character and appearance of the Old Northwood Area of Special Local Character, contrary to Policies BE5, BE13, BE15, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy DMHB5 of the draft Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019).
- 2 · The proposed development by reason of its scale, bulk and proximity to the side boundaries would result in a closing of the visually open gap between it and the neighbouring properties at both no. 34 and 28 Chester road which would give rise to a cramped form of development, detrimental to the visual amenities of the street scene and the surrounding area and the character and appearance of the Old Northwood Area of Special Local Character,. The proposal is therefore contrary to Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13, BE15, BE19 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy DMHB5 of the draft Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019).
- 3 · The proposed rearward element by virtue of its size, scale, siting, bulk and proximity to no. 34 Chester Road would be detrimental to the amenities of the adjoining occupiers at 34 Chester road by reason of over-dominance, overshadowing, visual intrusion, loss of daylight and sunlight and loss of outlook. The proposal is therefore contrary to Policies BE13, BE19, BE20, BE22, BE24 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy DMHB5 of the draft Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019).
- 4 · Due to the proximity of the proposed development to no.28 Chester road and the siting of the flank wall and the location of the proposed light wells serving the kitchen and activity lounge, the development would be detrimental to the amenities of the adjoining occupiers at 28 Chester Road by reason of outlook, noise, smell and odour and general disturbance. The proposal is therefore contrary to Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE19, BE20, BE21, BE24 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy DMHB5 of the draft Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019).

SCHEDULE OF REASONS

- 5 . The proposed development, in the absence of a Section 106 legal agreement fails to secure the development as C2 use class elderly accommodation. Given that a legal agreement to address this issue has not at this stage been offered or secured, the proposal is considered to be contrary to Policy R17 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), DMCI 7 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Development Management Policies (2019) , Policy DMH 8 of the Emerging Hillingdon Local Plan: Part 2 Development Management Policies and Policy 3.17 of the London Plan (2016).

INFORMATIVES:

- 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 . The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) 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.

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.EM11	(2012) Sustainable Waste Management
PT1.EM6	(2012) Flood Risk Management

Part 2 Policies

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
BE16	New development on the northern frontage of the A4 (Bath Road)
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of

SCHEDULE OF REASONS

	new planting and landscaping in development proposals.
BE39	Protection of trees and woodland - tree preservation orders
BE5	New development within areas of special local character
DMCI 4	Open Spaces in New Development
DMEI 10	Water Management, Efficiency and Quality
DMEI 11	Protection of Ground Water Resources
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 9	Management of Flood Risk
DMH 8	Sheltered Housing and Care Homes
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 18	Private Outdoor Amenity Space
DMHB 5	Areas of Special Local Character
DMHD 3	Basement Development
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
EM6	(2012) Flood Risk Management
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.1	(2016) Ensuring equal life chances for all
LPP 3.5	(2016) Quality and design of housing developments
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.3	(2016) Sustainable design and construction
LPP 6.13	(2016) Parking
LPP 6.9	(2016) Cycling
LPP 7.2	(2016) An inclusive environment
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 14	NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures

SCHEDULE OF REASONS

OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

END OF SCHEDULE

Address:

Residents Services
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3 North Civic Centre, High Street, Uxbridge UB8 1UW
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www.hillingdon.gov.uk

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SCHEDULE OF PLANS

SCH0718-13 - received 19 Feb 2019
SCH0718-15 - received 19 Feb 2019
SCH0718-14 - received 19 Feb 2019
SCH0718-02 - received 19 Feb 2019
SCH0718-03 - received 19 Feb 2019
SCH0718-04 - received 19 Feb 2019
SCH0718-05 - received 19 Feb 2019
SCH0718-06 - received 19 Feb 2019
SCH0718-07 - received 19 Feb 2019
SCH0718-08 - received 19 Feb 2019
SCH0718-09 (Rev.1) - received 19 Feb 2019
SCH0718-10 - received 19 Feb 2019
SCH0718-11 - received 19 Feb 2019
SCH0718-12 - received 19 Feb 2019
SCH0718-01 - received 19 Feb 2019

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0117 372 8424). Appeal forms can be downloaded from the Planning Inspectorate's website at www.Planning-inspectorate.gov.uk

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

Further details are available at www.gov.uk/government/collections/casework-dealt-with-by-inquiries

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of an appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices.

If either the local planning authority or the officer of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.