



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon Appeal Statement

Appeal By:
Mr Cader

Proposal:
Erection of porch to front and erection of single storey outbuilding to rear for use as a staff rest room

Appeal Site:
Ruislip Nursing Home
173 West End Road
Ruislip
HA4 6LB

Our Ref:
Your Ref:

19817/APP/2021/914 and 19817/APP/2021/913
APP/R5510/W/21/3283960 Linked Appeal
APP/R5510/W/21/3283965

1. Introduction

- 1.1 This appeal statement is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in respect of the appeals against its refusal to grant planning permission for: erection of porch to front and erection of single storey outbuilding to rear for use as a staff rest room. Please note that this appeal statement is made in respect to Appeal Refs: APP/R5510/W/21/3283960 and Appeal APP/R5510/W/21/3283965 that the Planning Inspectorate has sought to link.
- 1.2 The LPA refused planning permission on 20-04-21 for the erection of a porch to the front for the following reason (as stated on the decision notice):
 1. The proposed porch by reason of its size, scale, bulk and design would result in an incongruous addition which would be detrimental to the architectural composition of the original Locally Listed Building at 173 West End Road and to the visual amenities of the street scene and the surrounding area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 3, DMHB 11 and DMHD 1 of the Hillingdon Local Plan - Part Two (2020), Policy HC1 of the London Plan (2021) and the National Planning Policy Framework (2019).
- 1.3 The LPA refused planning permission on 21-04-21 for the erection of single storey outbuilding to rear for use as a staff rest room for the following reason (as stated on the decision notice):
 1. The proposed additional outbuilding by virtue of its design, use of materials and location would result in an incongruous addition which would be detrimental to the setting of the Locally Listed Building at 173 West End Road. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB11, DMHD1 and DMHB3 of the Hillingdon Local Plan - Part Two (2020).
- 1.4 The LPA's case is set out in the Planning Officer's delegated reports, which should be read in conjunction with this statement. A copy of the delegated reports are provided at Appendix 1. It is understood that copies of relevant planning policies have been sent to PINS with the Appeal Questionnaire.
- 1.5 This statement will not repeat the delegated report and will focus on addressing matters raised in the Appellant's statement of case.

2. LPA Comments on Appellant's Statement of Case

- 2.1 The Council considers that the arguments highlighted by the appellant have been addressed in the Planning Officer's Delegated Report, specifically the application of Local Planning Policies in the assessment of the proposed development, with particular regard to the setting of the proposal and the impact on the neighbouring properties.

3. Conclusion

- 3.1 The impact of the proposed developments have been assessed in the Officer's delegated reports. On the basis that no new further or more comprehensive assessment has been provided by the Appellant, it is considered that the original Officer assessment covers the impact and assessment of the material considerations of the proposal against the relevant Planning Policies, with particular regard to the impact on the Locally Listed Building. The proposal is considered contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 1, DMHB11, DMHD1 and DMHB3 of the Hillingdon Local Plan - Part Two (2020). The Inspector is therefore respectfully requested to dismiss the appeal.
- 3.2 In the event that the Inspector considers the appeal should be allowed, and without prejudice to the Council's case, a list of recommended planning conditions for both proposals is included at Appendix 2.

Appendices

Appendix 1 – Planning Officer's Delegated Report

Appendix 2 – The LPA's Recommended Conditions



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon
Appendix 1
Copy of Officers Delegated Reports

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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

- | | |
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| 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 RUISLIP NURSING HOME, 173 WEST END ROAD RUISLIP

Development: Porch to front

LBH Ref Nos: **19817/APP/2021/914**

Drawing Nos: 11721-P-03
Design and Access Statement
11721-P-01
11721-P-02

Date Plans received : 09/03/2021

Date(s) of Amendment(s):

Date Application Valid: 09/03/2021

1. **SUMMARY**

The application seeks planning permission for the erection of a porch to the front.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed porch by reason of its size, scale, bulk and design would result in an incongruous addition which would be detrimental to the the architectural composition of the original Locally Listed Building at 173 West End Road and to the visual amenities of the street scene and the surrounding area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 3, DMHB 11 and DMHD 1 of the Hillingdon Local Plan - Part Two (2020), Policy HC1 of the London Plan (2021) and the National Planning Policy Framework (2019).

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.

DMHB 1 Heritage Assets

DMHB 3 Locally Listed Buildings

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHD 1	Alterations and Extensions to Residential Dwellings
LPP HC1	(2021) Heritage conservation and growth
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment

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.

4

The applicant is advised that the submitted block plan 11721-P-01 does not accurately reflect the scale of the existing host building in terms of its relationship with the site boundaries.

3. CONSIDERATIONS

3.1 Site and Locality

The application property is designated a Locally Listed Building - 173 West End Road (non-designated heritage asset)

The original building, fronting onto West End Road is a 19th century building. To the south of the site was New Pond Farm, a historic farmstead. It was likely the property was associated to the farm. The original setting of the building was a rural environment, with open fields used for agricultural purposes.

The influence of the railway and London resulted in the intense 20th century development of the area, dramatically altering the character of the area and resulting in the loss of the New Pond Farm building. The locally listed building is now dominated by a suburban context, limiting the contribution made by its setting.

The building is thought to date approximately from 1872 and is twostoreys in height. It is externally characterised by a London stock brick with red brick detailing. The roof form is hipped and finished in what appears to be natural slate tiles and includes a decorative ridge detail.

The property has been substantially extended to the rear, resulting in the once spacious site being developed and occupied by built form. There is very little green space on the site and the frontage is entirely paved over.

The rear gardens of Nos.175-181 West End Road (odds) and Nos.1-7 Cornwall road are located to the South East of the site. No.169 West End Road and maisonettes along Northdown Close are located to the North West. To the rear lies an access road beyond which are the rear gardens of properties along Cornwall Road.

The application site lies within a Critical Drainage Area as identified within the Hillingdon Local plan - Part Two (2020).

3.2 Proposed Scheme

The application seeks planning permission for the erection of a porch to the front.

Officer note: It is noted that the submitted block plan does not accurately reflect the scale of the existing building in relation to the site boundaries. Attempts have been made to secure corrected plan, but these have not been submitted. An informative is added to the decision notice.

3.3 Relevant Planning History

19817/AA/93/0288 Ruislip Nursing Home, 173 West End Road Ruislip

Erection of a detached store (amendment to planning permission ref:19817Y92/724 dated 24.7.92) (retrospective application)

Decision: 07-07-1993 Approved

19817/AB/94/0793 Ruislip Nursing Home, 173 West End Road Ruislip

Erection of a rear conservatory

Decision: 01-03-1995 Approved

19817/AC/95/1743 Ruislip Nursing Home, 173 West End Road Ruislip

Erection of a Victorian style glazed main entrance canopy

Decision: 13-02-1996 Approved

19817/APP/2004/1668 173 West End Road Ruislip

ERECTION OF 16 TWO-BEDROOM RESIDENTIAL FLATS IN TWO BLOCKS WITH ASSOCIATED ACCESS AND CAR PARKING (INVOLVING DEMOLITION OF EXISTING NURSING HOME) (OUTLINE APPLICATION)

Decision: 26-08-2004 Refused

19817/APP/2008/1975 173 West End Road Ruislip

PROVISION OF ADDITIONAL (SECOND) FLOOR INVOLVING CONSTRUCTION OF NEW MANSARD ROOF INCORPORATING SIX DORMER WINDOWS ON SOUTH-WEST ELEVATION AND THREE DORMERS ON NORTH-WEST ELEVATION, INSTALLATION OF LIFT SHAFT TO MAIN BUILDING AND SINGLE STOREY EXTENSION TO STAFF/STORE BUILDING AND ERECTION AN EXTERNAL STAIRCASE

Decision: 22-12-2008 Refused **Appeal:** 06-10-2009 Part Allowed

19817/APP/2010/1703 Ruislip Nursing Home, 173 West End Road Ruislip

Single storey side extension and part single storey, part two storey rear extension, involving demolition of existing conservatory to rear and staff room to side.

Decision: 08-10-2010 Approved

19817/APP/2013/1449 173 West End Road Ruislip

Single storey side extension, part two storey and single storey rear extensions and raising of roof and roof extension to allow for conversion of roof space to habitable use, involving demolition of detached outbuilding to side and rear conservatory

Decision: 22-08-2013 Refused **Appeal:** 10-01-2014 Allowed

19817/APP/2013/2814 Ruislip Nursing Home, 173 West End Road Ruislip

Details pursuant to conditions 2 (Materials), 9 (Tree Survey), 11 (Protective Fencing), 12 (Landscaping), 14 (Access details) and 16 (Mobility Vehicles) of planning permission Ref: 19817/APP/2010/1703 dated 08/10/2010 (Single storey side extension and part single storey, part two storey rear extension, involving demolition of existing conservatory to rear and staff room to side)

Decision: 14-11-2013 Approved

19817/APP/2014/2834 Ruislip Nursing Home, 173 West End Road Ruislip

Installation of new front lobby entrance and alterations to the car parking arrangement

Decision: 09-10-2014 Refused

19817/APP/2017/1306 173 West End Road Ruislip

Details pursuant to condition 3 (Materials) of Secretary of State's Appeal Decision ref: APP/R5510/A/13/2205436 dated 10/01/2014 (LBH ref: 19817/APP/2013/1449 dated 10/01/2014); Single storey side extension, part two storey and single storey rear extensions and raising of roof and roof extension to allow for conversion of roof space to habitable use, involving demolition of detached outbuilding to side and rear conservatory

Decision: 20-06-2017 Approved

19817/APP/2018/4400 173 West End Road Ruislip

Replacement of timber shed for secure storage and porch to front

Decision: 27-02-2019 Refused

19817/APP/2018/4420 173 West End Road Ruislip

Single storey outbuilding for use as storage

Decision: 11-02-2019 Refused

19817/APP/2019/1705 173 West End Road Ruislip

Replacement of timber shed to rear

Decision: 11-07-2019 Approved

19817/APP/2019/3413 Ruislip Nursing Home 173 West End Road Ruislip

Variation of condition 2 (Approved Plans) of planning permission Ref: 19817/APP/2019/1705 dated 11/07/2019 (Replacement of timber shed to rear) to allow for minor amendments

Decision: 30-01-2020 Approved

19817/APP/2021/913 Ruislip Nursing Home, 173 West End Road Ruislip

Single storey outbuilding to rear for use as a staff rest room.

Decision:

19817/E/84/1769 173 West End Road Ruislip

Change of use of part of ground floor from residential to doctors surgery & parking.

Decision: 05-12-1984 WD

19817/F/85/0049 173 West End Road Ruislip

Change of use from residential dwelling house to nursing home.

Decision: 19-03-1985 Approved

19817/G/85/1614 173 West End Road Ruislip

Erection of a two storey rear extension.

Decision: 15-11-1985 Approved

19817/H/86/0087 173 West End Road Ruislip

Single storey extension.

Decision: 13-02-1986 Approved

19817/M/86/0841 173 West End Road Ruislip

Demolition of a single storey rear extension and erection of new single storey extension.

Decision: 18-06-1986 Approved

19817/N/86/1112 173 West End Road Ruislip

Erection of a boiler shed and dustbin enclosure.

Decision: 15-10-1986 WD

19817/Q/87/0144 173 West End Road Ruislip

Erection of ground and first floor rear extensions to nursing and res. home, reten. of vehicle access

Decision: 03-07-1987 Approved

19817/W/87/2288 173 West End Road Ruislip

Modification to approved extn;i.e additional first floor extn & pitched roof to ground floor extn.

Decision: 12-02-1988 Approved

19817/X/88/2361 173 West End Road Ruislip

Retention of a side entrance porch

Decision: 25-01-1989 Approved

19817/Y/92/0724 173 West End Road Ruislip

Erection of a detached store

Decision: 24-07-1992 Approved

Comment on Planning History

The relevant planning history is listed above. It is noted that planning permission was refused for a porch in 2019 for the following reason:

The proposed porch by reason of its size, scale, bulk and design would result in an

incongruous addition which would be detrimental to the the architectural composition of the original Locally Listed Building at 173 West End Road and to the visual amenities of the street scene and the surrounding area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE8, BE10, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Officer note; The currently proposed porch has been reduced in width by 1m and in depth by 0.6m.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

The Ruislip Residents Association and 29 neighbouring properties were consulted by letter dated 15.3.21. No response received.

Conservation Officer:

The proposed porch addition would alter the existing appearance of the building to the front. It would result in the loss of the existing arched entrance, highlighted by the red brick detailing.

The design of the proposed porch would fail to relate to the original character and style of the building. The standard approach would not adequately respect the Victorian building. It is also not clear what materials the fenestration shall be constructed of, however the use of UPVC would be considered significantly harmful.

A more sympathetic design approach would need to be explored if consideration is given towards a porch addition. The red brick arch detail would need to be retained and adequately preserved. The porch would need to be in keeping with the original design and style of the Victorian building and constructed of high quality materials.

As proposed the porch addition would be considered harmful to the character and appearance of the locally listed building.

Conclusion: Objection

Flood Officer - No Objection

Cadent Gas - No Objection

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.HE1 (2012) Heritage

Part 2 Policies:

DMHB 1	Heritage Assets
DMHB 3	Locally Listed Buildings
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHD 1	Alterations and Extensions to Residential Dwellings
LPP HC1	(2021) Heritage conservation and growth
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment

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

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

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

Material Considerations

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

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 Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The proposed porch, given its scale and separation is not considered to give rise to any undue loss of residential amenity.

7.2 Impact on Street Scene

The NPPF (2012) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy D3 of the London Plan (2021) requires that development proposals should: Form and enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy D4 of the London Plan (2021) states 'Development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establish an enhanced character for the future function of the area.'

Policy GG4 of the London Plan (March 2021) seeks to ensure that London's housing needs are met. This objective is reiterated in the Mayor of London's Supplementary Planning Guidance (SPG) on Housing, although it is noted that in achieving housing targets, full account must be given to other policy objectives. Policy H1 of The London Plan (2021) promotes the optimisation of housing output within different types of location. Policy H10 of The London Plan encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Consideration will also be given to the accessibility of the site to services and amenities.

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'.

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

Policy DMHB 3: Locally Listed Buildings A) There is a general presumption in favour of the retention of buildings, structures and features included in the Local List. The Council will take into account the effect of a proposal on the building's significance and the scale of any harm of loss when considering planning applications, including those for major alterations and extensions. Proposals will be permitted where they retain the significance, appearance, character or setting of a Locally Listed Building. B) Applications should include a Heritage Statement that demonstrates a clear understanding of the importance of the structure and the impact of the proposals on the significance of the Locally Listed Building. C) Replacement will only be considered if it can be demonstrated that the community benefits of such a proposal significantly outweigh those of retaining the Locally Listed Building.

The Council's Conservation Officer has advised that the proposed porch addition would alter the existing appearance of the building to the front. It would result in the loss of the existing arched entrance, highlighted by the red brick detailing.

The design of the proposed porch would fail to relate to the original character and style of the building. As such, the proposed porch, by virtue of its inappropriate details of design, would fail to respect the Victorian architectural integrity of this Locally listed building and as such, would result in an incongruous form of development in conflict with Policy BE1 of the Hillingdon Local Plan (November 2012) and policies DMHB3, DNHB11 and DMHD1 of the Hillingdon Local Plan - Part Two (2020).

7.3 Traffic Impact/Pedestrian Safety

see below

7.4 Carparking & Layout

The proposal is not considered to give rise to any highway concerns.

7.5 Urban Design, Access and Security Considerations

The issues are addressed in the sections above.

7.6 Other Issues

The application site is located within a Critical Drainage Area. In the event of an approvable scheme, an informative would have been added accordingly.

8. Reference Documents

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

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

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

The West London Waste Plan (2015)

The London Plan (2021)

Contact Officer: Nicola Taplin

Telephone No: 01895 250230

DELEGATED DECISION

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| 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

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RESIDENTIAL DEVELOPMENT

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| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
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| 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 | ☐ |
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CERTIFICATE OF LAWFULNESS

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CERTIFICATE OF LAWFULNESS

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| 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 RUISLIP NURSING HOME, 173 WEST END ROAD RUISLIP

Development: Single storey outbuilding to rear for use as a staff rest room

LBH Ref Nos: **19817/APP/2021/913**

Drawing Nos: 11722-P-02
11722-P-01
Design and Access Statement

Date Plans received : 09/03/2021

Date(s) of Amendment(s):

Date Application Valid: 09/03/2021

1. SUMMARY

The application seeks planning permission for the erection of a single storey outbuilding to rear for use as a staff rest room.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed additional outbuilding by virtue of its design, use of materials and location would result in an incongruous addition which would be detrimental to the setting of the Locally Listed Building at 173 West End Road. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB11, DMHD1 and DMHB3 of the Hillingdon Local Plan - Part Two (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.

DMHB 1 Heritage Assets

DMHB 3 Locally Listed Buildings

DMHB 11 Design of New Development

DMHD 1 Alterations and Extensions to Residential Dwellings

DMHD 2	Outbuildings
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
LPP HC1	(2021) Heritage conservation and growth
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment

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.

4

The applicant is advised that the submitted block plan 11721-P-01 does not accurately reflect the scale of the existing host building in terms of its relationship with the site boundaries.

3. CONSIDERATIONS

3.1 Site and Locality

The application property is designated a Locally Listed Building - 173 West End Road (non-designated heritage asset).

The original building, fronting onto West End Road, is a 19th century building. To the south of the site was New Pond Farm, a historic farmstead. It was likely the property was associated to the farm. The original setting of the building was a rural environment, with open fields used for agricultural purposes.

The influence of the railway and London resulted in the intense 20th century development of the area, dramatically altering the character of the area and resulting in the loss of the New Pond Farm building. The locally listed building is now dominated by a suburban context, limiting the contribution made by its setting.

The building is thought to date approximately from 1872 and is twostoreys in height. It is externally characterised by a London stock brick with red brick detailing. The roof form is hipped and finished in what appears to be natural slate tiles and includes a decorative ridge detail.

The property has been substantially extended to the rear, resulting in the once spacious site being developed and occupied by built form. There is very little green space on the site and the frontage is entirely paved over.

The rear gardens of Nos.175-181 West End Road (odds) and Nos.1-7 Cornwall road are located to the South East of the site. No.169 West End Road and maisonettes along Northdown Close are located to the North West. To the rear lies an access road beyond which are the rear gardens of properties along Cornwall Road.

The application site lies within a Critical Drainage Area as identified within the Hillingdon Local plan - Part Two (2020).

3.2 Proposed Scheme

The application seeks planning permission for the erection of a single storey outbuilding to rear for use as a staff rest room.

Officer note: It is noted that the submitted block plan does not accurately reflect the scale of the existing building in relation to the site boundaries. Attempts have been made to secure corrected plan, but these have not been submitted. An informative is added to the decision notice.

3.3 Relevant Planning History

19817/AA/93/0288 Ruislip Nursing Home, 173 West End Road Ruislip

Erection of a detached store (amendment to planning permission ref:19817Y92/724 dated 24.7.92) (retrospective application)

Decision: 07-07-1993 Approved

19817/AB/94/0793 Ruislip Nursing Home, 173 West End Road Ruislip

Erection of a rear conservatory

Decision: 01-03-1995 Approved

19817/AC/95/1743 Ruislip Nursing Home, 173 West End Road Ruislip

Erection of a Victorian style glazed main entrance canopy

Decision: 13-02-1996 Approved

19817/APP/2004/1668 173 West End Road Ruislip

ERECTION OF 16 TWO-BEDROOM RESIDENTIAL FLATS IN TWO BLOCKS WITH ASSOCIATED ACCESS AND CAR PARKING (INVOLVING DEMOLITION OF EXISTING NURSING HOME) (OUTLINE APPLICATION)

Decision: 26-08-2004 Refused

19817/APP/2008/1975 173 West End Road Ruislip

PROVISION OF ADDITIONAL (SECOND) FLOOR INVOLVING CONSTRUCTION OF NEW MANSARD ROOF INCORPORATING SIX DORMER WINDOWS ON SOUTH-WEST ELEVATION AND THREE DORMERS ON NORTH-WEST ELEVATION, INSTALLATION OF LIFT SHAFT TO MAIN BUILDING AND SINGLE STOREY EXTENSION TO STAFF/STORE BUILDING AND ERECTION AN EXTERNAL STAIRCASE

Decision: 22-12-2008 Refused **Appeal:** 06-10-2009 Part Allowed

19817/APP/2010/1703 Ruislip Nursing Home, 173 West End Road Ruislip

Single storey side extension and part single storey, part two storey rear extension, involving demolition of existing conservatory to rear and staff room to side.

Decision: 08-10-2010 Approved

19817/APP/2013/1449 173 West End Road Ruislip

Single storey side extension, part two storey and single storey rear extensions and raising of roof and roof extension to allow for conversion of roof space to habitable use, involving demolition of detached outbuilding to side and rear conservatory

Decision: 22-08-2013 Refused **Appeal:** 10-01-2014 Allowed

19817/APP/2013/2814 Ruislip Nursing Home, 173 West End Road Ruislip

Details pursuant to conditions 2 (Materials), 9 (Tree Survey), 11 (Protective Fencing), 12 (Landscaping), 14 (Access details) and 16 (Mobility Vehicles) of planning permission Ref: 19817/APP/2010/1703 dated 08/10/2010 (Single storey side extension and part single storey, part two storey rear extension, involving demolition of existing conservatory to rear and staff room to side)

Decision: 14-11-2013 Approved

19817/APP/2014/2834 Ruislip Nursing Home, 173 West End Road Ruislip

Installation of new front lobby entrance and alterations to the car parking arrangement

Decision: 09-10-2014 Refused

19817/APP/2017/1306 173 West End Road Ruislip

Details pursuant to condition 3 (Materials) of Secretary of State's Appeal Decision ref: APP/R5510/A/13/2205436 dated 10/01/2014 (LBH ref: 19817/APP/2013/1449 dated 10/01/2014); Single storey side extension, part two storey and single storey rear extensions and raising of roof and roof extension to allow for conversion of roof space to habitable use, involving demolition of detached outbuilding to side and rear conservatory

Decision: 20-06-2017 Approved

19817/APP/2018/4400 173 West End Road Ruislip

Replacement of timber shed for secure storage and porch to front

Decision: 27-02-2019 Refused

19817/APP/2018/4420 173 West End Road Ruislip

Single storey outbuilding for use as storage

Decision: 11-02-2019 Refused

19817/APP/2019/1705 173 West End Road Ruislip

Replacement of timber shed to rear

Decision: 11-07-2019 Approved

19817/APP/2019/3413 Ruislip Nursing Home 173 West End Road Ruislip

Variation of condition 2 (Approved Plans) of planning permission Ref: 19817/APP/2019/1705 dated 11/07/2019 (Replacement of timber shed to rear) to allow for minor amendments

Decision: 30-01-2020 Approved

19817/APP/2021/914 Ruislip Nursing Home, 173 West End Road Ruislip

Porch to front

Decision: 20-04-2021 Refused

19817/E/84/1769 173 West End Road Ruislip

Change of use of part of ground floor from residential to doctors surgery & parking.

Decision: 05-12-1984 WD

19817/F/85/0049 173 West End Road Ruislip
Change of use from residential dwelling house to nursing home.

Decision: 19-03-1985 Approved

19817/G/85/1614 173 West End Road Ruislip
Erection of a two storey rear extension.

Decision: 15-11-1985 Approved

19817/H/86/0087 173 West End Road Ruislip
Single storey extension.

Decision: 13-02-1986 Approved

19817/M/86/0841 173 West End Road Ruislip
Demolition of a single storey rear extension and erection of new single storey extension.

Decision: 18-06-1986 Approved

19817/N/86/1112 173 West End Road Ruislip
Erection of a boiler shed and dustbin enclosure.

Decision: 15-10-1986 WD

19817/Q/87/0144 173 West End Road Ruislip
Erection of ground and first floor rear extensions to nursing and res. home, reten. of vehicle access

Decision: 03-07-1987 Approved

19817/W/87/2288 173 West End Road Ruislip
Modification to approved extn;i.e additional first floor extn & pitched roof to ground floor extn.

Decision: 12-02-1988 Approved

19817/X/88/2361 173 West End Road Ruislip
Retention of a side entrance porch

Decision: 25-01-1989 Approved

19817/Y/92/0724 173 West End Road Ruislip
Erection of a detached store

Decision: 24-07-1992 Approved

Comment on Planning History

The relevant planning history is listed above.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

The Ruislip Residents Association and 29 neighbouring properties were consulted by letter dated 15.3.21.

2 letters of objection have been received raising concerns relating to light pollution, noise, smell and disturbance to occupants of nearby residential properties.

Conservation Officer:

The proposed development would erect another outbuilding on the existing site, resulting in a cluster of detached structures in the northern corner of the site. The further development of the site would exacerbate the harm already caused to the setting of the locally listed building and over develop the site.

The positioning of the outbuilding along the northern side boundary would result in another built form directly adjacent to the small rear gardens associated to the properties along Northdown Close. This is likely to have an adverse impact on the neighbouring residential properties.

As proposed, it lacks any adequate design quality and appears to be a shipping container style structure clad in timber. The continuous addition of structures on the site in a piecemeal manner would not be considered appropriate, and a more cohesive approach should be considered.

The development would exacerbate the harm already caused to the setting of the heritage asset.

Conclusion: Over-development of site and lacks design quality.

Flood Officer - No Objection

Cadent Gas - No Objection

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.HE1 (2012) Heritage

Part 2 Policies:

DMHB 1 Heritage Assets

DMHB 3 Locally Listed Buildings

DMHB 11 Design of New Development

DMHD 1 Alterations and Extensions to Residential Dwellings

DMHD 2 Outbuildings

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

LPP HC1 (2021) Heritage conservation and growth

NPPF- 16 NPPF-16 2018 - Conserving & enhancing the historic environment

In addition: Development Plan

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

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

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

Material Considerations

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

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 Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The applicant has advised that due to the current pandemic, existing space within the nursing home is being stretched and additional rest facilities are required for staff away from residents and visitors. The proposed outbuilding will be approx 6.2m long x 2.45m wide x 2.65m high and clad in timber. The entrance door and windows will face towards the garden, so there will not be any light pollution or noise breakout to affect adjacent properties. The proposed outbuilding is accessible via the existing footpath in the rear garden and will be situated adjacent to the boundary so as not to reduce the garden amenity area accessible to residents and visitors.

Given that the proposed outbuilding would be located approximately 15 metres from the rear of the properties in Cornwall Road, it is not considered that it would result in an unacceptable loss of light or outlook. A suitable condition could be imposed to secure its ancillary use.

7.2 Impact on Street Scene

The NPPF (2012) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy D3 of the London Plan (2021) requires that development proposals should: Form and enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy D4 of the London Plan (2021) states 'Development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the

positive elements that can contribute to establish an enhanced character for the future function of the area.'

Policy GG4 of the London Plan (March 2021) seeks to ensure that London's housing needs are met. This objective is reiterated in the Mayor of London's Supplementary Planning Guidance (SPG) on Housing, although it is noted that in achieving housing targets, full account must be given to other policy objectives. Policy H1 of The London Plan (2021) promotes the optimisation of housing output within different types of location. Policy H10 of The London Plan encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Consideration will also be given to the accessibility of the site to services and amenities.

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'.

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

Policy DMHB 3: Locally Listed Buildings A) There is a general presumption in favour of the retention of buildings, structures and features included in the Local List. The Council will take into account the effect of a proposal on the building's significance and the scale of any harm of loss when considering planning applications, including those for major alterations and extensions. Proposals will be permitted where they retain the significance, appearance, character or setting of a Locally Listed Building. B) Applications should include a Heritage Statement that demonstrates a clear understanding of the importance of the structure and the impact of the proposals on the significance of the Locally Listed Building. C) Replacement will only be considered if it can be demonstrated that the community benefits of such a proposal significantly outweigh those of retaining the Locally Listed Building.

The Council's Conservation Officer has advised that the proposal would erect another outbuilding on the existing site, resulting in a cluster of detached structures in the northern corner of the site. The further development of the site would exacerbate the harm already caused to the setting of the locally listed building and over develop the site.

The positioning of the outbuilding along the northern side boundary would result in another built form directly adjacent to the small rear gardens associated to the properties along Northdown Close.

7.3 Traffic Impact/Pedestrian Safety

See below

7.4 Carparking & Layout

The proposal is not considered to give rise to any highway concerns.

7.5 Urban Design, Access and Security Considerations

The issues are addressed in the sections above.

7.6 Other Issues

No other issues raised.

8. Reference Documents

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

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

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

The West London Waste Plan (2015)

The London Plan (2021)

Contact Officer: Nicola Taplin

Telephone No: 01895 250230



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon
Appendix 2
The LPA's Recommended Conditions

Appeal By:

Mr Cader

Proposal:

Erection of porch to front and erection of single storey outbuilding to rear for use as a staff rest room

Appeal Site:

Ruislip Nursing Home
173 West End Road
Ruislip
HA4 6LB

Our Ref:
Your Ref:

19817/APP/2021/914 and 19817/APP/2021/913
APP/R5510/W/21/3283960 Linked Appeal
APP/R5510/W/21/3283965

Appendix 2 –Recommended Conditions

APP/R5510/W/21/3283960

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

REASON

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

2. Samples of all materials and finishes to be used for all external surfaces of the development, including the erection of a sample panel, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun. The development shall only be carried out in accordance with the agreed details and retained as such thereafter.

REASON

To safeguard the special architectural and/or historic interest of the building in accordance with Policies DMHB 1 and DMHB 2 of the Hillingdon Local Plan Part 2 (2020).

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbered 11721-P-03 and 11721-P-02.

REASON

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

APP/R5510/W/21/3283965

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

REASON

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

2. Samples of all materials and finishes to be used for all external surfaces of the building, including the erection of a sample panel, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun. The development shall only be carried out in accordance with the agreed details and retained as such thereafter.

REASON

To safeguard the special architectural and/or historic interest of the building in accordance with Policies DMHB 1 and DMHB 2 of the Hillingdon Local Plan Part 2.

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, numbered 11722-P-02

REASON

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

4. The outbuilding hereby approved shall only be used for the purpose(s) stated on the application form and approved drawings. It shall not be used as a separate unit of accommodation.

REASON

To avoid any future undesirable fragmentation of the curtilage or the creation of a separate residential or commercial use, so as to protect the amenity of adjoining residential properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part Two (2020).