

Planning Committee Agenda

Date: **Wednesday 18 January 2023**

Time: **6.30 pm**

Venue: **Auditorium - Harrow Council Hub, Forward Drive, Harrow**

The date and time of the site visit for Planning Committee Members will be communicated in due course.

The date and time of the briefing for Planning Committee Members will be communicated in due course.

Membership (Quorum 3)

Chair: Councillor Marilyn Ashton

Conservative Councillors: Christopher Baxter (VC)
Salim Chowdhury
Zak Wagman

Labour Councillors: Ghazanfar Ali
Peymana Assad
Nitin Parekh

Conservative Reserve Members:

1. Anjana Patel
2. Norman Stevenson
3. Ameet Jogia
4. Nicola Blackman

Labour Reserve Members:

1. Simon Brown
2. Kandy Dolor
3. Rashmi Kalu

Contact: Mwim Chellah, Senior Democratic & Electoral Services Officer
Tel: 07761 405966 E-mail: mwimanji.chellah@harrow.gov.uk

Scan this code for the electronic agenda:



Useful Information

Joining the Meeting virtually

The meeting is open to the public and can be viewed online at [London Borough of Harrow webcasts](#)

Attending the Meeting in person

Directions by car:

Go along Kenmore Avenue and head towards the Kenton Recreation Ground. When approaching the end of the Kenmore Avenue turn right before reaching the Kadwa Patidar Centre.

The venue is accessible to people with special needs. If you have specific requirements, please contact the officer listed on the front page of this agenda.

You will be admitted on a first-come-first basis and directed to seats.

Please:

- (1) Stay seated.
- (2) Access the meeting agenda online at [Browse meetings - Planning Committee](#)
- (3) Put mobile devices on silent.
- (4) Follow instructions of the Security Officers.
- (5) Advise Security on your arrival if you are a registered speaker.

Filming / recording

This meeting may be recorded or filmed, and if you choose to attend, you will be deemed to have consented to this. Any recording may be published on the Council website.

Agenda publication date: Tuesday 10 January 2023

Agenda - Part I

Guidance Note for Members of the Public attending the Planning Committee (Pages 5 - 8)

1. **Attendance by Reserve Members**
To note the attendance at this meeting of any duly appointed Reserve Members.
2. **Right of Members to Speak**
To agree requests to speak from Councillors who are not Members of the Committee.
3. **Declarations of Interest**
To receive declarations of disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from all Members present.
4. **Minutes** (Pages 9 - 16)
That the minutes of the meeting held on 7 December 2022 be taken as read and signed as a correct record.
5. **Public Questions**
To note any public questions received.

Questions will be asked in the order in which they were received. There will be a time limit of 15 minutes for the asking and answering of public questions.

[The deadline for receipt of public questions is 3.00 pm, Friday 13 January 2023. Questions should be sent to publicquestions@harrow.gov.uk No person may submit more than one question].
6. **Petitions**
To receive petitions (if any) submitted by members of the public/Councillors.
7. **Deputations**
To receive deputations (if any).
8. **References from Council and other Committees/Panels**
To receive references from Council and any other Committees or Panels (if any).
9. **Addendum** (To Follow)
10. **Representations on Planning Applications**
To confirm whether representations are to be received, under Committee Procedure Rule 29 (Part 4B of the Constitution), from objectors and applicants regarding planning applications on the agenda.

Planning Applications Received

Report of the Divisional Director, Planning - circulated separately.

Members are reminded that, in accordance with the Planning Protocol, where Councillors disagree with the advice of the Divisional Director, Planning, it will be the Members' responsibility to clearly set out the reasons for refusal where the Officer

recommendation is for grant. The planning reasons for rejecting the Officer's advice must be clearly stated, whatever the recommendation and recorded in the minutes. The Officer must be given the opportunity to explain the implications of the contrary decision.

11. Section 1 - Major Applications

- | | | | | |
|-----|--|--------|-------|-----------------|
| (a) | 1/01, Waxwell Lane Car Park, P/1304/20 | PINNER | GRANT | (Pages 17 - 40) |
|-----|--|--------|-------|-----------------|

12. Section 2 - Other Applications recommended for Grant

- | | | | | |
|-----|---------------------------------------|--------------|-------|-------------------|
| (a) | 2/01, 22 Hawthorn Drive, P/3789/22 | NORTH HARROW | GRANT | (Pages 41 - 52) |
| (b) | 2/02, 77 Hillview Road, P/3574/22 | HATCH END | GRANT | (Pages 53 - 80) |
| (c) | 2/03, 77 Hillview Road, P/3564/22 | HATCH END | GRANT | (Pages 81 - 108) |
| (d) | 2/04, 43 Morecombe Gardens, P/4842/21 | CANONS | GRANT | (Pages 109 - 138) |

13. Section 3 - Other Applications recommended for Refusal - Nil

14. Section 4 - Consultations from Neighbouring Authorities - Nil

15. Section 5 - Prior Approval Applications - Nil

16. **Any Other Urgent Business**
Which cannot otherwise be dealt with.

Agenda - Part II

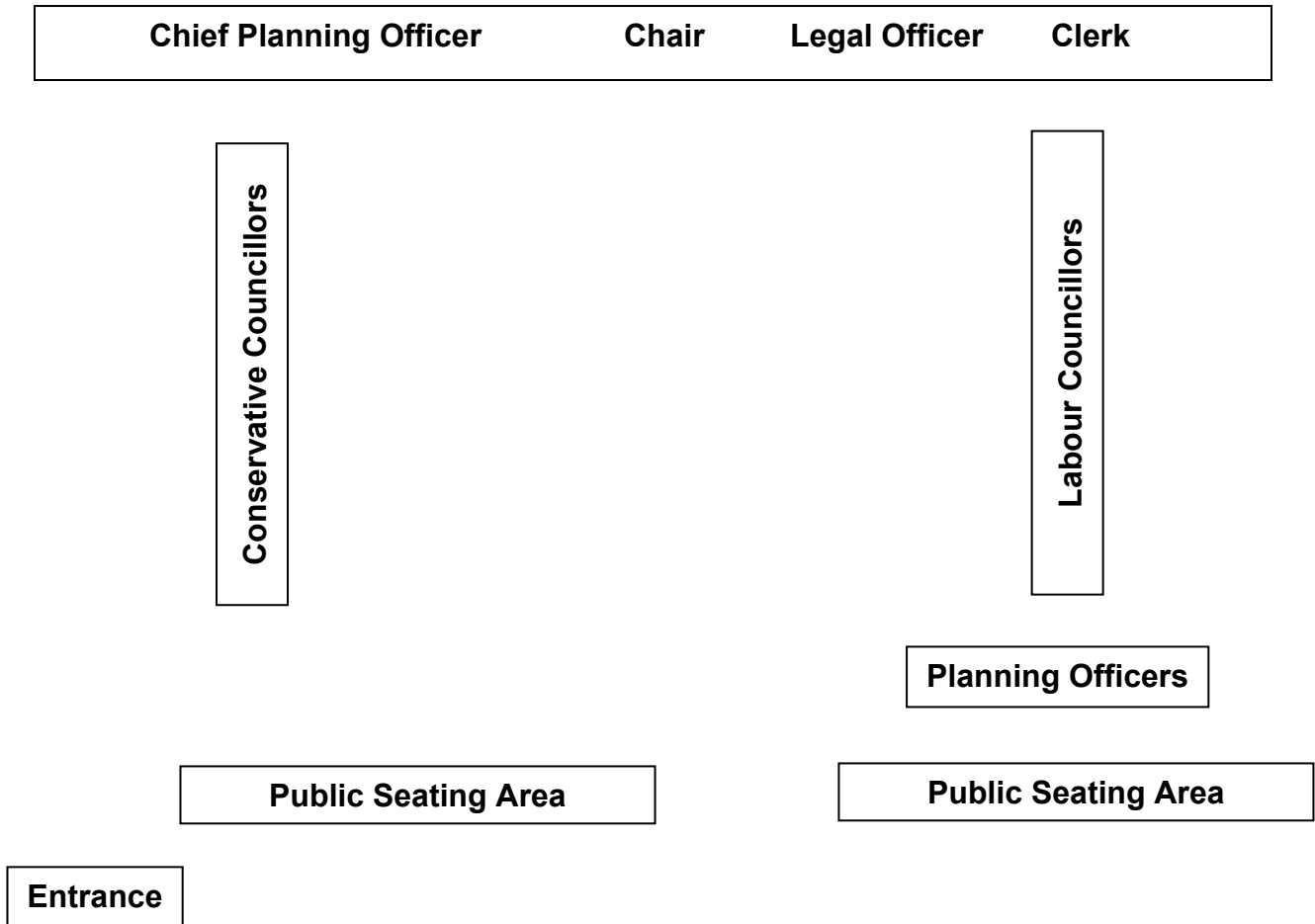
Data Protection Act Notice

The Council will record the meeting and will place the recording on the Council's website.

[Note: The questions and answers will not be reproduced in the minutes.]

Guidance Note for Members of the Public attending the Planning Committee

Typical Planning Committee layout for the Auditorium



Order of Committee Business

It is the usual practice for the Committee to bring forward to the early part of the meeting, those planning applications where notice has been given that objectors wish to speak, or where members of the public have come to hear the debate. However, often the agendas are quite long and the Committee may want to raise questions with officers and enter into detailed discussion over particular applications. This means that members of the public may have to wait some time before the application they are interested in is discussed. Additionally, the Committee may take a short break around 8.30 pm.

Rights of Objectors & Applicants to speak at Planning Committees

[Please note that objectors may only speak if they requested to do so by 5.00 pm on the working day before the meeting]

In summary, where a planning application is recommended for grant by the Divisional Director of Planning, a representative of the objectors may address the Committee for up to 3 minutes. Where an objector speaks, the applicant has a right of reply. The Planning Service advises neighbouring residents and applicants of this procedure.

The Planning Committee is a formal quasi-judicial body of the Council with responsibility for determining applications, hence the need to apply rules governing the rights of public to speak. Full details of this procedure are set out in the Council's Constitution, which also provides useful information for Members of the public wishing to present petitions, deputations or ask public questions at Planning Committee, and the rules governing these. The relevant pages of the Constitution can be accessed via this link:

[Harrow Council Constitution - Part 4B Committee Procedure Rules](#)

Addendum

In addition to the agenda, an Addendum is produced on the day before the meeting, with any final updates included in a second Addendum on the day of the meeting. These documents update the Committee on any additional information received since the formal agenda was published and also identifies any applications which have been withdrawn by applicants or which officers are recommending for deferral.

A limited number of hard copy agendas and addendums are available for the public in the Auditorium from approximately 6.00 pm onwards on the day of the meeting.

Decisions taken by the Planning Committee

The types of decisions commonly taken by the Planning Committee are set out below:

Refuse permission:

Where a proposal does not comply with the Council's (or national) policies or guidance and the proposal is considered unacceptable, the Committee may refuse planning permission. The applicant can appeal to the Secretary of State against such a decision. Where the Committee refuse permission contrary to the officer recommendation, clear reasons will be specified by the Committee at the meeting.

Grant permission as recommended:

Where a proposal complies with the Council's (or national) policies or guidance and the proposal is considered acceptable, the Committee may grant permission. Conditions are normally imposed.

Minded to grant permission contrary to officer's recommendation:

On occasions, the Committee may consider the proposal put before them is acceptable, notwithstanding an officer recommendation of refusal. In this event, the application will be deferred and brought back to a subsequent meeting. Renotification will be carried out to advise that the Committee is minded to grant the application.

Defer for a site visit:

If the Committee decides that it can better consider an application after visiting the site and seeing the likely impact of a proposal for themselves, then the application may be deferred until the next meeting, for an organised Member site visit to take place.

Defer for further information/to seek amendments:

If the Committee considers that it does not have sufficient information to make a decision, or if it wishes to seek amendments to a proposal, the application may be deferred to a subsequent meeting.

Grant permission subject to a legal agreement:

Sometimes requirements need to be attached to a planning permission which cannot be dealt with satisfactorily by conditions. The Committee therefore may grant permission subject to a legal agreement being entered into by the Council and the Applicant/Land owner to ensure these additional requirements are met.

(Important Note: *This is intended to be a general guide to help members of the public understand the Planning Committee procedures. It is not an authoritative statement of the law. Also, the Committee may, on occasion, vary procedures).*

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Planning Committee

Minutes

7 December 2022

Present:

Chair: Councillor Marilyn Ashton

Councillors: Ghazanfar Ali Nitin Parekh
Peymana Assad Norman Stevenson
Christopher Baxter Zak Wagman

In attendance (Councillors): Kuha Kumaran For Minute 122

Apologies received: Salim Chowdhury

112. Attendance by Reserve Members

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Member:

Ordinary Member

Reserve Member

Councillor Salim Chowdhury

Councillor Norman Stevenson

113. Right of Members to Speak

RESOLVED: That, in accordance with Committee Procedure Rule 4.1, the following Councillor, who was not a Member of the Committee, be allowed to speak on the agenda item indicated:

Councillor

Planning Application

Kuha Kumaran

1 Ash Hill Drive HA5 2AG (P/0719/22)

114. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 2/01 1 Ash Hill Drive HA5 2AG (P/0719/22)

Councillor Norman Stevenson declared a non-pecuniary interest in that he was an occasional customer of the proposed development. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 3/01 66 Lake View (P/3220/22)

Councillor Nitin Parekh declared a non-pecuniary interest in that he lived near the proposed development. He would remain in the room whilst the matter was considered and voted upon.

115. Minutes

RESOLVED: That the minutes of the meeting held on 16 November 2022 be taken as read and signed as a correct record.

116. Public Questions

RESOLVED: To note that no public questions were received.

117. Petitions

RESOLVED: To note that there were none.

118. Deputations

RESOLVED: To note that there were none.

119. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

120. Addendum

RESOLVED: To accept the Addendum.

121. Representations on Planning Applications

RESOLVED: That in accordance with the provisions of Committee Procedure Rule 29 (Part 4B of the Constitution), representations be received in respect of items 2/01 and 2/03 on the list of planning applications.

[Note: Planning application 2/03 was subsequently deferred, and so the representations were not received].

Resolved Items

122. 2/01, 1 Ash Hill Drive, P/0719/22

PROPOSAL: redevelopment to provide three storey building comprising 8 x 2 bed units; proposed vehicle access via supermarket to rear; parking; landscaping; bin and cycle stores; amenity space (as amended by the Addendum).

The Committee received representation from Anneliese Pugh (objector), and Danielle St James (agent for the applicant) who urged the Committee to refuse, and grant the application, respectively.

The Committee also heard from Councillor Kuha Kumaran, who urged the Committee to refuse the application.

Councillor Christopher Baxter was concerned about the reduction to car parking spaces, and how much of it would be lost. How would access by heavy goods vehicles (HGVs) be addressed during certain times of the day?

The Head of Planning Development advised that those issues were addressed under paragraph 6.5 of the report. The development would remove 20 car parking spaces within the 196 space Tesco car park (with 176 remaining). The transport management plan would give details on HGV access.

Councillors Ghazanfar Ali, Christopher Baxter and Norman Stevenson raised concerns on safety issues for residents' access to the car park, and the narrowness of the pavement.

The Head of Planning Development advised that there was a distance of about 4.8 metres from the footway to residents' front entrance, which was considered adequate. Furthermore, the proposed refuse store, which would be in a standalone structure at the rear of the site, could be moved to allow for more resident access. The vehicle parking area was separated from the main highway (from Cuckoo Hill) by landscaping, and only benefited from pedestrian access via the bin collection point.

Councillor Nitin Parekh asked how residents of Camden Row would be given free access to parking at the proposed development.

The Head of Development Planning advised that this would be done using number plate recognition technology for residents.

Having had regard to the information in the Officer's report, and having conducted a site visit, the following were grounds for refusal proposed by Councillor Marilyn Ashton:

- 1) the proposed development represents an overdevelopment of the site by reason of its unsympathetic and bulky design, which would be visually obtrusive and incongruous in the street scene, resulting in it appearing to be overbearing, out of keeping and would not preserve the setting of the Locally Listed cottages along Cuckoo Hill and would be out of character as regards the lower rise dwelling houses opposite the site, contrary to the National Planning Framework (2021), CS1

Harrow Core Strategy (2012), DM1, DM7 Harrow Planning Policy Framework (2013) and D3 London Plan (2021).

The proposal was seconded by Councillor Norman Stevenson, put to the vote and agreed.

The Committee voted and resolved to refuse officer recommendations.

RECOMMENDATION A

The Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
 - i. prior to commencement of the development a Deed of Easement shall be submitted to the Council demonstrating that vehicular and pedestrian access to the site, via the Tesco site, is provided and shall be retained in perpetuity;
 - ii. replacement Tree Planting Contribution (8x Trees at £633.9 p/tree = £5,071.20);
 - iii. monitoring fee (£1,870);
 - iv. Financial contribution towards the ongoing maintenance of the strip of land designated as Adopted Highways Land fronting Cuckoo Hill [£TBC];
 - v. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 28 February 2023, or as such extended period as may be agreed by the Interim Chief Planning Officer, then it is recommended to delegate the decision to REFUSE planning permission to the Interim Chief Planning Officer on the grounds that: the proposed development, in the absence of a Legal Agreement to ensure unimpeded vehicular and pedestrian access to the site, and failure to secure suitable replacement tree planting would fail to comply with policies CS1 of the Harrow Core Strategy (2011), Policies DM1, DM2, DM21, DM22 and DM23 of the Harrow Development Management Policies (2013) and Policies D3, T5, G5, T6 and T6.1 of the London Plan (2021).

DECISION: REFUSE

The Committee wished it to be recorded that the decision to refuse the application was by majority of votes.

Councillors Ali, Ashton, Baxter, Stevenson and Wagman voted to refuse the application.

Councillors Assad and Parekh voted abstained from voting.

123. 2/02, 43 Morecambe Gardens, P/4842/21

This application was deferred following Officers' advice, which was agreed unanimously by the Committee.

124. 2/03, 77 Hillview Road, P/3564/22

PROPOSAL: variation of condition 2 (approved plans) attached to planning permission P/3331/16 allowed on appeal reference PP/M5450/W/16/3161002 to allow alterations to elevations.

Councillor Christopher Baxter proposed deferral for the following reasons:

- 1) the application should be deferred until the next Planning Committee meeting to determine at the same time this application and the full planning permission application for retention of these multiple discrepancies.

The proposal was seconded by Councillor Zak Wagman, put to the vote and agreed.

RECOMMENDATION

The Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) grant planning permission subject to the conditions listed in Appendix 1 of this report.

DECISION: DEFER

The Committee wished it to be recorded that the decision to defer the application by majority of votes.

Councillors Ali, Ashton, Baxter, Stevenson and Wagman voted to defer the application.

Councillors Assad and Parekh voted abstained from voting.

125. 2/04, 2a Charlton Road, P/0721/22

PROPOSAL: redevelopment to provide eight three storey (4 bed) dwellings; parking; bin and cycle stores; vehicle access and landscaping.

The Committee voted and resolved to accept officer recommendations.

RECOMMENDATION A

The Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 a legal agreement under the Section 106 of the Town and Country Planning Act 1990 and other enabling legislation development and issue of the planning permission, subject to the conditions, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required. The S106 agreement Heads of Terms would cover the following matters:
 - a. Payment of £3,000 prior to the commencement of the development for a contribution towards the provision of loading restrictions in the immediate vicinity of the site; this will include design, lining, signing, traffic order making and consultation.
 - b. **LEGAL COSTS, ADMINISTRATION AND MONITORING**
S106 legal and administrative costs.

RECOMMENDATION B

That if, by 28 February 2023 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to REFUSE planning permission for the following reason.

- 1) the proposed development, in the absence of a Legal Agreement to ensure appropriate highway signage and implementation of loading restrictions along Charlton Road for unimpeded vehicular and pedestrian access to the site, would fail to comply with policies CS1 of the Harrow Core Strategy (2011), Policies DM1, DM44 and DM50 of the Harrow Development Management Policies (2013) and Policies D2, T6, T7 and T9 of the London Plan (2021).

DECISION: GRANT

The Committee wished it to be recorded that the decision to grant the application was unanimous.

126. 3/01, 66 Lake View, P/3220/22

PROPOSAL: alterations to the roof; two rooflights in front roof slope; external alterations.

Councillors Marilyn Ashton and Nitin Parekh stated that the proposed development was in a Conservation Area, and would be out of keeping with other properties.

The Committee agreed to accept officer recommendations.

RECOMMENDATION

The Committee was asked to REFUSE planning permission for the following reasons:

- 1) The proposal, by reason of the design of the rear dormer, its fenestration, use of modern materials would fall at odds, be overly dominant and obtrusive, failing to respect or harmonise with the character and appearance of the dwelling house, nor would it preserve or enhance the character or appearance of the dwelling house or part of Canons Park Estate Conservation Area, contrary to the design aspirations of the National Planning Policy Framework (2021), policies D3 and HC1 of the London Plan (2021), Policies CS1.B and CS1.D of the Harrow Core Strategy (2012), Policies DM1 and DM7 of the Harrow Development Management Policies Local Plan (2013), the Adopted Supplementary Planning Document Residential Design Guide (2010), and the Supplementary Planning Document Canons Park Estate Conservation Area Appraisal and Management Strategy (2013).

DECISION: REFUSE

The Committee wished it to be recorded that the decision to refuse the application was unanimous.

127. Any Other Urgent Business

Vote of Thanks - Mrinalini Rajaratnam

Councillor Marilyn Ashton, the Chair, led Members in paying tribute to Ms Mrinalini Rajaratnam, from the Legal Department, and Assistant Team Leader for Planning and regeneration, for her professionalism and legal advice during the Committee's deliberations.

Ms Rajaratnam was leaving Harrow Council to join another local authority. She had been at Harrow Council for five years.

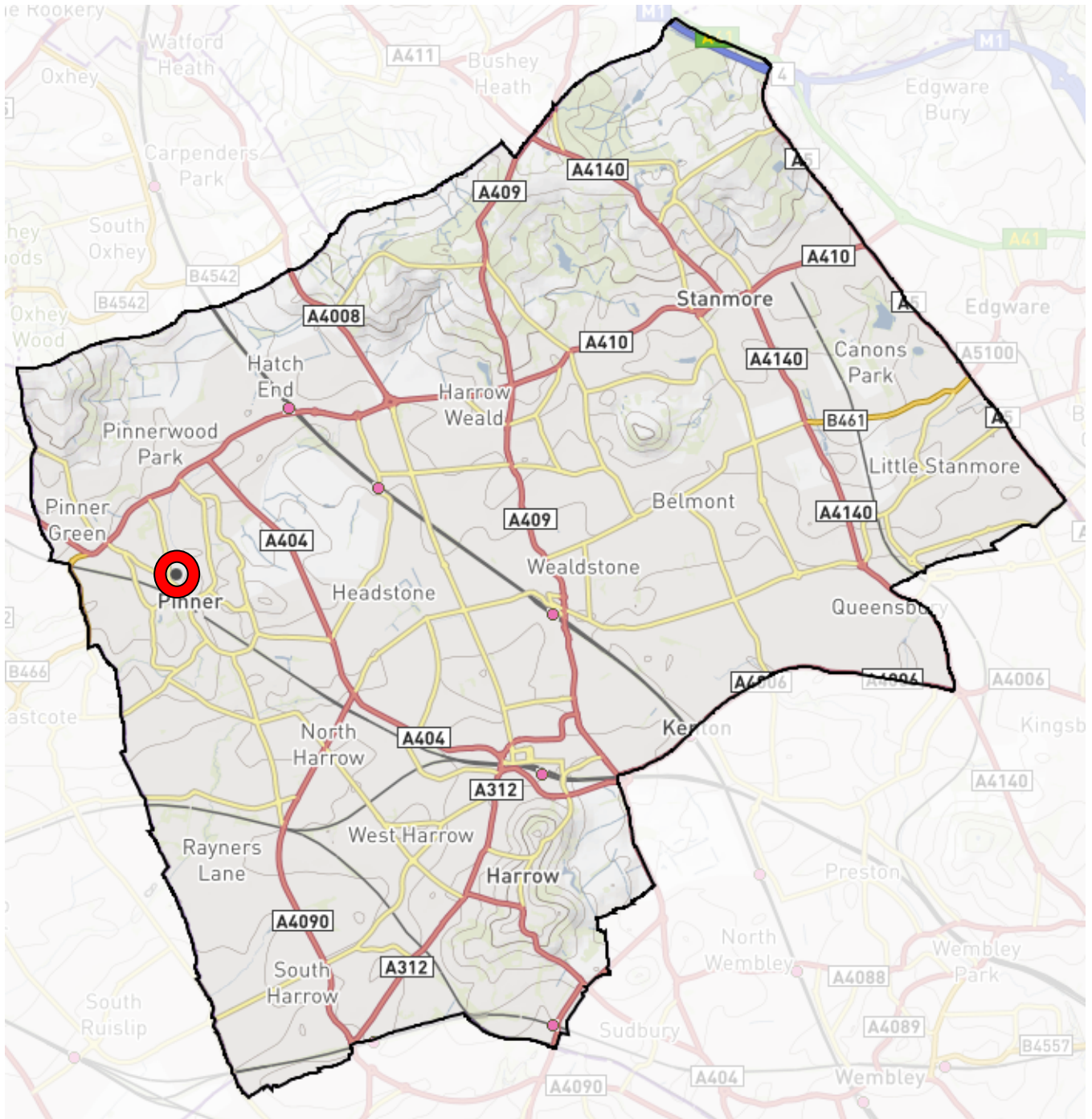
The video/audio recording of this meeting can be found at the following link:

<https://www.harrow.gov.uk/virtualmeeting>

(Note: The meeting, having commenced at 6.30 pm, closed at 8.24 pm).

(Signed) Councillor Marilyn Ashton
Chair

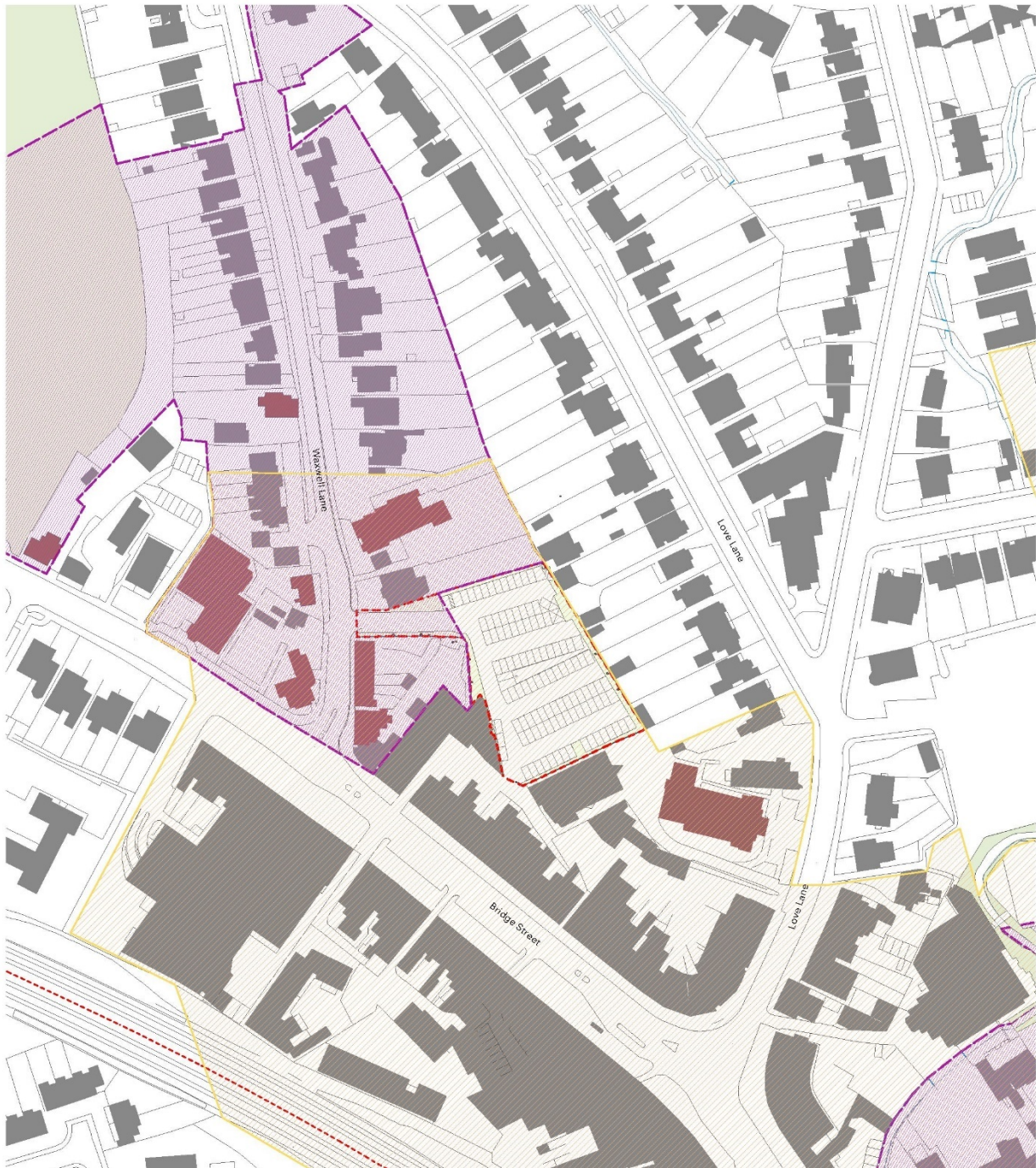
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Waxwell Lane Car Park, Waxwell Lane, Pinner

P/1304/20

LOCATION PLAN



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

18TH JANUARY 2023

APPLICATION NUMBER: P/1304/20
VALIDATION DATE: 26/05/2020
LOCATION: WAXWELL LANE CAR PARK, WAXWELL LANE,
PINNER
(PINNORA MEWS)
WARD: PINNER
POSTCODE: N/A
APPLICANT: HARROW COUNCIL
AGENT: N/A
CASE OFFICER: KIMRY SCHLACTER
EXPIRY DATE: 25/08/2020

PROPOSAL

Variation of condition 27 (affordable housing and financial viability review mechanism) attached to planning permission P/5680/17 dated 14/06/2018 to allow a change to the timing for submission of the details to the condition from pre-commencement to 80% occupation.

The Planning Committee is asked to:

RECOMMENDATION A

- 1) Agree the reasons for approval as set out in this report.
- 2) Grant planning permission subject to the Conditions listed in Appendix 1 of this report.

It is recommended that the decision notice is split in two parts in a format similar to the conditions at the end of this report i.e. conditions marked with a single asterix (*) are conditions that will always be binding through the decision notice and conditions marked with a double asterix (**) includes conditions that would be replaced by a legal agreement, were the land owner to have the legal locus to enter into the legal agreement. Condition 28 specifically refers to this approach.

REASON FOR THE RECOMMENDATIONS

The proposal would be a more appropriate timing for the condition, as some of the necessary information would not be obtainable until close to practical completion of the project. The application falls under Regulation 3 of the Town and Country Planning General Regulations 1992.

INFORMATION

This application is reported to Planning Committee as the development concerns a Council-owned property and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Major Development
Council Interest:	Council-owned
Net additional Floorspace:	none
GLA Community Infrastructure Levy (CIL)	N/A
Contribution (provisional) :	
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application, the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policy D11 of The London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

1.0 SITE DESCRIPTION

- 1.1 The application site comprises a 0.34 hectare parcel of land located within the Pinner Town Centre boundary and is bounded by Waxwell Lane to the west, Love Lane to the east and Bridge Street to the south.
- 1.2 The site is currently under development for the permission granted under ref: P/5680/17 and near completion. The street address for the development is to be Pinnora Mews.
- 1.3 The surrounding area comprises a mix of residential and commercial uses.

2.0 PROPOSAL

- 2.1 Permission has been granted (P/5680/17) for the redevelopment of a car park to provide 20 three storey dwellinghouses and associated works.
- 2.2 The permission included a condition (Condition 27) requiring the submission of a Scheme for details of the affordable housing provided on site and the Financial Viability Review Mechanism.
- 2.3 The proposal is to vary the timing of the condition so that the information is required at a point of 80% occupancy of the site, rather than prior to commencement.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of the relevant planning application history is set out in the table below:

Ref no.	Description	Status and date of decision
HAR/19308	Nine Terraced Houses with Nine Garages	Granted: 25/06/1962
HAR/19308/B	Outline Residential Development	Granted: 27/02/1964
LBH/2158	Formation of Public Surface Car Park	Granted: 21/03/1967
P/1965/19	Non material amendment to planning permission P/5680/17 dated 21/03/2018 to allow layout revisions to one proposed house	Approved: 24/05/2019
P/5119/19	Details pursuant to Condition 15 (Archaeology) attached to planning permission P/5680/17 dated 14.6.18 for Redevelopment of Car Park to provide 20 Three Storey Dwellinghouses (Use Class C3) (14 x 3 Bedroom Houses & 6 x 4 Bedroom Houses), Associated Car & Cycle Parking, Refuse Storage, Landscaping & Replacement Boundary Treatment	Approved : 14/01/2020

P/5111/19	Details pursuant to Condition 7 (Construction Method Statement & Logistics Plan) of planning permission P/5680/17 dated 14/06/2018 for Redevelopment of Car Park to provide 20 Three Storey Dwellinghouses (Use Class C3) (14 x 3 Bedroom Houses & 6 x 4 Bedroom Houses), Associated Car & Cycle Parking, Refuse Storage, Landscaping & Replacement Boundary Treatment	Approved: 14/01/2020
P/5120/19	Details pursuant to Condition 17 (noise assessment) of planning permission P/5680/17 dated 14/06/2018 for Redevelopment of Car Park to provide 20 Three Storey Dwellinghouses (Use Class C3) (14 x 3 Bedroom Houses & 6 x 4 Bedroom Houses), Associated Car & Cycle Parking, Refuse Storage, Landscaping & Replacement Boundary Treatment	Approved: 14/01/2020
P/5117/19	Details pursuant to Condition 9 (surface water) attached to planning permission P/5680/17 dated 14/6/2018 for Redevelopment of Car Park to provide 20 Three Storey Dwellinghouses (Use Class C3) (14 x 3 Bedroom Houses & 6 x 4 Bedroom Houses), Associated Car & Cycle Parking, Refuse Storage, Landscaping & Replacement Boundary Treatment	Approved: 15/01/2020
P/5118/19	Details pursuant to Condition 10 (Foul water drainage) attached to planning permission P/5680/17 dated 14/6/2018 for Redevelopment of Car Park to provide 20 Three Storey Dwellinghouses (Use Class C3) (14 x 3 Bedroom Houses & 6 x 4 Bedroom Houses), Associated Car & Cycle Parking, Refuse Storage, Landscaping & Replacement Boundary Treatment	Approved: 15/01/2020
P/5116/19	Details pursuant to Condition 8 (Levels) attached to planning permission P/5680/17 dated 14.6.18 for Redevelopment of Car Park to provide 20 Three Storey Dwellinghouses (Use Class C3) (14 x 3 Bedroom Houses & 6 x 4 Bedroom Houses), Associated Car & Cycle Parking, Refuse Storage, Landscaping & Replacement Boundary Treatment	Approved: 20/01/2020
P/0017/20	Details pursuant to Condition 22 (Remediation Method Statement) attached to planning permission P/5680/17 dated 14/06/2018 for Redevelopment of Car Park to provide 20 Three Storey Dwellinghouses (Use Class C3) (14 x 3 Bedroom Houses & 6 x 4 Bedroom Houses), Associated Car & Cycle Parking, Refuse Storage, Landscaping & Replacement Boundary Treatment	Approved: 15/01/2020
P/1499/20	Details pursuant to condition 11 (materials) attached to planning permission P/5680/17 dated 21/3/2018 for redevelopment of car park to provide 20 three storey dwellinghouses (Use Class C3) (14 x 3 bedroom houses & 6 x 4 bedroom houses), associated car & cycle parking, refuse storage, landscaping & replacement boundary treatment	Approved: 18/12/2020
P/1500/20	Details pursuant to condition 12 (landscape details) attached to planning permission P/5680/17 dated 21/3/2018 for redevelopment of car park to provide 20 three storey dwellinghouses (Use Class C3) (14 x 3 bedroom houses & 6 x 4 bedroom houses), associated car & cycle parking, refuse storage, landscaping & replacement boundary treatment	Approved: 12/08/2021

P/1501/20	Details pursuant to condition 18 (external lighting details) attached to planning permission P/5680/17 dated 21/3/2018 for redevelopment of car park to provide 20 three storey dwellinghouses (Use Class C3) (14 x 3 bedroom houses & 6 x 4 bedroom houses), associated car & cycle parking, refuse storage, landscaping & replacement boundary treatment	Approved: 18/08/2022
P/0167/21	Non material amendment to planning permission P/5680/17 dated 21/03/2018 to allow for Updated elevations, with rationalised window sizes, types and locations; refined entrances; adjustment of parapet heights and other minor changes; Increased size of refuse store and change to enclosing wall construction; Straightening of western fence line, removal of Leyland Cypress Trees.	Approved: 20/05/2021
P/2208/21	Details pursuant to Conditions 9 (Surface Water Attenuation) and 10 (Foul Water Drainage) attached to planning permission P/5680/17 dated 21/3/2018 for redevelopment of car park to provide 20 three storey dwellinghouses (Use Class C3) (14 x 3 bedroom houses & 6 x 4 bedroom houses), associated car & cycle parking, refuse storage, landscaping & replacement boundary treatment	Approved: 20/12/2021
P/4097/21	Details pursuant to Condition 20 (Biodiversity) and Condition 24 (Water Strategy) attached to planning permission P/5680/17 Dated 21.3.2018 for Redevelopment of Car Park to provide 20 Three Storey Dwellinghouses (Use Class C3) (14 x 3 Bedroom Houses & 6 x 4 Bedroom Houses), Associated Car & Cycle Parking, Refuse Storage, Landscaping & Replacement Boundary Treatment	Approved: 24/01/2022
P/1319/22	Details pursuant to conditions 19 (CPZ restrictions) and 21 (parking management plan) attached to planning permission P/5680/17 dated 21/3/2018 for Redevelopment of Car Park to provide 20 Three Storey Dwellinghouses (Use Class C3) (14 x 3 Bedroom Houses & 6 x 4 Bedroom Houses), Associated Car & Cycle Parking, Refuse Storage, Landscaping & Replacement Boundary Treatment	Approved: 27/05/2022
P/2268/22	Details pursuant to Condition 14 (Landscaping Management Plan) attached to planning permission P/5680/17 dated 21.3.2018 for Redevelopment of Car Park to provide 20 Three Storey Dwellinghouses (Use Class C3) (14 x 3 Bedroom Houses & 6 x 4 Bedroom Houses), Associated Car & Cycle Parking, Refuse Storage, Landscaping & Replacement Boundary Treatment	Approved: 30/06/2022
P/4176/22	Details pursuant to condition 23 (secure by design) attached to planning permission P/5680/17 dated 15/12/2017 for Redevelopment of Car Park to provide 20 Three Storey Dwellinghouses (Use Class C3) (14 x 3 Bedroom Houses & 6 x 4 Bedroom Houses), Associated Car & Cycle Parking, Refuse Storage, Landscaping & Replacement Boundary Treatment	Approved: 09/12/2022

4.0 CONSULTATION

4.1 An advertisement was run in the Harrow Times on 25/06/2020, and a site notice was posted at the site on 17/06/2020. A total of 122 letters were sent to adjacent properties, and the overall public consultation period expired on 16th July 2020.

4.2 One response was received, which stated the following:

- The letter sent is not helpful as it does not explain the meaning or implications of the amendment to the financial viability mechanism. Have searched under P/5680/17 and cannot find a permission dated 21/02/2018.

Officer's response: It is not possible to include the information referred to in the notification letter; hence officer contact details are included so that residents can contact the planning officer for information. The second comment references an incorrect date included in the original development description (now corrected).

4.3 Statutory and Non-Statutory Consultation

4.4 The following consultations have been undertaken, together with the responses received and officer comments:

Planning Policy Officer:

Original comments (dated 13.07.2020)

The applicant's reason for the proposed change is that sales values / build costs details are required before you can undertake the review, which is fair. However, our interpretation is that the condition first requires details of the mechanism to be agreed, then the review is done reflecting the details at an agreed point in time (i.e., 80% occupation).

The details would normally be as per the relevant late-stage review provisions in the GLA S106 template, but which couldn't be used in this instance as the applicant was the Council and therefore the LPA couldn't enter into a s106 agreement. To include the details / mechanism in a condition would have meant a very long condition, thus condition required the mechanism to be submitted for approval. Arguably there is no need to vary the condition.

Should you however be minded to agree with the variation of the condition, then the proposed 80% occupation trigger is considered too late in the process and as there is the opportunity for the developer to delay occupation so as to avoid making any potential cash-in-lieu contribution. Consequently, any revised trigger should ideally be based on Disposal (sale) of market sale properties – 75% is the typical trigger.

The condition could be tightened to make it explicit when any contribution must be paid, to 10 Working Days of the date the contribution was agreed and cannot occupy more than 85% per cent of the Residential Units until the contribution has been paid in full to the Council. Also, point 1 should refer to agreeing rent levels for the affordable rent units (i.e., LAR levels); and Point 2 is too encompassing re costs – it is only build costs / sales values that should be included.

Comments dated 7.12.22:

<p>Under current circumstances, the proposed trigger for the FVA review being 80% occupancy, followed by submission of the review as a discharge of condition, would be acceptable.</p> <p>Should preferably include in the condition that any contribution is payable within 10 days of the amount being agreed and that no more than 85% of the development can be occupied until the payment has been received by the LPA.</p>
<p><u>Housing Officer:</u></p> <ul style="list-style-type: none"> ▪ No comments received
<p><u>Pinner Association:</u></p> <ul style="list-style-type: none"> ▪ No comments received
<p><u>Historic England:</u></p> <ul style="list-style-type: none"> ▪ Not necessary to consult on this applicaiton

5.0 **POLICIES**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

‘If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.’

5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] sets out the Government’s planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 A full list of all the policies used in the consideration of this application is provided as Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development and Affordable Housing
- Character, Design, and Conservation
- Residential Amenity
- Traffic, Parking and Servicing
- Lifetime Neighbourhoods
- Ecology, Climate Change and Environmental Considerations

6.2 Principle of Development and Green Belt

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): GG1, GG2, GG4, H1, H4, H5, H6, H7, H10, SD6
- Local Plan Site Allocations (2013): G04
- Harrow's Core Strategy (2012): CS1.I/J
- Harrow Development Management Policies (2013): DM24, DM50

Planning Policy

6.2.2 The principle of the development was previously acceptable and it was considered that the provision of residential accommodation would make a valuable contribution towards achieving the borough's housing targets.

6.2.3 The policy and legislative framework has not materially changed since the original scheme was approved. As such, no additional consideration regarding the principle is necessary and only the proposed variations are assessed.

Affordable Housing

6.2.4 The quantity and quality of affordable housing would not be altered. Rather, the application seeks to amend the timing (trigger) of when certain documents are approved by the Local Planning Authority. The reason for this is that some of the data necessary to be submitted would not be available until later stages of development. It is therefore considered reasonable to amend the timing to a later stage.

6.2.5 Initial comments from the policy officer indicated that consideration should be given to a trigger set at 75% of market sales, which would be ideal. The concern in setting the trigger to a later point was in the potential for occupation to be delayed. In this case, the developer is now in the process of securing some of the mortgage sales on site, so the risk of a delay is low. The trigger point of 80% was ultimately negotiated and is considered to still be reasonable. The relevant condition is to be amended to tighten the wording as per recommendations from the policy officer and vary the timings accordingly.

6.2.6 The proposed amendment would therefore be considered acceptable and would accord with the relevant planning policies GG1, GG2, GG4, H1, H4, H5, H6, H7 and H10 of the London Plan (2021), policy CS1.I/J of Harrow Local Plan and policy DM24 of the Harrow Development Management Policies (2013).

Summary

6.2.7 For the reasons set out above, it is considered that the principle of this proposed variations meets the above policy requirements.

6.3 Character, Design, and Conservation

6.3.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D1, D3, D4, D5, D6, D8, D11, HC1, S4
- Harrow's Core Strategy (2012): CS1.B/D/E/K
- Harrow Development Management Policies (2013): DM1, DM2, DM3, DM7, DM12, DM22, DM23, DM27, DM28

6.3.2 The proposal would not be altered in terms of its physical construction, and thus there would be no impact upon the character and appearance of the development or its setting; nor would there be any impacts on the Waxwell Lane Conservation Area.

6.3.3 Similarly, the proposed variation would not affect the development in terms of the quality of the residential accommodation provided or the residential amenity for future occupiers.

6.3.4 The original report included detailed information on how the development addressed Lifetime Neighbourhood considerations. These details would be retained as approved, also.

6.3.5 For the reasons set out above, it is considered that the proposed variation meets the above policy requirements.

6.4 Neighbouring Residential Amenity

6.4.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- Harrow's Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

6.4.2 The development would not be altered in terms of its physical structures or associated landscaping, nor in terms of number of proposed dwellings, outdoor play space, servicing, or lighting. Thus, the proposed variation would not result in any changes to impacts on neighbouring residential amenities, either in terms of overshadowing and visual impacts, or noise and disturbance.

6.4.3 For the reasons set out above, it is considered that the proposed variation meets the above policy requirements.

6.4.4 In conclusion, it is considered that the revised proposal would not result in any undue impacts on residential amenity for neighbouring occupiers, and thus would comply with the relevant policies with regard to residential amenity.

6.5 Traffic, Parking and Servicing

6.5.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): T1, T4, T5, T6
- Harrow's Core Strategy (2012): CS1.R
- Harrow Development Management Policies (2013): DM42, DM43, DM44, DM45, DM50

6.5.2 The layout of the site would not be altered, nor would the car parking proposed or arrangements for servicing be changed. The proposed variation would therefore not result in any impacts to Highways matters.

6.5.3 For the reasons set out above, it is considered that the proposed variation meets the above policy requirements.

6.6 Ecology, Climate Change and Environmental Considerations

6.6.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): G1, G5, G6, G7, SI 1, SI 2, SI 5, SI 13, D14
- Harrow's Core Strategy (2012): CS1.T
- Harrow Development Management Policies (2013): DM10, DM12, DM14, DM15, DM20, DM21, DM22, DM50



6.6.2 The officer's report for the permission ref: P/5680/17 detailed the proposal's impacts in terms of loss of trees and landscaping including the provision of new trees and opportunities to enhance the biodiversity of the site. Environmental matters comprising flood risk, air quality, noise and vibration and contaminated land were addressed, as were details of sustainability and carbon dioxide emissions reduction measures. The proposed variation would have no impacts on any of the above elements.

6.6.3 For the reasons set out above, it is considered that the proposed variation meets the above policy requirements.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The revised condition would result in no material changes to the form and impacts of the development in terms of character and quality of accommodation, residential amenity, traffic and highways matters or matters pertaining to environmental and sustainability considerations. However, it would allow for the submission of information pertinent to affordable housing on site to be submitted for approval to the Local Planning Authority at a more appropriate time than currently required. The proposed variation is therefore considered to be reasonable and appropriate.
- 7.2 For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this revised application is recommended for grant.
- 7.3 Accordingly, the list of conditions and informatives under Appendix 1 is amended to reflect the fact that details to most of the non-operational conditions have been approved, thus further submission of details is not necessary. Operational conditions are carried over from the original permission as is.

Checked

 Mehdi Rezaie Head of Development Management (Interim) 21 st December 2022	 Viv Evans Chief Planning Officer 21 st December 2022
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APPENDIX 1: Conditions and Informatives

Conditions

1 Time Limit 3 years - Full Permission *

The development permitted shall be begun before the expiration of three years from the date of the original permission P/5680/17 dated 14/06/2018.

REASON: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 Approved Drawing and Documents *

Unless otherwise agreed in writing by the local planning authority, the development shall be carried out, retained, and completed in accordance with the following approved drawings and documents:

Approved Plans and Documents:

Drawings: 00-00 Rev P1; 00-01 Rev P1; 03-10 Rev P1; 10-01 Rev P1; 10-02 Rev P1; 10-03 Rev P1; 10-04 Rev P1; 10-10 Rev P1; 10-11 Rev P1; 10-12 Rev P1; 20-10 Rev P1; 20-11 Rev P1; 20-12 Rev P1; 20-13 Rev P1; 20-14 Rev P1; 20-15 Rev P1; 20-16 Rev P1; 20-17 Rev P1; 30-10 Rev P1 Supporting Documents: Design & Access Statement dated 07/12/2017; Planning Statement dated 15th December 2017; Waxwell Lane Car Park Historic Environmental Assessment dated November 2017; Air Impact Assessment (ref: 775859-MLM-ZZ-XX-RP-J-0001); Acoustic Design Report; Waxwell Lane Utility Statement; Arboricultural Impact Assessment & Method Statement dated November 2017; Daylight and Sunlight Statement (Revision 3.0 - 06/12/2017); Transport Statement dated December 2017; Energy and Sustainability Statement Revision 3.2 dated 07/12/2017; Phase II Geotechnical & Geo-Environmental Investigation Ref: LS 3147 dated 30th November 2017; Waxwell Lane; Development - Financial Viability Assessment Dated December 2017.

REASON: For the avoidance of doubt and in the interests of proper planning.

3 Quantum of Wheelchair Homes **

Unit 1 of the Discounted Market Rent Units shall be constructed and completed to Building Regulation standard M4(3)(2)(b) of the Building Regulations 2010 (as amended).

REASON: To ensure the development provides accessible homes for all users.

4. Part M dwellings *

Units 1 and 7 shall be built in accordance with Building Regulation standard M4 (3) 'Wheelchair User Dwellings'. All other residential units in this development, as detailed in the submitted and approved drawings, shall be built to Building Regulation Standard M4 (2) 'Accessible and adaptable dwellings'. The development shall be thereafter retained to those standards.

REASON: To ensure provision of 'Wheelchair and Accessible and adaptable' housing.

5. Refuse Collection *

The refuse bins shall be stored at all times in the designated refuse storage area, as shown on the approved drawing plans.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area.

6. Storage *

The residential premises hereby approved shall each be provided with a storage space in accordance with the Mayor of London's Housing SPG (2016) unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the development achieves a high standard of residential quality for future occupiers of the development.

7. Construction Method Statement and Logistics Plan *

All development shall take place in accordance with the Construction Method Statement & Logistics Plan details approved under application P/5111/19 dated 14/01/2020 unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers and to ensure that the transport network impact of demolition and construction work associated with the development is managed and that measures are agreed and in place to manage and reduce dust, noise and vibration during the demolition and construction phases of the development and manage transport impacts during the demolition and construction phases of the development.

8. Levels *

The levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes in the level of the site, shall be carried out in accordance with the details approved under application P/5116/19 dated 20/01/2020 unless otherwise agreed in writing by the local planning authority, and shall be retained as such thereafter

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement.

9. Surface Water Drainage and Attenuation *

The works for the disposal of surface water, including surface water attenuation and storage shall be implemented in accordance with the details approved under application P/2208/21 dated 20/12/2021 unless otherwise agreed in writing by the local planning authority, and shall be retained as such thereafter.

REASON: To ensure that the development achieves an appropriate greenfield runoff rate in this critical drainage area and to ensure that sustainable urban drainage measures are exploited.

10. Foul Water Drainage *

The foul water drainage works shall be implemented in accordance with the details approved under application P/2208/21 dated 20/12/2021 unless otherwise agreed in writing by the local planning authority, and shall be retained as such thereafter.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development.

11. Materials *

The materials to be used in the construction of the external surfaces of the buildings as well as the boundary fencing including all pedestrian/ access gates and waste storage, shall be implemented in accordance with the details approved under application P/1499/20 dated 18/12/2020 unless otherwise agreed in writing by the local planning authority, and shall be retained as such thereafter.

REASON: To safeguard the appearance of the locality and to ensure a satisfactory form of development.

12. Landscape Strategy *

The hard and soft landscaping of the development shall be implemented in accordance with the details approved under application P/1500/20 dated 12/08/2021 unless otherwise agreed in writing by the local planning authority, and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity.

13. Landscape Implementation *

All hard landscaping shall be carried out prior to the occupation of any part of the development or in accordance with a programme that has been submitted to the Local Planning Authority in writing to be agreed. All soft landscaping works including planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out no later than the first planting and seeding season following the final occupation of the residential parts of the buildings, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged, diseased or defective, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development.

14. Landscape Management Plan *

All on-going management and maintenance of all the hard and soft landscaping within the development, other than small, privately owned, domestic gardens, shall be implemented in accordance with the details approved under application P/2268/22 dated 30/06/2022 unless otherwise agreed in writing by the local planning authority, and shall be retained as such thereafter.

The Landscape Management Plan shall be carried out in a timely manner as approved.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity.

15. Archaeology *

The development herein approved shall be carried out in accordance with the statement of significance and research objectives / methodology of site investigation and the programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material as per the details approved under application P/5119/19 dated 14/01/2020 unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that any artefacts of archaeological interests on the site are not prejudiced and the records of the investigation are deposited for historical record keeping.

16. Trees *

The development hereby permitted, in so far it relates to measures to protect trees shown to be retained on the Landscaping Strategy required by condition 12 during construction shall be undertaken in accordance with the recommendations of the Arboricultural Impact Assessment & Method Statement dated November 2017.

This will include that arboricultural supervision is undertaken throughout the project and the development shall be carried out in accordance with the recommendations of the Arboricultural Survey. The tree protection measures shall be erected before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected.

17. Noise mitigation *

The development hereby approved shall be implemented in accordance with the noise mitigation and ventilation details approved under application P/5120/19 dated 14/01/2020 unless otherwise agreed in writing by the local planning authority, and shall be retained as such thereafter.

REASON: To ensure that potential adverse noise impacts to residential premises within the development are mitigated in accordance.

18. External Lighting Strategy *

The lighting of all public realm and other external areas (including buildings) within the site shall be implemented in accordance with the details approved under application P/1501/20 dated 18/08/2022 unless otherwise agreed in writing by the local planning authority, and shall be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles and achieves a high standard of residential quality.

19. CPZ restrictions **

The arrangements to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within the Controlled Parking Zone, including the details of the residential tenancy management programme which includes information informing residents they are not eligible for a resident's parking permit, shall be implemented as per the details approved under application P/1319/22 dated 27/05/2022 unless otherwise agreed in writing by the local planning authority, and shall be retained as such thereafter.

REASON: To encourage sustainable modes of travel and ensure the surrounding road network does not experience undue levels of parking stress.

20. Biodiversity *

The bat and nest boxes to be provided within the site shall be implemented in accordance with the details approved under application P/4097/21 dated 24/01/2022 unless otherwise agreed in writing by the local planning authority, and shall be retained as such thereafter.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity.

21. Parking Management Plan *

The development hereby permitted shall be implemented in accordance with the Parking Management Plan details approved under application P/1319/22 dated 27/05/2022 unless otherwise agreed in writing by the local planning authority, and shall be retained as such thereafter.

REASON: To ensure that the development provides sufficient electric vehicle charging points and adequate, secure and (where appropriate) weather protected cycle parking.

22. Land Contamination *

The development herein permitted shall be carried out in accordance with details approved under application P/0017/20 dated 15/01/2020 for land contamination management and disposal, remediation and data-collection and monitoring.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers

23. Secure by Design *

The approved details relating to the Secure by Design Accreditation obtained for the development, as per details approved under application P/4176/22 dated 09/12/2022, shall be retained on site unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime.

24. Water Strategy *

The Water Strategy, which demonstrating that the mains water consumption of the proposed development will not exceed 105 litres per person per day (excluding an allowance of 5 litres or less per person per day for external water consumption), shall be implemented in accordance with the details approved under application P/4097/21 dated 24/01/2022 unless otherwise agreed in writing by the local planning authority, and shall be retained as such thereafter.

REASON: To ensure that the proposed development has an acceptable impact on water network.

25. Restrict Permitted Development Rights *

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Classes A, B, C, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out in relation to the dwellinghouses hereby permitted without the prior written permission of the local planning authority.

REASON: To safeguard the character of the area by restricting the amount of site coverage and size of dwelling in relation to the size of the plot and availability of amenity space and to safeguard the amenity of neighbouring residents'.

26. Glazing – Obscured *

The windows in the first floor north flank elevations of the proposed units 1 and 20 shall: (a) be of purpose made obscure glass, (b) be permanently fixed closed below a height of 1.7m above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents in accordance with policy DM1 of the Development Management Policies Local Plan 2013.

27. Financial Viability Review Mechanism **

This permission shall have the effect of varying condition 27 on planning permission P/5680/17 dated 14/06/2018:

An Affordable Housing Scheme for the site shall be submitted to, and approved in writing by the Local Planning Authority, prior to the development herein approved exceeding 80% occupation of market sale properties. The Affordable Housing Scheme shall include:

1. The location of four affordable homes at the site (two for affordable rent and two in an intermediate tenure) and agreement on the rent levels for the affordable rent units (i.e., LAR levels); and
2. Details of a Financial Viability Review Mechanism (FVRM). The FVRM shall set out the process whereby a fully open book approach to development costs and values (i.e., build costs / sales values) respectively incurred and received (or projected to be incurred or received) by the developer will be adopted in order to determine whether a financial contribution towards off-site affordable housing provision should and can be made and if a contribution should and can be made, what that contribution should be; and
3. Details of how any financial contribution identified as being required through the FVRM will be provided by way of a commuted sum to provide affordable housing

off-site.

The development shall be carried out in accordance with the approved Affordable Housing Scheme, and any financial contribution identified as being required as a result of the FVRM shall be paid in full within 10 Working Days of the date the contribution was agreed and not prior to the occupancy of more than 85% per cent of the Residential Units, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to secure the maximum reasonable affordable housing units and/or construction and secure the public benefit thereof.

28. Legal Agreement Required *

In the event that any owners of the land have the legal locus to enter into a Section 106 Agreement, no works (or no further works if development has commenced) shall be commenced on site until such time as they have entered into such an Agreement incorporating obligations in respect of the matters covered by conditions marked with ** in the planning permission granted on 21/03/17 (Harrow Reference P/5680/17) and those obligations shall apply to all conditions above marked with ** which supersede those of permission P/5680/17.

REASON: In order to define the permission and to secure development in accordance with policy DM50 of the Harrow Development Management Policies Local Plan 2013.

29. Affordable Housing and Viability Review **

Within three months of the date of this permission or such extended time as may be agreed in writing by the Local Planning Authority, the following details shall be submitted to and approved by the Local Planning Authority:

1. A comprehensive and detailed review of the Affordable Housing provision on site
2. A comprehensive and detailed review of the 'Financial Viability Review Mechanism'

The development shall be implemented and maintained as agreed thereafter.

REASON: To ensure the Affordable Housing provided on site is satisfactory and the maximum reasonable affordable housing has been achieved to secure the public benefit thereof.

Informatives

1. Policies

The following policies and guidance are relevant to this decision:

**National Planning Policy and Guidance:
National Planning Policy Framework (2021)**

The London Plan (2021): GG1, GG2, GG4, H1, H4, H5, H6, H7, H10, SD6, D1, D3, D4, D5, D6, D8, D11, D14, HC1, S4, G1, G5, G6, G7, SI 1, SI 2, SI 5, SI 13, T1, T4, T5, T6

Local Plan Site Allocations (2013): G04

Harrow Core Strategy (2012):CS1

Development Management Policies Local Plan (2013): DM1, DM2, DM3, DM7, DM10, DM12, DM13, DM14, DM15, DM21, DM22, DM23, DM24, DM27, DM28, DM42, DM43, DM44, DM45, DM50

2. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. This decision has been taken in accordance with paragraphs 39-42 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

3. Wheelchair Homes

The applicant is encouraged to liaise with the Council during the construction of the development to ensure, insofar as possible, that the wheelchair homes are fitted-out to meet the needs of their first occupiers.

4. Thames Water Approval

Approval should be sought from Thames Water where erection of a building or underpinning work would be over the line of, or within 3m of a public sewer.

5. Traffic Order

The relevant traffic order will impose a restriction making residential occupiers of this building ineligible for resident's parking permits in the surrounding controlled parking zone.

6. GLA CIL Liability

Please be advised that this application attracts a liability payment of £81,567.50 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority upon the grant of planning permission will be collecting the Mayoral Community Infrastructure Levy (CIL). Your proposal is subject to a CIL Liability Notice indicating a levy of £64,893.50 (provisional) for the application, based on the levy rate for Harrow of £35/sqm.

7 Harrow CIL Liability

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;
Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm;
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)
Hot Food Takeaways (Use Class A5) - £100 per sqm
All other uses - Nil.

The Harrow CIL Liability for this development is: £203,951.00 (provisional)

8 Affordable Housing Definitions

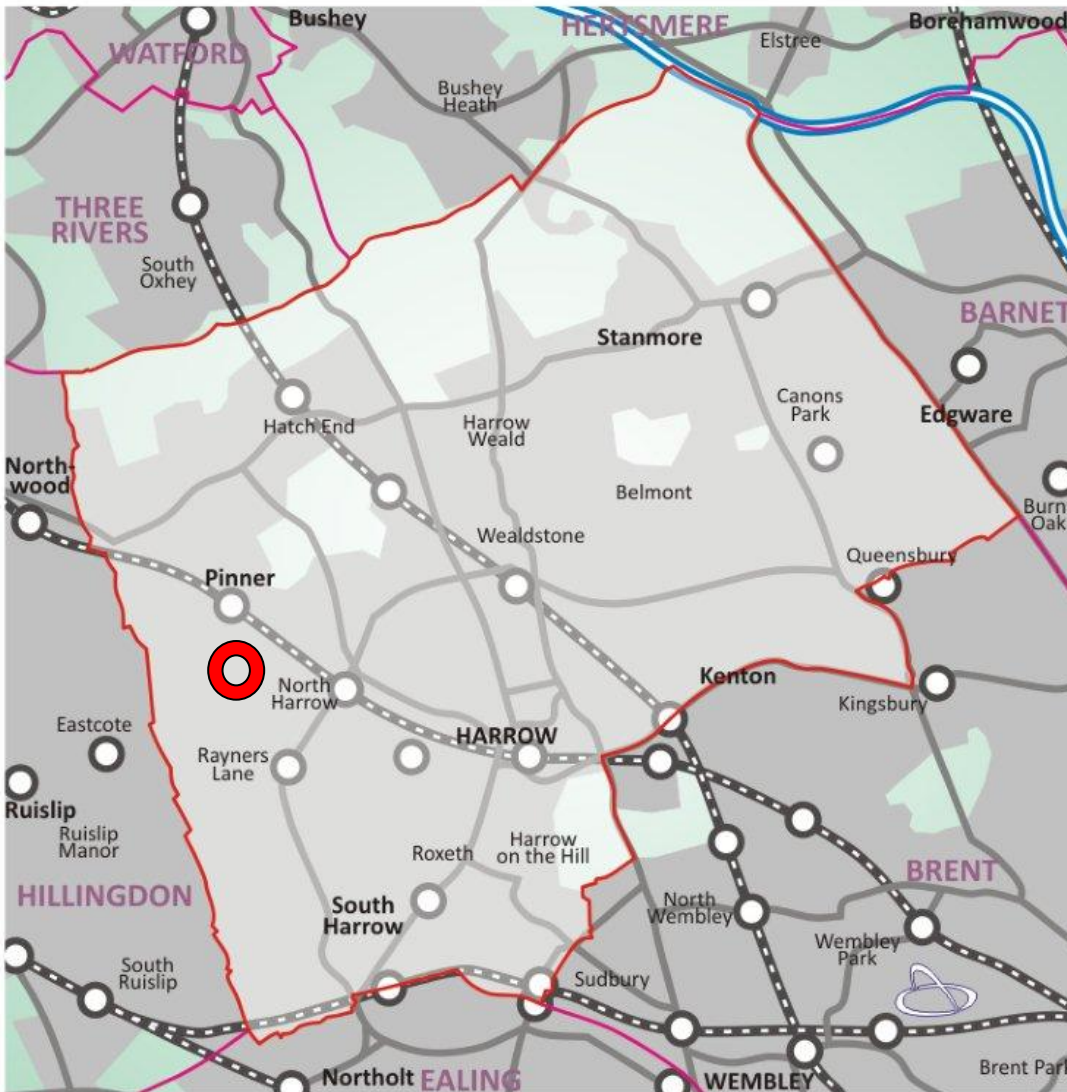
Required definitions (e.g., discounted market rent; market rent) will be detailed within the shadow S106 legal agreement.

9. Carbon Off-set Contribution

The applicant is advised that notwithstanding the details contained within the Energy & Sustainability assessment, a carbon-offset contribution of £46,584.00 shall be paid to the relevant department of the Council prior to the commencement of the development. Should the final energy calculations submitted to the Council demonstrate that the carbon emissions from the residential element of the scheme exceeds 25.88 tonnes per annum, an additional carbon-offset contribution shall be paid to the Council at a rate of £1,800 per tonne of carbon in excess of 25.88 tonnes emitted from the scheme.

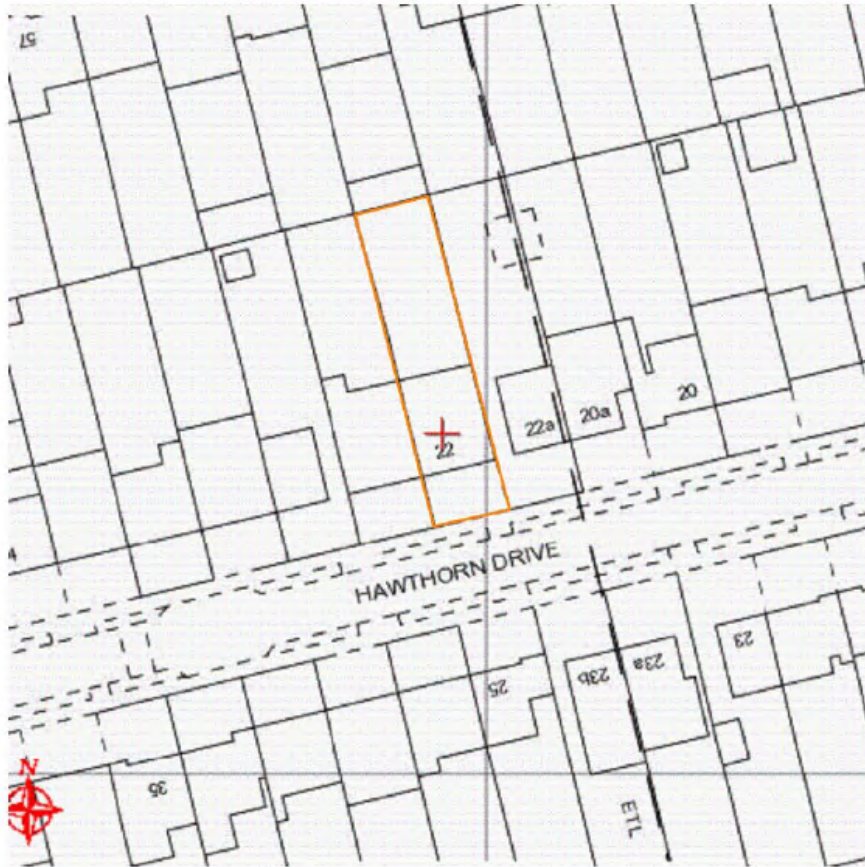
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22 Hawthorn Drive, Harrow, HA2 7NX

P/3789/22



SITE LOCATION PLAN

1:1250

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

18th January 2023

APPLICATION NUMBER: P/3789/22
VALID DATE: 02/11/2022
LOCATION: 22 HAWTHORN DRIVE, HARROW
WARD: NORTH HARROW
POSTCODE: HA2 7NX
APPLICANT: MR G ALI
AGENT: KDA DESIGNS LTD
CASE OFFICER: HAYDEN PARKER
EXPIRY DATE: 28/12/2022
EXTENSION OF TIME: N/A

PROPOSAL

CERTIFICATE OF LAWFUL DEVELOPMENT (PROPOSED): Alterations and extension to roof to form end gable; rear dormer; two rooflights in front roof slope; window in end gable.

RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant certificate of lawful proposed development

REASON FOR THE RECOMMENDATION

The proportions of the extension are considered acceptable by default on both character and residential amenity grounds by virtue of compliance with Schedule 2, Part 1, Classes B & C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

INFORMATION

This application is reported to Planning Committee as it regards land in which a member has an interest and therefore falls within proviso C. (iii) of the Scheme of Delegation.

Statutory Return Type:	Certificate of Proposed Lawful Development.
Council Interest:	None
Net additional volume:	46.58sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

1.0 SITE DESCRIPTION

- 1.1 The subject site features a two-storey semi-detached dwellinghouse. The dwelling features a single width porch extension with a flat roof. The site features parking within the front forecourt and a garden in the rear.
- 1.2 The adjoining semi is No. 24 Hawthorn Drive. The building is similar in appearance aside from the garage, which has undergone alterations since the original building was constructed. Alike the subject site, No. 24 features parking within the front forecourt.
- 1.3 No. 22a Hawthorn Drive abuts the subject site in the east. The site features a single storey semi-detached dwelling. There is a large powerline in the rear garden of the site, which spans into the adjoining property at No. 20 Hawthorn Drive.
- 1.4 The subject site is not a listed building or located within a conservation area.

2.0 PROPOSAL

- 2.1 Alterations and extension to roof to form end gable: rear dormer. The rear dormer extension seeks a maximum height from the existing roof form of 2.57m and a depth of 3.6m. Two rooflights are also proposed to be located within the front roof slope and a window in the end gable.

3.0 RELEVANT PLANNING HISTORY

LBH/43966	Single storey rear and front porch extensions	Grant: 13/12/1991
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3.1 Site History Context

- 3.2 There is no relevant history to the site that aligns with the proposal.

4.0 CONSULTATION

- 4.1 The application is for a certificate of proposed lawful development, whereby consultation to adjoining properties is not required.
- 4.2 Statutory and non-statutory consultation
- 4.3 No internal or external consultees were consulted on the application.

5.0 POLICIES

- 5.1 Schedule 2, Part 1, Classes B & C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

6.0 ASSESSMENT

6.1 The main issues are:

- Compliance with Class B – Additions etc to the roof
- Compliance with Class C - Other alterations to the roof of a dwellinghouse

6.2 Compliance with permitted development (Classes B and C)

6.2.1 The relevant policies are:

- Schedule 2, Part 1, Classes B & C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

6.2.2 The proposed hip to gable and rear dormer roof extension would have a volume of 46.58 cubic metres and is therefore within the 50 cubic metres limit for the enlargement of the roofs of semi-detached dwellinghouses. The proposed dormer would be set 200mm up the rear roof slope from the eaves of the original roof.

6.2.3 The proposed roof extensions would not at any point exceed the highest point of the existing roof. The proposed roof extensions would not project forward of any roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.

6.2.4 The proposed roof extensions would not include the provision of a veranda, balcony or raised platform or the installation, alteration or replacement of a chimney, flue or soil, vent pipe, solar photovoltaic or solar thermal equipment.

6.2.5 The materials to be used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

6.2.6 The proposed roof extensions would be built entirely within the curtilage of the property. There are no planning conditions removing permitted development rights or any other relevant developments on the land.

6.2.7 The proposed window to the staircase will be obscured and will not be openable below 1.7m above floor level (C.2 (i) & (ii)).

6.2.8 The proposed end gable and rear dormer are within the tolerances of Classes B & C of Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal is therefore a lawful development.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 Officers are satisfied that the overall design of the extension, proposed external finishes and fenestration arrangements would not unduly detract from the character and appearance of the host dwelling, street scene and area in a wider context.

- 7.2 The proposal sought is consistent with the requirements of Schedule 2, Part 1, Classes B & C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is therefore lawful.

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. The proposal would be within the tolerances of Schedule 2, Part 1 Classes B & C of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
2. The proposal is therefore a lawful development

Informatives:

1. The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows:
 - 0800-1800 hours Monday - Friday (not including Bank Holidays)
 - 0800-1300 hours Saturday.
2. The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:
 1. work on an existing wall shared with another property;
 2. building on the boundary with a neighbouring property;
 3. excavating near a neighbouring building, and that work falls within the scope of the Act.

Procedures under this Act are quite separate from the need for planning permission or building regulations approval.

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the Portal website:



<https://www.gov.uk/party-wall-etc-act-1996-guidance>

3. You should be aware that, whereas a planning permission is valid for three years, a Certificate is only valid for as long as the permitted development legislation that gave rise to the decision remains in place. This could mean that, if the legislation changes after the Certificate was determined, your proposals may no longer be permitted development. In this case this Certificate decision was based on the revised permitted development rights for householders that the Government brought into effect on 15 April 2015.

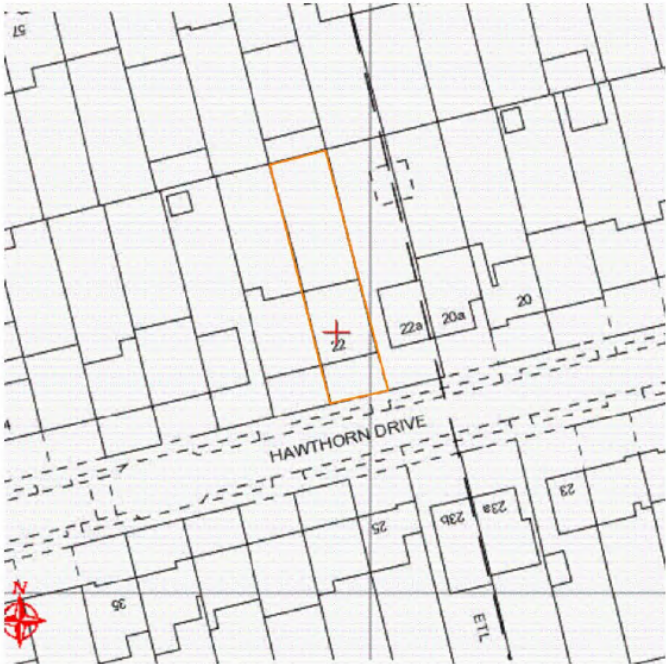
For further advice on the current householder permitted development guidance an interactive guide is available on the Planning Portal on: <http://www.planningportal.gov.uk/permission/house>

4. The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicant's expense. Failure to report any damage could result in a charge being levied against the property.
5. The applicant is advised that this Certificate is issued on the basis that the submitted plans and information are a true representation of the site circumstances and on the assumption that the property is in use as a single family dwellinghouse. If later this information turns out to be incorrect, then the basis of this Certificate may be challenged and the development could be liable to enforcement action.
6. The applicant is advised that the Drainage Authority in Harrow recommends the submission for their approval of a drainage plan indicating all surface and foul water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email infrastructure@harrow.gov.uk with your plans.

Checked

 <p>Mehdi Rezaie Head of Development Management (Interim)</p> <p>22nd December 2022</p>	 <p>Viv Evans Chief Planning Officer</p> <p>22nd December 2022</p>
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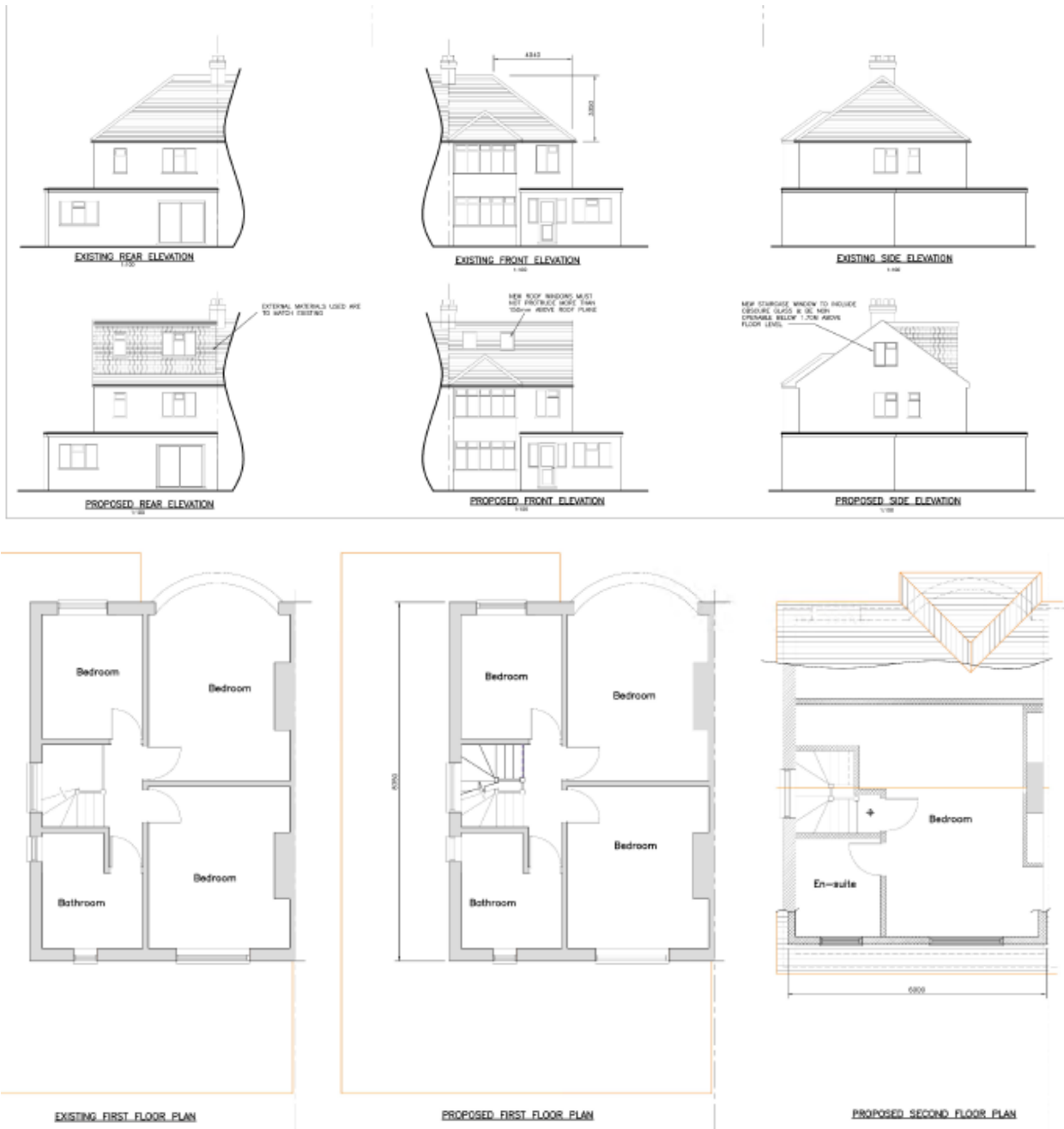
APPENDIX 2: LOCATION PLAN

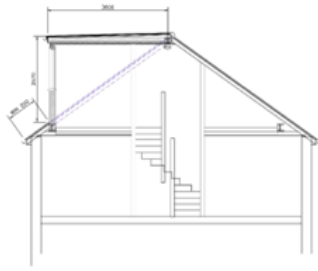


SITE LOCATION PLAN

1:1250

APPENDIX 3: PLANS AND ELEVATIONS





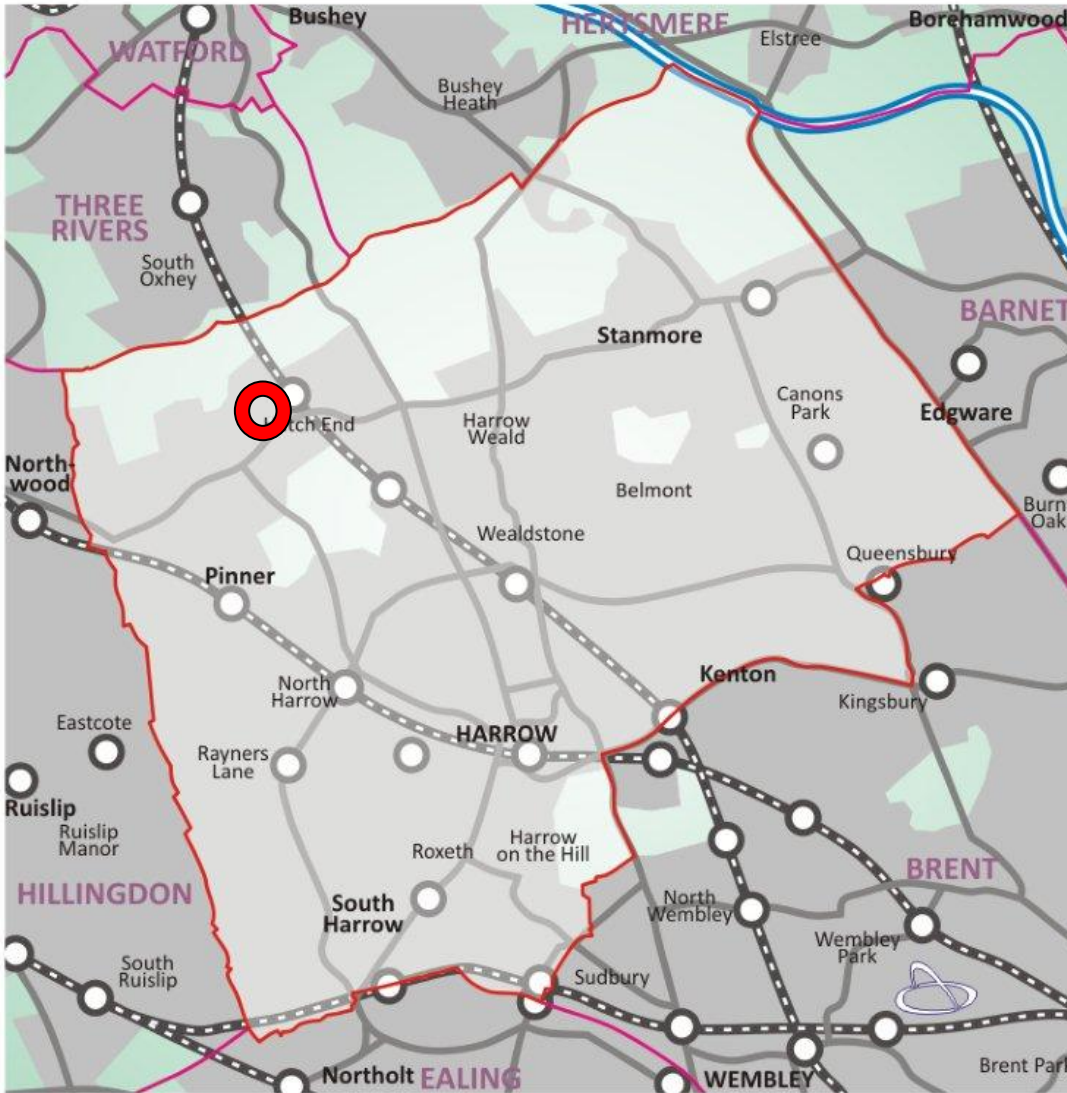
CROSS SECTION

VOLUME CALCULATION
Outside Wall
= $(8.35 \times 3.35 \times 4.04) / 6$
= 18.83 m³
Rear Dormer
= $(4.0 \times 3.60 \times 2.37) \times 0.5$
= 17.73 m³
Total Volume
= 18.83 + 17.73
= 36.56 m³
45.56m³ 50m³ Permitted Development

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77 Hillview Road, Pinner, HA5 4PB

P/3574/22

LOCATION PLAN



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

18th January 2023

APPLICATION NUMBER: P/3574/22
VALIDATE DATE: 18/10/2022
LOCATION: 77 HILLVIEW ROAD
WARD: HATCH END
POSTCODE: HA5 4PB
APPLICANT: MR & MRS MANGA
AGENT: TEN POINT FIVE ARCHITECTURE
CASE OFFICER: CATRIONA COOKE
EXPIRY DATE: 08/12/2022

PROPOSAL

Redevelopment to provide two x two storey (4 bed) semi-detached dwelling houses with habitable roofspaces; proposed vehicle access; separate amenity space; bin and cycle stores (Retrospective)

RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to the conditions listed in Appendix 1 of this report:

REASON FOR THE RECOMMENDATIONS

The development as constructed has an acceptable impact on the character and appearance of the area.

Accordingly, weighing up the development plan policies and proposals along with other material considerations including comments received in response to notification and consultation as set out below, Officers consider and conclude that, subject to planning conditions, the proposed development is acceptable and worthy of support. In accordance with the National Planning Policy Framework, including its presumption in favour of sustainable development, and subject to conditions, officers recommend that the application is approved.

INFORMATION

This application is reported to Planning Committee at the request of a nominated member in the public interest and therefore falls within provision A of the Scheme of Delegation.

Statutory Return Type:	E13 Minor Dwellings
Council Interest:	N/A
Net additional Floorspace:	52 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application, the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policy D11 of the London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition was not imposed on the appeal scheme and therefore it would be unreasonable for a condition to be attached.

1.0 SITE DESCRIPTION

- 1.1. The site contains a recently completed pair of semi-detached properties located on the southeastern side of Hillview Road.
- 1.2. The site has a maximum width of 15.20m and a maximum depth of 48.8m. The footprint of the site is 721.52sq m.
- 1.3. The site is set within a row of residential dwellinghouses, with semi-detached houses interspersed with detached houses to the north and to the south. The neighbour immediately to the south is No. 79 Hillview Road, with No. 75 Hillview Road to the north. The character of the area is varied.
- 1.4. The site is located in a Critical Drainage Area and has no other statutory designations.

2.0 PROPOSAL

- 2.1 The application seeks retrospective permission for the development as built on site.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of the relevant planning application history is set out in the table below:

Ref no.	Description	Status & date of decision
P/3331/16	Re-development to provide a pair of semi-detached two storey dwellings with habitable roofspace; new vehicular access parking bin / cycle storage landscaping and boundary treatments	Refused 03/10/2016 Appeal Allowed 10/02/2017
P/1982/17	Details pursuant to Conditions 3 (Materials) and 4 (Boundary Treatment) attached to planning permission P/3331/16 allowed on appeal reference APP/M5450MW/16/3161002 dated 10/2/17 for Re-development to provide a pair of semi-detached two storey dwellings with habitable roofspace; new vehicular access parking bin / cycle storage landscaping and boundary treatments	Approved 07/07/2017
P/1391/20	CERTIFICATE OF LAWFUL DEVELOPMENT (PROPOSED): Alterations to roof to form end gable, rear dormer and insertion of three rooflights on front roofslope; Front porch; Single storey side extensions to both sides; Two storey rear extension	Refused 15/06/2020
Reasons for refusal:		
1. The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than 50 cubic meters. The proposal would therefore not be within the tolerances of Schedule		

2, Part 1 Class B.1(d)(ii) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. The proposal is NOT therefore a lawful development.

P/0368/20	Lawful implementation of planning permission P/3331/16 (construction of pair of semi-detached two storey dwellings with habitable roofspace (2 x 4 beds); new vehicular access parking bin / cycle storage landscaping and boundary treatments) allowed on appeal APP/M5450/W/16/3161002	Granted 20/04/2020
P/3564/22	Variation of condition 2 (approved plans) attached to planning permission P/3331/16 allowed on appeal reference APP/M5450/W/16/3161002 to allow alterations to elevations	Under assessment

4.0 **CONSULTATION**

4.1 A total of 41 consultation letters were sent to neighbouring properties regarding this application. A total of 9 responses were received.

4.2 A site notice was posted on 14 November 2022 expiring on 5th December 2022.

4.3 A summary of the consultation responses received along with the Officer comments are set out in the table below: -

<ul style="list-style-type: none"> ▪ A total of 16 violations should not be allowed as will set a precedent for other developers. <i>Officer comment: Section 73 of the Planning Act allows a developer to submit an application for retrospective planning permission without complying with the original permission, as is the case under this application. The LPA is required to determine such application as it would for a new application in accordance with the relevant development in place at the time the application has been made.</i> ▪ Materials are out of keeping with surrounding area <i>Officer comment: See 6.3. below</i> ▪ Front gables inconsistent with neighbouring properties. <i>Officer comment: See 6.3.6 below</i> ▪ Windowpanes of bay window inconsistent with first floor window <i>Officer comment: See 6.3.5 below</i> ▪ <i>The brick panel reduction in front elevation is an improvement but the two vertical full height drainpipes have become an unsightly feature.</i> <i>Officer comment: See 6.3.4 below</i> ▪ The cycle storage, waste bin storage, box tree hedging separating the grass at the front and low level brick wall along the boundary with pavement have not yet been completed. <i>Officer comment: See 6.3.14 below</i>

Consultee and Summary of Comments

Hatch End Association

- The Hatch End Association is very concerned that developers are willing to ignore the planning regime when it suits them, and approval of this application is likely to encourage others to follow suit. The Hatch End Association seeks to preserve the

essential character of Hatch End and sees no reason that blatant ignoring of the rules should be allowed.

Landscape Officer

- No comments received

5.0 POLICIES

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

‘If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.’

5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] sets out the Government’s planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 A full list of all the policies used in the consideration of this application is provided as Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Design, Character, and Appearance of the Area
- Residential Amenity
- Traffic and Parking
- Waste and Servicing
- Flood Risk and Drainage
- Biodiversity
- Fire Safety

6.2 Principle of Development

The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): H1, H2, H9
- Harrow Development Management Policies (2013): DM24
- Harrow's Core Strategy (2012): CS1

- Supplementary Planning Document – Garden Land Development (2013)

6.2.1 The principle of the development has been established in the appeal allowed under reference APP/M5450/W/16/3161002. As such, matters relating to the principle of the development, the size of accommodation proposed, transport impacts, landscaping and fire safety do not need to be considered under this application again as these elements would remain unchanged from the original approval.

6.3 Design, Character, and Appearance of the Area

The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan 2021: D3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM22, DM23
- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

6.3.1 Policy D3.D(1) of the London Plan states that development should in terms of form and layout, 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 D3.D(11) goes on to states that in terms of quality and character, developments should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

6.3.2 Policy DM1 of the DMP gives advice that “all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted”.

6.3.3 As noted above the development has been largely completed on site. The development is to the same footprint and scale as the approved plans. In allowing the appeal the Inspector did not include a condition restricting permitted development rights for the dwellings. This application seeks to retrospective permission to retain the dwellings as constructed on site. A number of changes were made during the construction of the dwellinghouses which are addressed below.

6.3.4 Reduction of Brick panel on the front elevation to one brick width

It is considered that this element of the development by reducing the 1.8m wide brick panel as approved to a 0.2m wide panel is an improvement to the approved plans creating a more visually cohesive design. It is noted that objections have been

received relating to the visually prominent down pipes. However, these are normal features of properties in the area. Therefore, it is considered that this element has an acceptable impact on the character of the area.

6.3.5 Centralised Bay window/first floor windows centralised to bay window

This amendment is considered to be minor and in centralising the bay windows and first floor windows the development has a balanced frontage which is in keeping with the area.

6.3.6 Reduction in width of front gable to match the width of the first-floor windows.

As noted by the Inspector in allowing the appeal, the area is mixed in character and appearance. While reduction in width of the front gables is a significant variation to the approved plans, it is considered that given the varied character of the area this element does not have a negative impact on the character of the area.

6.3.7 Removal of pitched roof over bay windows

There are examples within the area of single storey front extension with flat roofs. It is considered that this is a minor change which does not have a harmful impact on the character of the area. Furthermore, as noted above the Appeal Decision does not remove permitted development right and it is considered that the pitched roofs could be removed under Class A of the General Permitted Development Order. However, should member consider that the pitched roofs are required the applicant has confirmed that these could be added and could be secured by condition.

6.3.8 Replacement of brick on edge parapet wall at ground floor with an aluminium coping.

This is considered to be a minor amendment and is not clearly visible within the streetscene. Therefore, it is considered that this variation has negligible impact on the streetscene.

6.3.9 Render above front doors has been lowered to match the render from the front and side elevations.

This element is set back from the main frontage of the building and is considered to be a minor alteration which has a negligible impact on the character of the area.

6.3.10 Removal of false Chimneys

As noted above the Inspector did not impose a condition removing permitted development rights. Chimney can be removed without requiring planning permission. However, should Members consider that the chimneys should be reinstated the applicant has indicated that these could be provided which could be secured by a condition.

6.3.11 Replacement of triangular coping over party wall with brick on edge detailing.

It is considered that the brick on edge detailing is acceptable and does not impact on the character of the dwellings or the streetscene.

6.3.12 Reduction of brick panel on the rear elevation to one brick width and Angled brickwork above rear porch (77A).

These elements are to the rear of the property and are considered to be minor alterations which do not impact of the character of the dwelling or the surrounding area.

6.3.13 Replacement of white UPVC windows with Black UPVC windows; Change from patio doors to bi-fold doors at rear; One large rooflight changed to two small rooflights; Increase in height of first floor side windows (by lowering the cil); Increase in height of ground floor side windows (by lowering the cil) – consented scheme showed clear glazing obscure glazing has been installed; New obscure window at ground floor.

These elements could be carried out under permitted development. It is noted that the replacement of the white upvc windows with black frames is contrary to the details approved under P/1982/17. However, had white upvc windows been installed the future occupier could have changed these at a future date.

6.3.14 Roof tiles of the dwellings are not as approved under P/3331/16

As noted above given that permitted development rights have not been withdrawn from these dwellings, the roof tiles could be replaced under permitted development. Also, it is noted that the boundary treatment of the front garden and the cycle/bins stores have not been constructed. These elements were pre-occupation conditions, given that the dwellings are not yet occupied this condition has not been breached. A condition is recommended to ensure that these are completed prior to occupation.

6.3.15 In summary, the existing dwellinghouses are considered to have an acceptable impact on the character of the area.

6.4 Residential Amenity

The relevant policies are:

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM2, DM27
- London Plan Policy (2021): D3, D6
- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)

Impacts on neighbouring properties

6.4.1 Policy DM1 of the DMP seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.

- 6.4.2 As noted above the development is to the same footprint and scale as the approved scheme and therefore it is considered that there would be no additional harm to the neighbouring residents. While additional windows have been added to the flank elevations these are all obscure glazed and are considered to have an acceptable impact on the amenities of neighbouring occupiers.

Accessible Homes

- 6.4.3 Policy DM2 of the DMP seeks to ensure that all new housing is built to 'Lifetime Homes' standards.
- 6.4.4 Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes.
- 6.4.5 While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'.
- 6.4.6 The Inspector attached a condition to the approval of the appeal to ensure that the development is constructed to the specification of Part M, M4 (2). This condition has been recommended.

Secure by Design

- 6.4.7 The Inspector did not attach a condition to the approval and therefore it would be unreasonable to attach a condition to this application.

6.5 Traffic, Parking and Servicing

The relevant policies are:

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Polices Local Plan (2013): DM42. DM43
- London Plan (2021): T4, T5, T6



- 6.5.1 The Inspector raised no concerns regarding transport and parking. A condition was imposed on the appeal approval to ensure that offstreet parking be laid out and made available for use prior to occupation. This condition has been recommended.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 While it is regrettable that the dwellinghouses were not completed in accordance with the approved plans. The completed development has an acceptable impact on the streetscene.

7.2 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

Checked

 Mehdi Rezaie Head of Development Management (Interim) 22 nd December 2022	 Viv Evans Chief Planning Officer 22 nd December 2022
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APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Approved Plans and Documents

The development hereby permitted shall be retained in accordance with the following documents and plans: Design and Access Statement; C243-04 Rev A, C243-05 Rev A, C243-06 Rev A, C243-11 Rev A, C243-12 Rev A, C243-13 Rev A, C243-15 Rev A, C243-16 Rev A, C243-17 Rev A, C319-101 Rev A, C319-151 Rev A; C319-152 Rev A; C319-153 Rev A, C319-155 Rev A; C319-156 Rev A, C319-157 Rev A; C319-173 Rev A;

REASON: For the avoidance of doubt and in the interests of proper planning.

2. Boundary Treatment

The approved boundary treatment between the front gardens of the houses shall be implemented on site prior to first occupation.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with Policy DM1 of the Harrow Development Management Local Plans Policy (2013).

3. Refuse store

Other than on collection days, the refuse/waste bins shall at all times be stored in the approved refuse/waste storage area on plan C319-152 Rev A. The refuse/waste storage area shall be retained and kept available for its intended purpose at all times thereafter

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with Policy DM1 of the Harrow Development Management Local Plans Policy (2013).

4. Parking

All off-street parking shall be laid out and made available for use in accordance with plan C319-52 Rev A prior to the first occupation of the approved houses and shall be retained and kept available for their intended purpose at all times thereafter.

5. Accessible Units.

The development hereby permitted shall be constructed to the specifications of: "Part M, M4(2), Category 2: Accessible and Adaptable Dwellings" of the Building Regulations 2013 and thereafter retained in that form.

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards in accordance with Policy D7 of The London Plan

2021, policy CS1.K of The Harrow Core Strategy 2012 and policies DM1 and DM2 of the Development Management Policies Local Plan 2013.

Informatives:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

London Plan 2021: D3, D12, T5, T6.1

The Harrow Core Strategy 2012: CS1.

Harrow Development Management Policies Local Plan 2013:

DM1, DM2, DM42, DM45

Relevant Supplementary Documents:

Supplementary Planning Document: Sustainable Building Design (2010)

Supplementary Planning Document: Garden Land Development (2013)

The London Plan Housing Supplementary Planning Guidance (2016)

Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

2 Street numbering

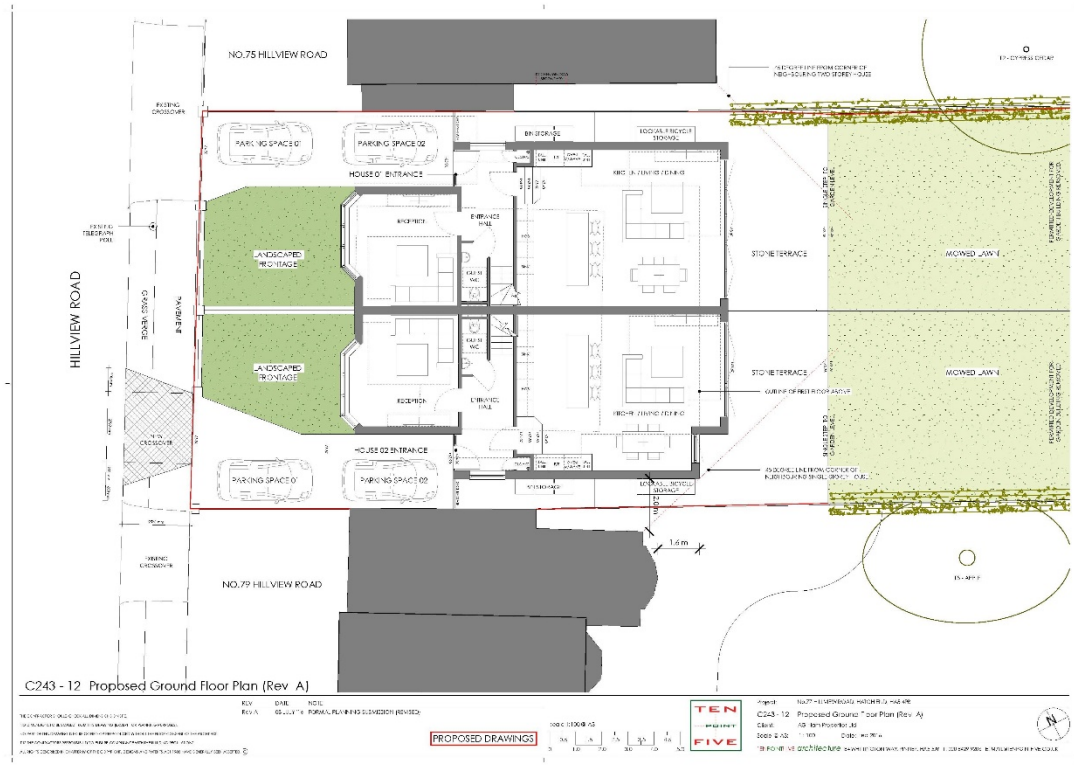
Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939. All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link. http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

APPENDIX 2: SITE PLAN

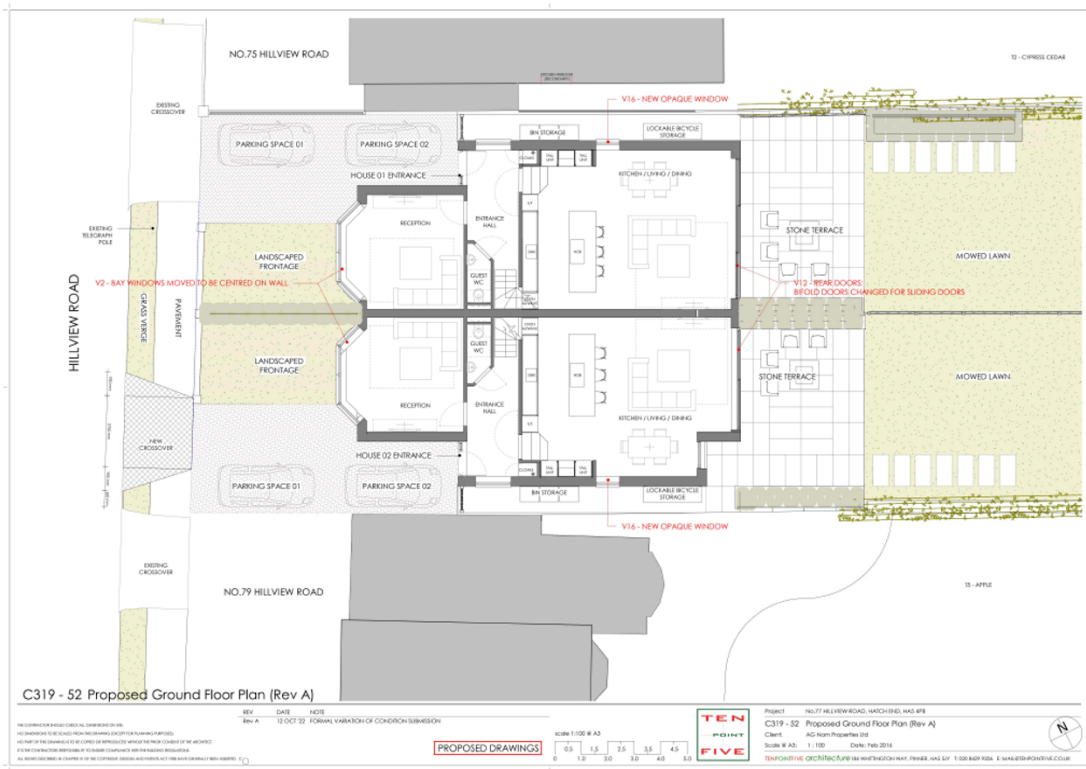


APPENDIX 3: PLANS

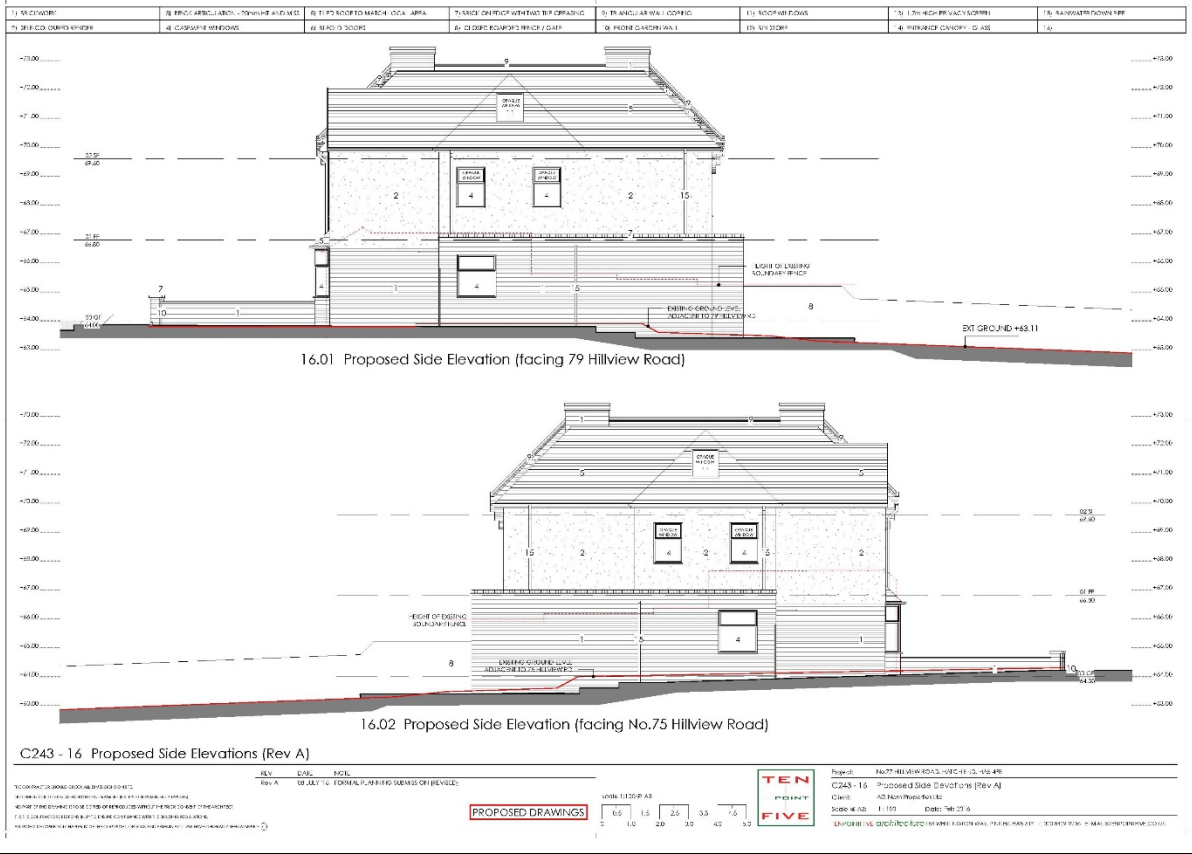
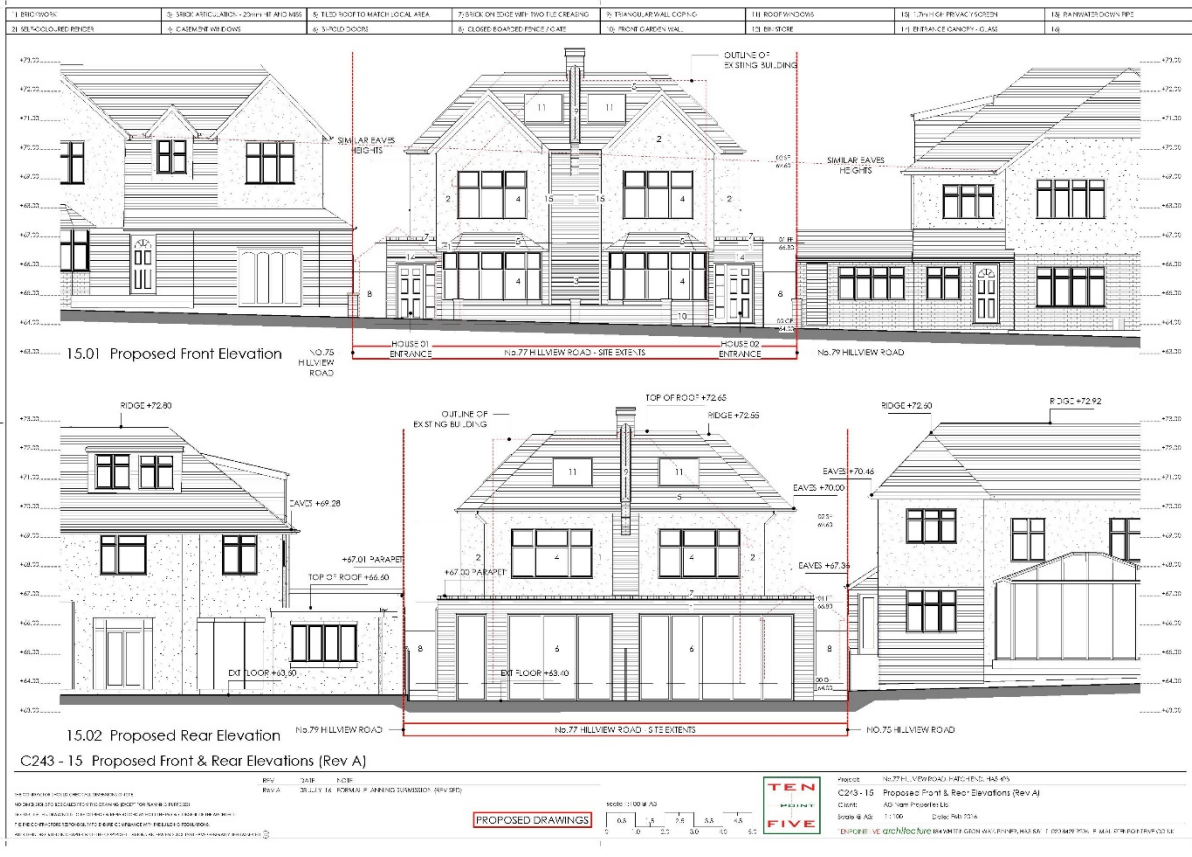
Approved Site plan



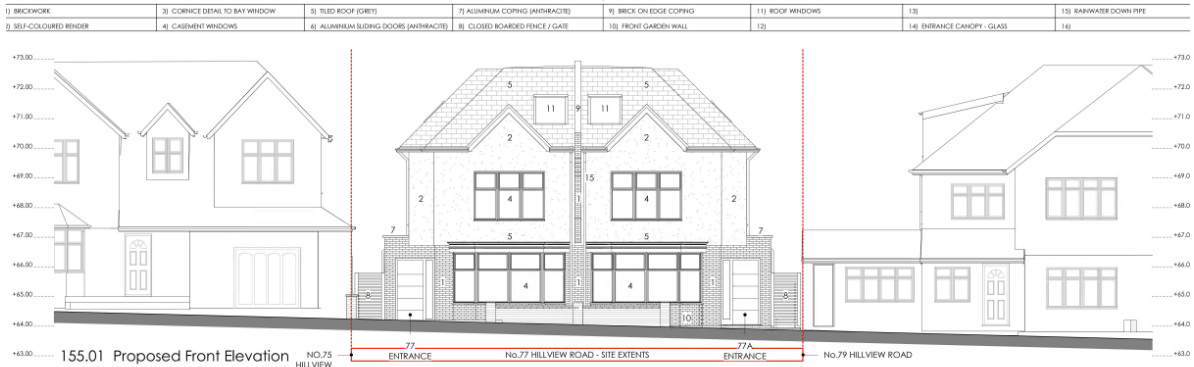
Existing Site plan



Approved Elevations



Existing Elevations



C319-155 Proposed Front & Rear Elevations (Rev A)

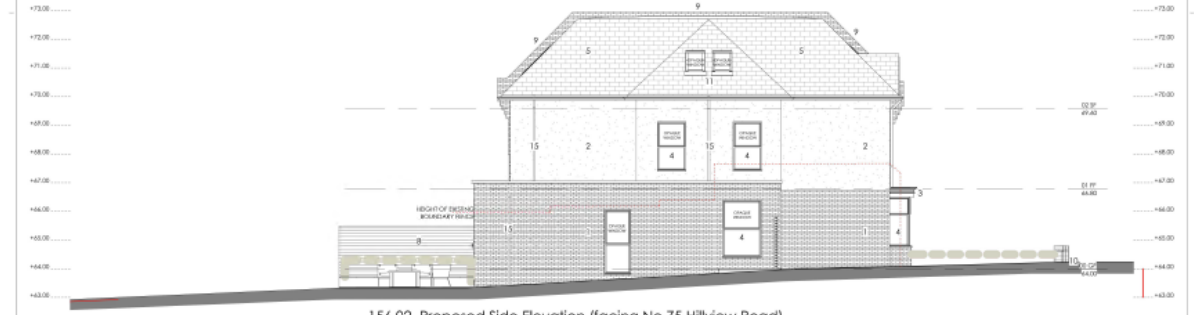
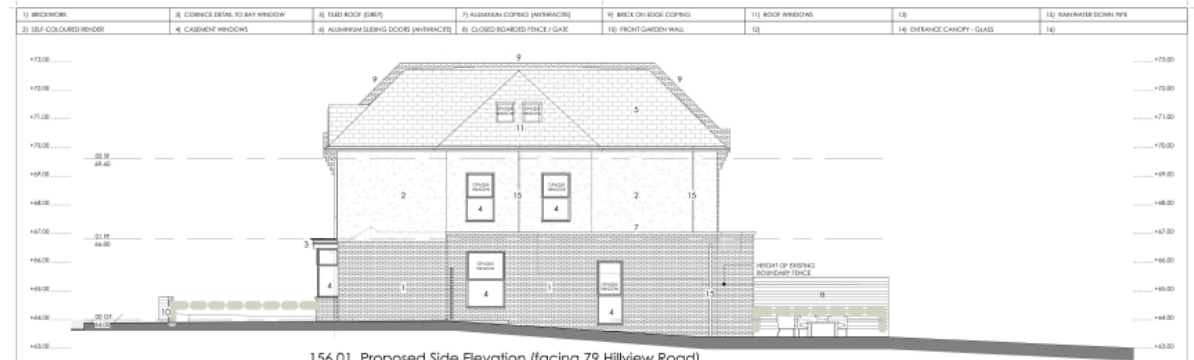
REV	DATE	NOTE
Rev A	13 OCT 22	FORMAL APPLICATION SUBMISSION

1:1000 @ A3

PROPOSED DRAWINGS

TEN POINT FIVE

Project: No.77 HILLVIEW ROAD, HATCH END, HA5 4PB
 Client: AG Nam Properties Ltd
 Scale: R A3: 1:100 Date: Oct 2022
 RESPONSIVE ARCHITECTURE 84 WATKINSON WAY, PINNER, HA5 5JF T:020 849 9266 E:MAIL@RESPONSIVE.CO.UK



C319-156 Proposed Side Elevations (Rev A)

REV	DATE	NOTE
Rev A	13 OCT 22	FORMAL APPLICATION SUBMISSION

1:1000 @ A3

PROPOSED DRAWINGS

TEN POINT FIVE

Project: No.77 HILLVIEW ROAD, HATCH END, HA5 4PB
 Client: AG Nam Properties Ltd
 Scale: R A3: 1:100 Date: Oct 2022
 RESPONSIVE ARCHITECTURE 84 WATKINSON WAY, PINNER, HA5 5JF T:020 849 9266 E:MAIL@RESPONSIVE.CO.UK

APPENDIX 4: SITE PHOTOS









Appeal Decision

Site visit made on 30 January 2017

by **Zoe Raygen Dip URP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 February 2017

Appeal Ref: APP/M5450/W/16/3161002

77 Hillview Road, Pinner HA5 4PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by AG Nam Properties Ltd against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/3331/16, dated 8 July 2016, was refused by notice dated 3 October 2016.
 - The development proposed is redevelopment to provide a pair of semi-detached two storey dwellings with habitable roofspace; new vehicular access parking bin/cycle storage landscaping and boundary treatments.
-

Decision

1. The appeal is allowed and planning permission is granted for redevelopment to provide a pair of semi-detached two storey dwellings with habitable roofspace; new vehicular access parking bin/cycle storage landscaping and boundary treatments at 77 Hillview Road, Pinner HA5 4PB in accordance with the terms of the application, P/3331/16, dated 8 July 2016 subject to the conditions set out in the schedule to this decision notice.

Main Issues

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The area within with the appeal site is located has a mix of detached and semi-detached properties on a fairly uniform building line. Many of the dwellings have been extended. This together with the variety of types of properties means the character and appearance of the area is quite mixed. Spacing between the houses is varied. Some have been extended directly up to the boundary with the neighbouring property, whereas others have a small gap. Where there are gaps or single storey side extensions/garages views are available through to tree tops and rear gardens.
 4. The existing property is a detached house set in a large plot in between semi-detached properties. The proposal to demolish it and erect a pair of semi-detached houses would result in two plots narrower than those in the surrounding area. Nevertheless, a gap would be maintained to either side of the new dwellings, which would be similar to and in some cases greater than others on the street. As a result views to rear gardens would still be available and the
-

proposal would not create a terracing effect. Furthermore, according to figures supplied by the appellant although the width of each plot would be narrower than others in the street it would not be by a materially significant amount. The figures have not been disputed by the Council. Moreover, although the width of each house would be narrower than others on the street, the building has been designed as one entity and would be read as such. As such its width would not be unique or visually unacceptable.

5. The two houses would take their design cue from the neighbouring properties to the north east, each having a gable front with a ground floor bay window. I also saw that the mix of render and brick, together with the entrance doors to the side of the front elevation, velux windows and the roof articulation would not be unusual in the area. Furthermore, although the properties would contain three storeys of accommodation, the eaves line and height of the houses would be broadly consistent with the houses either side and within the row of dwellings. As a result, while the 3 storeys of accommodation would significantly increase the amount of floorspace provided on the site compared to the existing detached house, and according to residents, would be 84% larger than the average floor space of Nos 71, 73, 75 and 79, it would do so in a way that would not be out of scale, dominant or obtrusive within the street scene.
6. The existing rear garden would be subdivided to provide private space for future occupiers. I saw that it is well stocked with trees and shrubs and has an apple tree broadly in the centre of the garden. This is a small tree which would not be viewed from the public realm. I have not been advised by the Council that the tree is worthy of protection and therefore I see no constraint to the subdivision of the garden to the rear.
7. The front garden, is prominent within the street scene, but the lawned area has already been subdivided by a path. However, I consider that any boundary treatment should be carefully controlled through the imposition of condition to prevent high fencing which would be particularly harmful to the open, verdant character of the street.
8. I have carefully considered local resident's concerns that the current proposal would set a precedent for a similar development on the street, particularly given the row of large detached houses opposite the appeal site. I have not though been made aware of any specific proposals that have been forthcoming. Each application and appeal must be determined on its individual merits, and a generalised concern of this nature does not justify withholding permission in this case.
9. For the reasons above I conclude that the proposed houses would not be harmful to the character and appearance of the area. There would therefore be no conflict with policy DM1 of the Harrow Development Management Policies 2013, Policy CS1 of the Harrow Core Strategy 2012, Policies 7.4 and 7.6 of the London Plan 2016 (LP) and the Supplementary Planning Document Residential Design Guide 2010 (the SPD). These require, amongst other things that development is a high standard of design that responds to local context.

Other matters

10. I had the opportunity to view the appeal site from both the garden and kitchen of 79 Hillview Road. The garden area adjacent to the rear elevation of No 79 is

- paved and has tables and chairs for sitting out. The kitchen window is in the single storey element of No 79 closest to the boundary with the appeal site.
11. The proposed building would extend a small way beyond the rear elevation of No 79. However the part of the building closest to the boundary would be single storey with the two storey element being set further back. As a result of the limited height and extent of the proposal beyond the rear elevation of No 79 together with the distance from the boundary it would not be significantly overbearing to either the kitchen window or the garden space. Moreover the Council confirm that the proposal would comply with guidance in the SPD as it would not dissect the 45 degree lines taken from the closest rear corners of No 79 or No 75. As a result it would not have an unacceptable impact on outlook, or light.
 12. Residents have stated that they consider the plans to be misleading but offer no substantive evidence to demonstrate why. The plans have been prepared by a chartered architect who is a member of professional institutes. Furthermore, the architect has detailed the method used to ascertain measurements. I have no reason to doubt therefore that the plans are correct. I also note that the Council raise no issue in this respect.
 13. I note the concerns of residents regarding the potential increase in cars that will be caused through the provision of two 4 bedroom houses and the consequent impact on an already congested area. I saw that most houses had capacity for off street parking, nevertheless some limited on street parking was occurring at the time of my site visit. I appreciate that this was only a snap shot in time and the demand for parking may be higher in the evenings and at weekends. Nevertheless I have been supplied with no substantive evidence regarding high levels of on street parking in the area or ongoing problems of highway capacity. Furthermore each house would have two off street parking spaces which would be in accordance with the standards in the LP therefore making adequate provision for parking. I am not persuaded therefore that parking and traffic movements associated with the addition of two houses would cause harm to highway safety.
 14. The existing house is not protected by any designation to prevent its demolition. Furthermore, restrictive covenants, being private property matters, are outside the planning considerations with which I am concerned in this appeal.
 15. Residents also refer me to para 9.1 of section 9 of the "Harrow Development Plan" regarding the protection of open space, heritage and leafy suburbs within Pinner and Hatch End. However, I have already concluded that the proposal would not be harmful to the character and appearance of the area. It follows therefore that I consider it would comply with the requirement of this paragraph.
 16. The residents also refer to the document Supplementary Planning Document Garden Land Development 2013 (SPDGLD) which provides guidance on new development on garden land. The document though specifically excludes the redevelopment of an existing dwelling or group of dwellings to provide multiple dwellings or flats on the same building footprint, plus any appropriate enlargement (extension that accords with the SPD), from its definition of garden land development. The Council confirm in its committee report that although the footprint of the proposal is larger than the existing house on site the existing house could be extended with deep/larger extensions under Permitted Development and therefore complies with the requirements in the SPDGLD.

The contents of the SPDGLD have therefore not been determinative in this appeal.

Conditions

17. I have had regard to the various planning conditions that have been suggested by the Council and considered them against the tests in the Framework and the advice in the Planning Practice Guidance and have made such amendments as necessary to comply with those documents. In the interests of clarity it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans.
18. Conditions relating to materials, boundary treatment and refuse collection are necessary to protect the character and appearance of the area. The Council has suggested that a condition be imposed regarding the submission of a landscaping scheme. However, this would be a small domestic scheme where landscaping should be left to the discretion of the owners.
19. I have carefully considered the Council's submitted condition regarding the removal of permitted development rights for the proposed houses. Paragraph 017 of the Planning Practice Guidance states that conditions restricting the future use of permitted development rights will rarely pass the test of necessity and should only be used in exceptional circumstances. I have seen no convincing reason for this being an exceptional circumstance for removing permitted development rights and therefore I have not imposed this condition.
20. Following consultation with both parties I have imposed a condition relating to the layout and retention of the car parking spaces in the interests of highway safety.
21. Finally, I have imposed a condition requiring that the development is constructed to the specifications of Part M, M4 (2), category 2: Accessible and Adaptable Dwellings' of the Building Regulations 2013. This is to ensure that the proposal meets the needs of a range of different users and meets the requirements of Policy 3.8 of the LP which states that 90% of new housing meets Building Regulation requirement M4 (2) Accessible and Adaptable Dwellings.

Conclusion

22. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Zoe Raygen

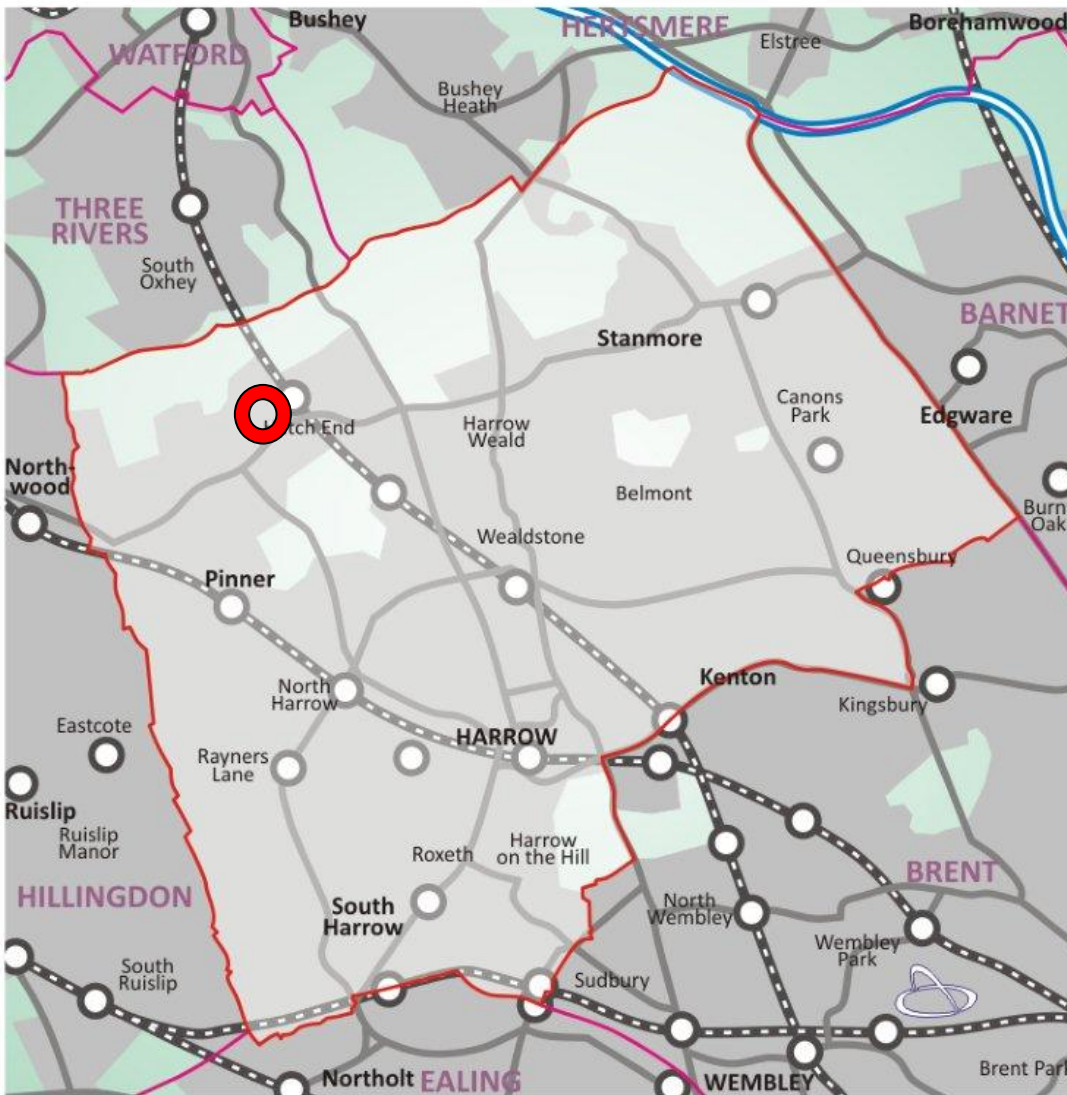
INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: C243-01 Rev A, C243-04 Rev A, C243-05 Rev A, C243-06 Rev A, C243-09 Rev A, C243-11 Rev A, C243-12 Rev A, C243-13 Rev A, C243-15 Rev A, C243-16 Rev A, C243-17 Rev A, C243-33 Rev A, C243-34 Rev A.
- 3) Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not commence beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:
 - a: the dwellinghouses
 - b: ground surfacingThe development shall be carried out in accordance with the approved details which shall thereafter be retained.
- 4) The development hereby permitted shall not commence beyond damp proof course level until details of the boundary treatment between the front gardens of the houses has been submitted to and approved in writing by the local planning authority. The approved details shall be implemented on site prior to the approved dwelling being first occupied and retained thereafter.
- 5) Other than on collection days, the refuse/waste bins shall at all times be stored in the approved refuse/waste storage area on plan ref C243-12 A. The refuse/waste storage area shall be retained and kept available for its intended purpose at all times thereafter.
- 6) All off street parking shall be laid out and made available for use in accordance with plan ref C243-12 A prior to the first occupation of the approved houses and they shall be retained and kept available for their intended purpose at all times thereafter.
- 7) The development hereby permitted shall be constructed to the specifications of 'Part M, M4 (2), category 2: Accessible and Adaptable Dwellings' of the Buildings Regulations 2015 and thereafter retained in that form.

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 = application site



77 Hillview Road, Pinner, HA5 4PB

P/3564/22

LOCATION PLAN



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

18th January 2023

APPLICATION NUMBER: P/3564/22
VALIDATE DATE: 18/10/2022
LOCATION: 77 HILLVIEW ROAD
WARD: HATCH END
POSTCODE: HA5 4PB
APPLICANT: MR & MRS MANGA
AGENT: TEN POINT FIVE ARCHITECTURE
CASE OFFICER: CATRIONA COOKE
EXPIRY DATE: 07/12/22

PROPOSAL

Variation of condition 2 (approved plans) attached to planning permission P/3331/16 allowed on appeal reference APP/M5450/W/16/3161002 to allow alterations to elevations

RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to the conditions listed in Appendix 1 of this report:

REASON FOR THE RECOMMENDATIONS

The variations to the approved development are considered to be modest and have an acceptable impact on the character and appearance of the area.

Accordingly, weighing up the development plan policies and proposals along with other material considerations including comments received in response to notification and consultation as set out below, Officers consider and conclude that, subject to planning conditions, the proposed development is acceptable and worthy of support. In accordance with the National Planning Policy Framework, including its presumption in favour of sustainable development, and subject to conditions, officers recommend that the application is approved.

INFORMATION

This application is reported to Planning Committee at the request of a nominated member in the public interest and therefore falls within proviso A of the Scheme of Delegation. This application was deferred from the December planning committee to permit consideration of this alongside the concurrent planning application P/3574/22.

Statutory Return Type:	E13 Minor Dwellings
Council Interest:	N/A
Net additional Floorspace:	52 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application, the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policy D11 of the London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition was not imposed on the appeal scheme and therefore it would be unreasonable for a condition to be attached.

1.0 SITE DESCRIPTION

- 1.1. The site contains a recently completed pair of semi-detached properties located on the south eastern side of Hillview Road.
- 1.2. The site has a maximum width of 15.20m and a maximum depth of 48.8m. The footprint of the site is 721.52sq m.
- 1.3. The site is set within a row of residential dwellinghouses, with semi-detached houses interspersed with detached houses to the north and to the south. The neighbour immediately to the south is No. 79 Hillview Road, with No. 75 Hillview Road to the north. The character of the area is varied.
- 1.4. The site is located in a Critical Drainage Area and has no other statutory designations.

2.0 PROPOSAL

2.1 The application seeks to vary condition 2 of appeal Decision APP/M5450/W/16/3161002 to allow the following amendments:

- V1 - Reduction of Brick panel on the front elevation to one brick width
- V2 - Centralised bay window/first floor windows centralised to bay window
- V3 - Reduction in width of front gable to match the width of the first-floor windows.
- V4 - Removal of pitched roof over bay windows
- V5 - Replacement of brick on edge parapet wall at ground floor with an aluminium coping.
- V6 - Render above front doors has been lowered to match the render from the front and side elevations.
- V7 - Removal of false Chimneys
- V8- Replacement of triangular coping over party wall with brick on edge detailing.
- V9 – Replacement of white UPVC windows with Black UPVC windows
- V10 - Reduction of brick panel on the rear elevation to one brick width
- V11 - Angled brickwork above rear porch (77A).
- V.12 - Change from patio doors to bi-fold doors at rear
- V.13 – One large rooflight changed to two small rooflights.
- V.14 – Increase in height of first floor side windows (by lowering the cil)
- V.15 – Increase in height of ground floor side windows (by lowering the cil) – consent scheme showed clear glazing obscure glazing has been installed.
- V.16 – New obscure window at ground floor.

3.0 RELEVANT PLANNING HISTORY

3.1 A summary of the relevant planning application history is set out in the table below:

Ref no.	Description	Status & date of decision
P/3331/16	Re-development to provide a pair of semi-detached two storey dwellings with habitable roofspace; new vehicular access parking bin / cycle storage landscaping and boundary treatments	Refused 03/10/2016 Appeal Allowed 10/02/2017
P/1982/17	Details pursuant to Conditions 3 (Materials) and 4 (Boundary Treatment) attached to planning permission P/3331/16 allowed on appeal reference APP/M5450MW/16/3161002 dated 10/2/17 for Re-development to provide a pair of semi-detached two storey dwellings with habitable roofspace; new vehicular access parking bin / cycle storage landscaping and boundary treatments	Approved 07/07/2017
P/1391/20	CERTIFICATE OF LAWFUL DEVELOPMENT (PROPOSED): Alterations to roof to form end gable, rear dormer and insertion of three rooflights on front roofslope; Front porch; Single storey side extensions to both sides; Two storey rear extension	Refused 15/06/2020
<p>Reasons for refusal:</p> <ol style="list-style-type: none"> 1. The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than 50 cubic meters. The proposal would therefore not be within the tolerances of Schedule 2, Part 1 Class B.1(d)(ii) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). 2. The proposal is NOT therefore a lawful development. 		
P/0368/20	Lawful implementation of planning permission P/3331/16 (construction of pair of semi-detached two storey dwellings with habitable roofspace (2 x 4 beds); new vehicular access parking bin / cycle storage landscaping and boundary treatments) allowed on appeal APP/M5450/W/16/3161002	Granted 20/04/2020
P/3574/22	Redevelopment to provide two X two storey (4 bed) semi-detached dwelling houses with habitable roofspaces; proposed vehicle access; separate amenity space; bin and cycle stores	Under assessment

4.0 CONSULTATION

- 4.1 A total of 41 consultation letters were sent to neighbouring properties regarding this application. A total of 9 responses were received.
- 4.2 A site notice was posted on 14 November 2022 expiring on 5th December 2022.
- 4.3 A summary of the consultation responses received along with the Officer comments are set out in the table below: -

- A total of 16 violations should not be allowed as will set a precedent for other developers.

Officer comment: Section 73 of the Planning Act allows a developer to submit an application for retrospective planning permission without complying with the original permission, as is the case under this application. The LPA is required to determine such application as it would for a new application in accordance with the relevant development in place at the time the application has been made.

- Materials are out of keeping with surrounding area

Officer comment: See 6.3. below

- Front gables inconsistent with neighbouring properties.

Officer comment: See 6.3.6 below

- Window panes of bay window inconsistent with first floor window

Officer comment: See 6.3.5 below

- *The brick panel reduction in front elevation is an improvement but the two vertical full height drainpipes have become an unsightly feature.*

Officer comment: See 6.3.4 below

- The cycle storage, waste bin storage, box tree hedging separating the grass at the front and low level brick wall along the boundary with pavement have not yet been completed.

Officer comment: See 6.3.14 below

Consultee and Summary of Comments

Hatch End Association

- The Hatch End Association is very concerned that developers are willing to ignore the planning regime when it suits them, and approval of this application is likely to encourage others to follow suit. The Hatch End Association seeks to preserve the essential character of Hatch End and sees no reason that blatant ignoring of the rules should be allowed.

Landscape Officer

- No comments received

5.0 POLICIES

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

‘If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.’

5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] sets out the Government’s planning policies for England and how these should be applied and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 A full list of all the policies used in the consideration of this application is provided as Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Design, Character and Appearance of the Area
- Residential Amenity
- Traffic and Parking
- Waste and Servicing
- Flood Risk and Drainage
- Biodiversity
- Fire Safety

6.2 Principle of Development

The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): H1, H2, H9
- Harrow Development Management Policies (2013): DM24
- Harrow's Core Strategy (2012): CS1
- Supplementary Planning Document – Garden Land Development (2013)

6.2.1 The principle of the development has been established in the appeal allowed under reference APP/M5450/W/16/3161002. As such, matters relating to the principle of the development, the size of accommodation proposed, transport impacts, landscaping and fire safety do not need to be considered under this application again as these elements would remain unchanged from the original approval.

6.3 Design, Character and Appearance of the Area

The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan 2021: D3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM22, DM23
- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

6.3.1 Policy D3.D(1) of the London Plan states that development should in terms of form and layout, 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 D3.D(11) goes on to states that in terms of quality and character, developments should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

6.3.2 Policy DM1 of the DMP gives advice that "all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted".

6.3.3 As noted above the development has been largely completed on site. The development is to the same footprint and scale as the approved plans. In allowing the appeal the Inspector did not include a condition restricting permitted development rights for the dwellings. This application seeks to retrospectively vary the approved plans which are assessed below.

6.3.4 V1 - Reduction of Brick panel on the front elevation to one brick width

It is considered that this element of the development by reducing the 1.8m wide brick panel as approved to a 0.2m wide panel is an improvement to the approved plans creating a more visually cohesive design. It is noted that objections have been received relating to the visually prominent down pipes. However, these are normal features of properties in the area. Therefore, it is considered that this element has an acceptable impact on the character of the area.

6.3.5 V2 - Centralised bay window/first floor windows centralised to bay window

This amendment is considered to be minor and in centralising the bay windows and first floor windows the development has a balanced frontage which is in keeping with the area.

6.3.6 V3 - Reduction in width of front gable to match the width of the first-floor windows.

As noted by the Inspector in allowing the appeal, the area is mixed in character and appearance. While reduction in width of the front gables is a significant variation to the approved plans, it is considered that given the varied character of the area this element does not have a negative impact on the character of the area.

6.3.7 V4 - Removal of pitched roof over bay windows

There are examples within the area of single storey front extension with flat roofs. It is considered that this is a minor change which does not have a harmful impact on the character of the area. Furthermore, as noted above the Appeal Decision does not remove permitted development right and it is considered that the pitched roofs could be removed under Class A of the General Permitted Development Order. However, should member consider that the pitched roofs are required the applicant has confirmed that these could be added and could be secured by condition.

6.3.8 V5 - Replacement of brick on edge parapet wall at ground floor with an aluminium coping.

This is considered to be a minor amendment and is not clearly visible within the streetscene. Therefore, it is considered that this variation has negligible impact on the streetscene.

6.3.9 V6 - Render above front doors has been lowered to match the render from the front and side elevations.

This element is set back from the main frontage of the building and is considered to be a minor alteration which has a negligible impact on the character of the area.

6.3.10 V7 - Removal of false Chimneys

As noted above the Inspector did not impose a condition removing permitted development rights. Chimney can be removed without requiring planning permission. However, should Members consider that the chimneys should be reinstated the applicant has indicated that these could be provided which could be secured by a condition.

6.3.11 V8- Replacement of triangular coping over party wall with brick on edge detailing.

It is considered that the brick on edge detailing is acceptable and does not impact on the character of the dwellings or the streetscene.

6.3.12 V10 - Reduction of brick panel on the rear elevation to one brick width
V11 - Angled brickwork above rear porch (77A).

These elements are to the rear of the property and are considered to be minor alterations which do not impact of the character of the dwelling or the surrounding area.

- 6.3.13 V9 – Replacement of white UPVC windows with Black UPVC windows
V.12 - Change from patio doors to bi-fold doors at rear
V.13 – One large rooflight changed to two small rooflights.
V.14 – Increase in height of first floor side windows (by lowering the cil)
V.15 – Increase in height of ground floor side windows (by lowering the cil) – consented scheme showed clear glazing obscure glazing has been installed.
V.16 – New obscure window at ground floor.

These elements could be carried out under permitted development. While it is noted that the replacement of the white upvc windows with black frames is contrary to the details approved under P/1982/17. However, had white upvc windows been installed the future occupier could have changed these at a future date.

- 6.3.14 In addition to the variations listed above the roof tiles of the dwellings are not as approved under P/3331/16. However as noted above given that permitted development rights have not been withdrawn from these dwellings, the roof tiles could be replaced under permitted development. Also, it is noted that the boundary treatment of the front garden and the cycle/bins stores have not been constructed. These elements were pre-occupation conditions, given that the dwellings are not yet occupied this condition has not been breached. A condition is recommended to ensure that these are completed prior to occupation.
- 6.3.15 In summary, the variations are not considered to result in significant harm to the host dwellings or the surrounding area to warrant refusal.

6.4 Residential Amenity

The relevant policies are:

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM2, DM27
- London Plan Policy (2021): D3, D6
- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)

Impacts on neighbouring properties

- 6.4.1 Policy DM1 of the DMP seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.
- 6.4.2 As noted above the development is to the same footprint and scale as the approved scheme and therefore it is considered that there would be no additional harm to the neighbouring residents. While additional windows have been added to the flank elevations these are all obscure glazed and are considered to have an acceptable impact on the amenities of neighbouring occupiers.

Accessible Homes

- 6.4.3 Policy DM2 of the DMP seeks to ensure that all new housing is built to 'Lifetime Homes' standards.
- 6.4.4 Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes.
- 6.4.5 While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'.
- 6.4.6 The Inspector attached a condition to the approval of the appeal to ensure that the development is constructed to the specification of Part M, M4 (2). This condition has been recommended.

Secure by Design

- 6.4.7 The Inspector did not attach a condition to the approval and therefore it would be unreasonable to attach a condition to this application.

6.5 Traffic, Parking and Servicing

The relevant policies are:

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Polices Local Plan (2013): DM42. DM43
- London Plan (2021): T4, T5, T6

- 6.5.1 The Inspector raised no concerns regarding transport and parking. A condition was imposed on the appeal approval to ensure that offstreet parking be laid out and made available for use prior to occupation. This condition has been recommended.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 While it is regrettable that the variations to the consented scheme were not sought prior to completion of development. The completed development has an acceptable impact on the street scene.
- 7.2 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

Checked



Mehdi Rezaie
Head of Development Management (Interim)

22nd December 2022



Viv Evans
Chief Planning Officer

22nd December 2022

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Approved Plans and Documents

The development hereby permitted shall be retained in accordance with the following documents and plans: C243-01 Rev A, C243-04 Rev A, C243-05 Rev A, C243-06 Rev A, C243-09 Rev A, C319-51 Rev A, C319-52 Rev A, C319-53 Rev A, C319-55 Rev A, C319-56 Rev A, C319-57 Rev A, C243-33 Rev A, C243-34 Rev A

REASON: For the avoidance of doubt and in the interests of proper planning.

2. Boundary Treatment

The approved boundary treatment between the front gardens of the houses shall be implemented on site prior to first occupation.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with Policy DM1 of the Harrow Development Management Local Plans Policy (2013).

3. Refuse store

Other than on collection days, the refuse/waste bins shall at all times be stored in the approved refuse/waste storage area on plan C319-52 Rev A. The refuse/waste storage area shall be retained and kept available for its intended purpose at all times thereafter

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with Policy DM1 of the Harrow Development Management Local Plans Policy (2013).

4. Parking

All off-street parking shall be laid out and made available for use in accordance with plan C319-52 Rev A prior to the first occupation of the approved houses and shall be retained and kept available for their intended purpose at all times thereafter.

5. Accessible Units.

The development hereby permitted shall be constructed to the specifications of: "Part M, M4(2), Category 2: Accessible and Adaptable Dwellings" of the Building Regulations 2013 and thereafter retained in that form.

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards in accordance with Policy D7 of The London Plan 2021, policy CS1.K of The Harrow Core Strategy 2012 and policies DM1 and DM2 of the Development Management Policies Local Plan 2013.

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

London Plan 2021: D3, D12, T5, T6.1

The Harrow Core Strategy 2012: CS1.

Harrow Development Management Policies Local Plan 2013:

DM1, DM2, DM42, DM45

Relevant Supplementary Documents:

Supplementary Planning Document: Sustainable Building Design (2010)

Supplementary Planning Document: Garden Land Development (2013)

The London Plan Housing Supplementary Planning Guidance (2016)

Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

2 Street numbering

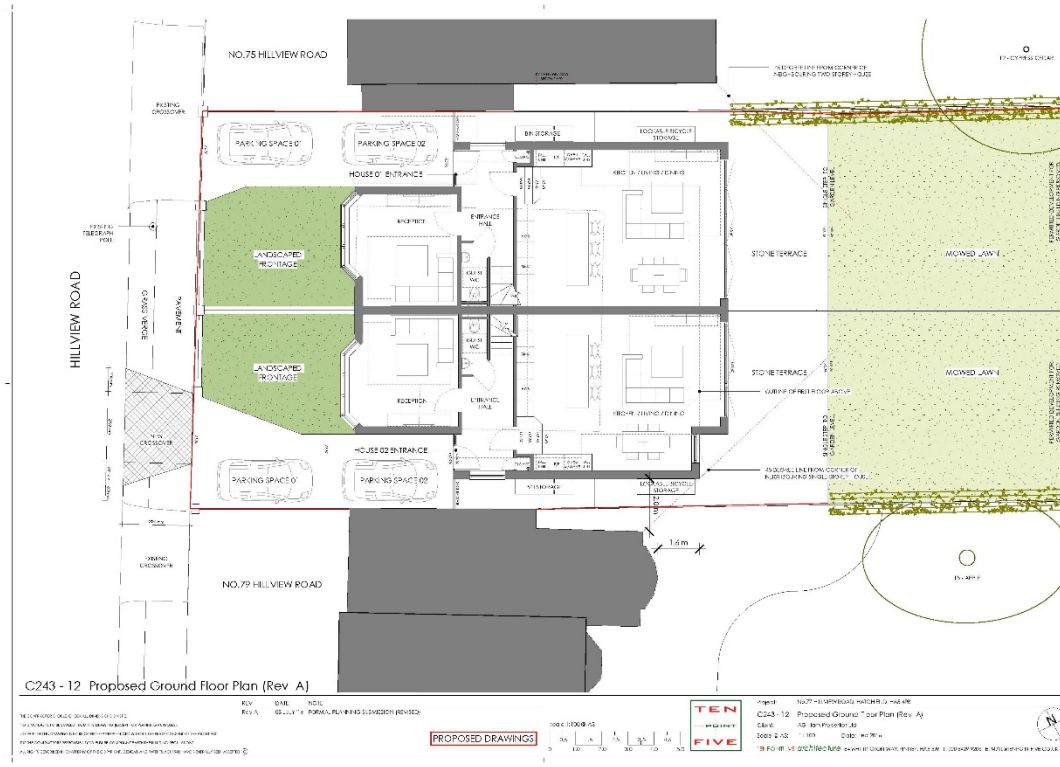
Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939. All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link. http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

APPENDIX 2: SITE PLAN

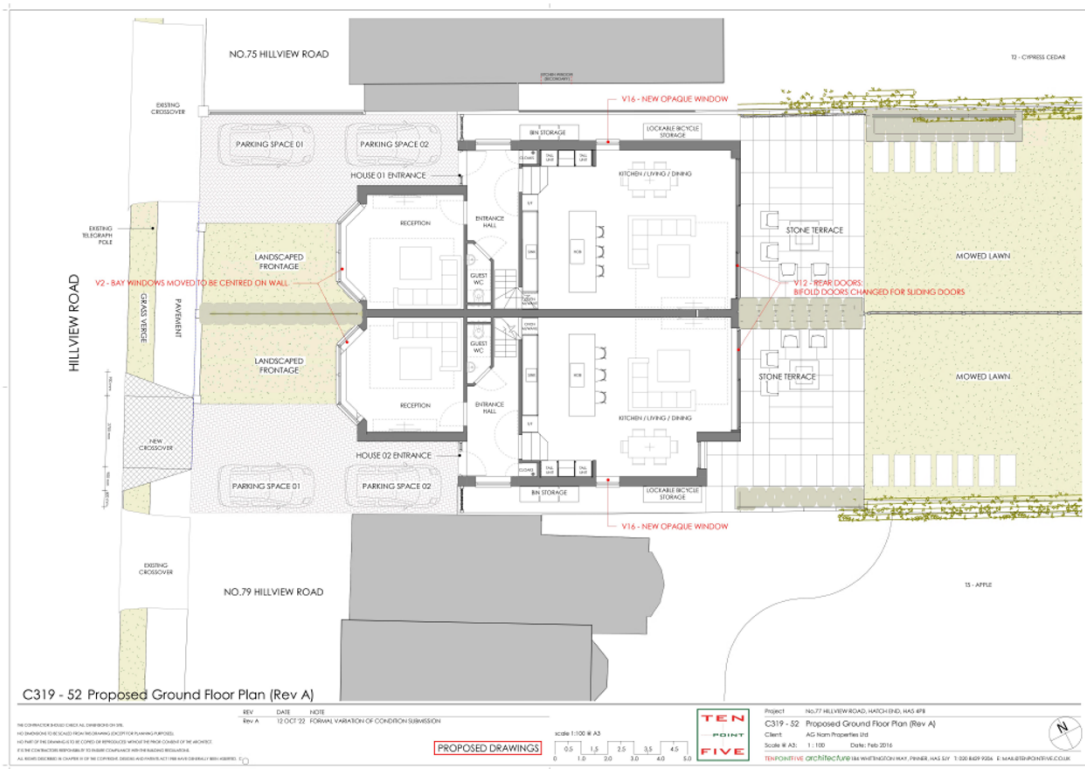


APPENDIX 3: PLANS

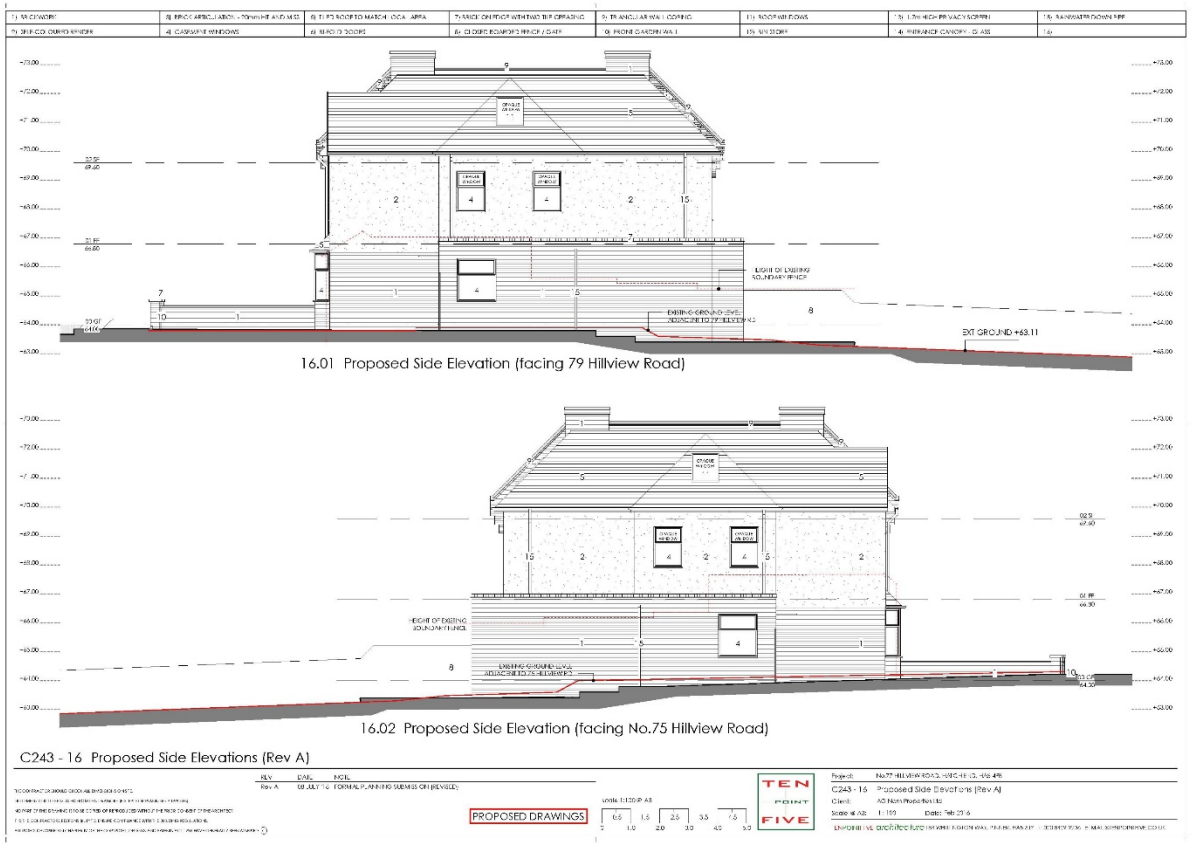
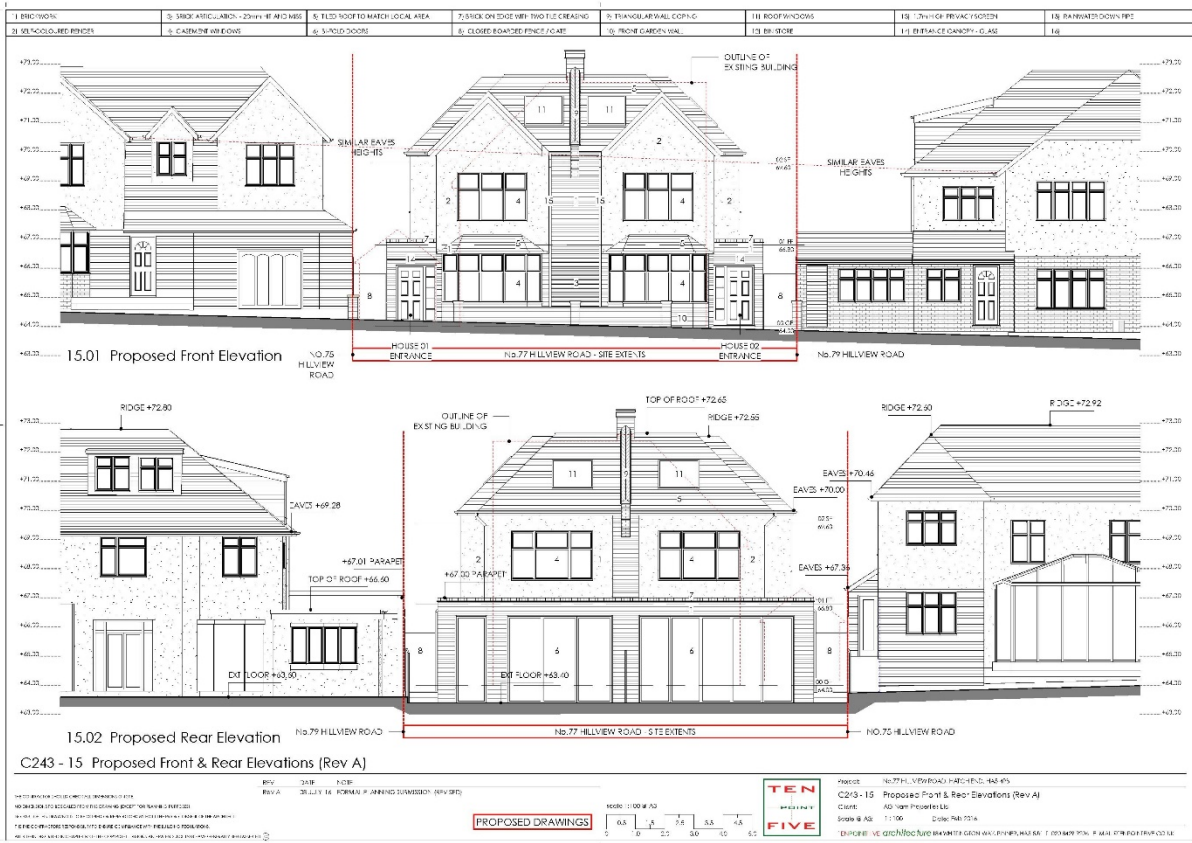
Approved Site plan



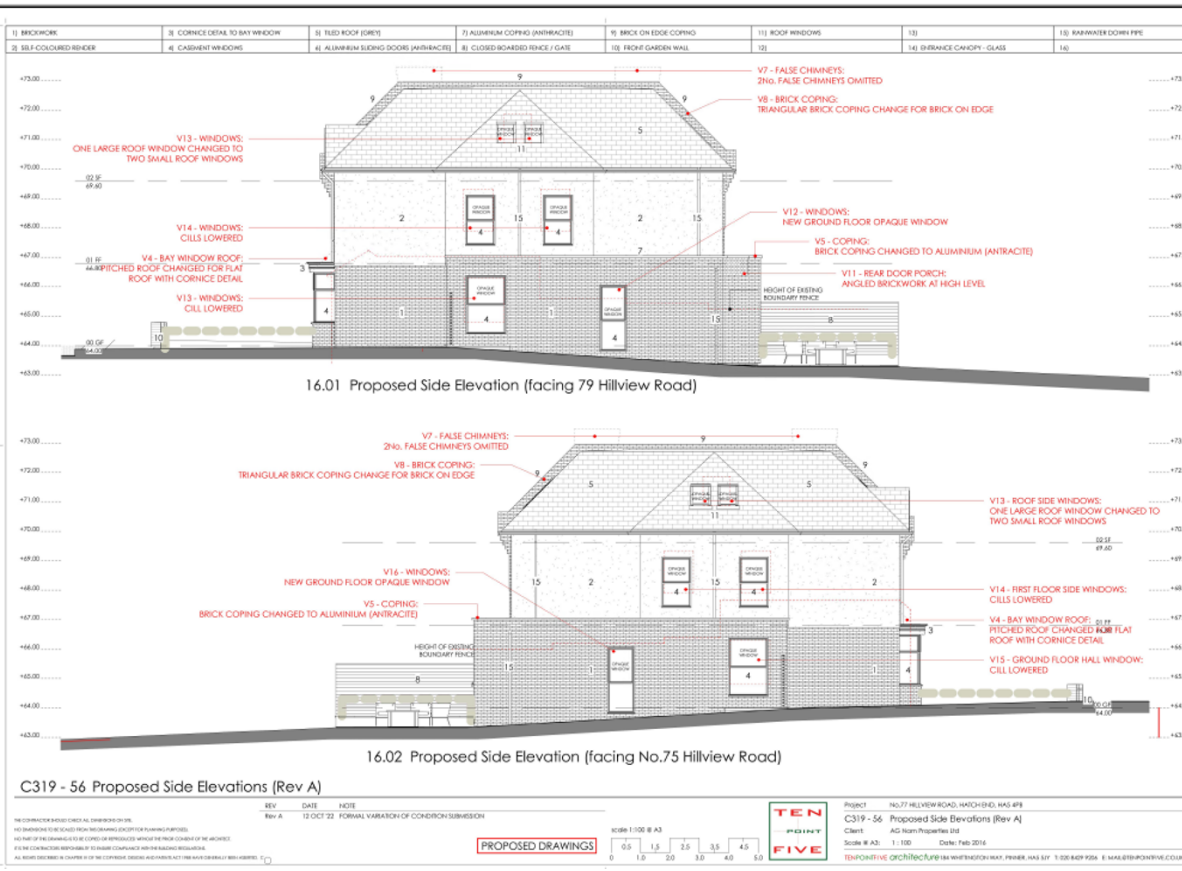
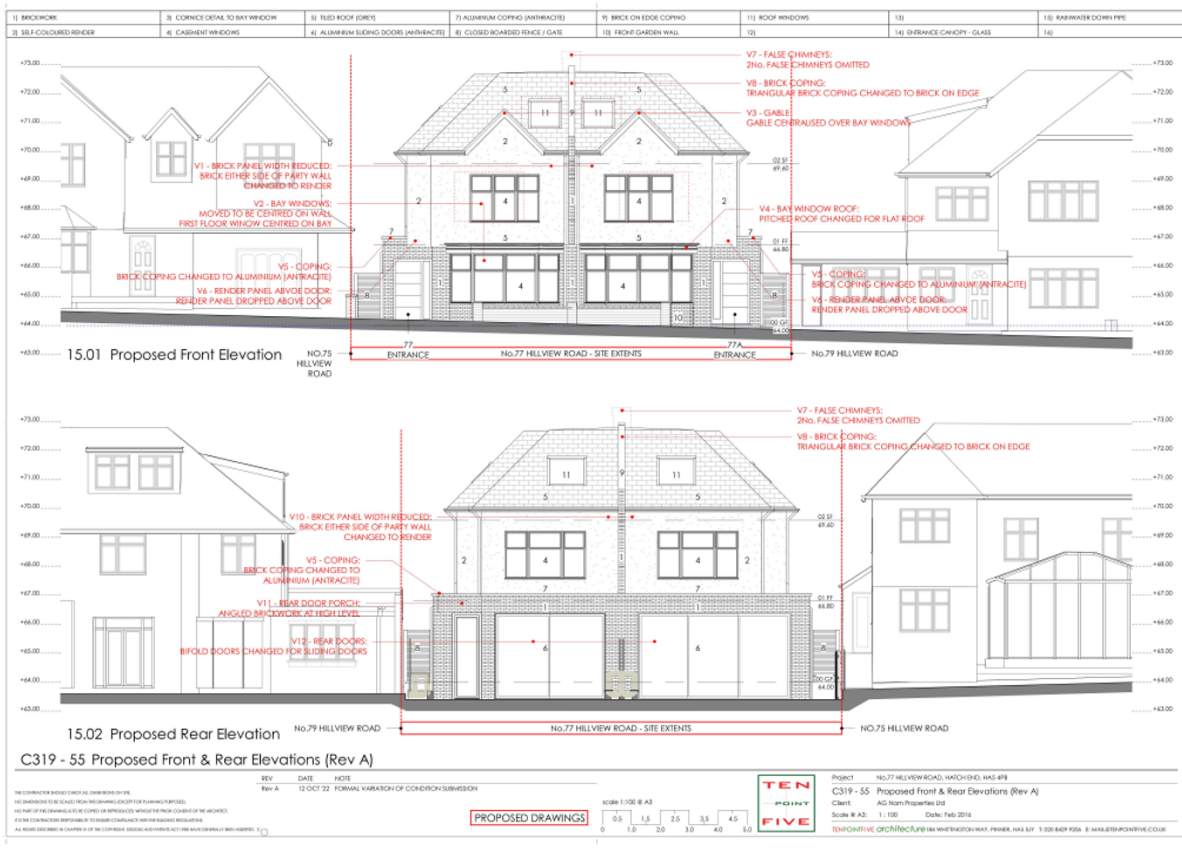
Existing Site plan



Approved Elevations



Existing Elevations



APPENDIX 4: SITE PHOTOS







APPENDIX 5: APPEAL DECISION



Appeal Decision

Site visit made on 30 January 2017

by **Zoe Raygen Dip URP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 February 2017

Appeal Ref: APP/M5450/W/16/3161002

77 Hillview Road, Pinner HA5 4PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by AG Nam Properties Ltd against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/3331/16, dated 8 July 2016, was refused by notice dated 3 October 2016.
 - The development proposed is redevelopment to provide a pair of semi-detached two storey dwellings with habitable roofspace; new vehicular access parking bin/cycle storage landscaping and boundary treatments.
-

Decision

1. The appeal is allowed and planning permission is granted for redevelopment to provide a pair of semi-detached two storey dwellings with habitable roofspace; new vehicular access parking bin/cycle storage landscaping and boundary treatments at 77 Hillview Road, Pinner HA5 4PB in accordance with the terms of the application, P/3331/16, dated 8 July 2016 subject to the conditions set out in the schedule to this decision notice.

Main Issues

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The area within with the appeal site is located has a mix of detached and semi-detached properties on a fairly uniform building line. Many of the dwellings have been extended. This together with the variety of types of properties means the character and appearance of the area is quite mixed. Spacing between the houses is varied. Some have been extended directly up to the boundary with the neighbouring property, whereas others have a small gap. Where there are gaps or single storey side extensions/garages views are available through to tree tops and rear gardens.
 4. The existing property is a detached house set in a large plot in between semi-detached properties. The proposal to demolish it and erect a pair of semi-detached houses would result in two plots narrower than those in the surrounding area. Nevertheless, a gap would be maintained to either side of the new dwellings, which would be similar to and in some cases greater than others on the street. As a result views to rear gardens would still be available and the
-

proposal would not create a terracing effect. Furthermore, according to figures supplied by the appellant although the width of each plot would be narrower than others in the street it would not be by a materially significant amount. The figures have not been disputed by the Council. Moreover, although the width of each house would be narrower than others on the street, the building has been designed as one entity and would be read as such. As such its width would not be unique or visually unacceptable.

5. The two houses would take their design cue from the neighbouring properties to the north east, each having a gable front with a ground floor bay window. I also saw that the mix of render and brick, together with the entrance doors to the side of the front elevation, velux windows and the roof articulation would not be unusual in the area. Furthermore, although the properties would contain three storeys of accommodation, the eaves line and height of the houses would be broadly consistent with the houses either side and within the row of dwellings. As a result, while the 3 storeys of accommodation would significantly increase the amount of floorspace provided on the site compared to the existing detached house, and according to residents, would be 84% larger than the average floor space of Nos 71, 73, 75 and 79, it would do so in a way that would not be out of scale, dominant or obtrusive within the street scene.
6. The existing rear garden would be subdivided to provide private space for future occupiers. I saw that it is well stocked with trees and shrubs and has an apple tree broadly in the centre of the garden. This is a small tree which would not be viewed from the public realm. I have not been advised by the Council that the tree is worthy of protection and therefore I see no constraint to the subdivision of the garden to the rear.
7. The front garden, is prominent within the street scene, but the lawned area has already been subdivided by a path. However, I consider that any boundary treatment should be carefully controlled through the imposition of condition to prevent high fencing which would be particularly harmful to the open, verdant character of the street.
8. I have carefully considered local resident's concerns that the current proposal would set a precedent for a similar development on the street, particularly given the row of large detached houses opposite the appeal site. I have not though been made aware of any specific proposals that have been forthcoming. Each application and appeal must be determined on its individual merits, and a generalised concern of this nature does not justify withholding permission in this case.
9. For the reasons above I conclude that the proposed houses would not be harmful to the character and appearance of the area. There would therefore be no conflict with policy DM1 of the Harrow Development Management Policies 2013, Policy CS1 of the Harrow Core Strategy 2012, Policies 7.4 and 7.6 of the London Plan 2016 (LP) and the Supplementary Planning Document Residential Design Guide 2010 (the SPD). These require, amongst other things that development is a high standard of design that responds to local context.

Other matters

10. I had the opportunity to view the appeal site from both the garden and kitchen of 79 Hillview Road. The garden area adjacent to the rear elevation of No 79 is

- paved and has tables and chairs for sitting out. The kitchen window is in the single storey element of No 79 closest to the boundary with the appeal site.
11. The proposed building would extend a small way beyond the rear elevation of No 79. However the part of the building closest to the boundary would be single storey with the two storey element being set further back. As a result of the limited height and extent of the proposal beyond the rear elevation of No 79 together with the distance from the boundary it would not be significantly overbearing to either the kitchen window or the garden space. Moreover the Council confirm that the proposal would comply with guidance in the SPD as it would not dissect the 45 degree lines taken from the closest rear corners of No 79 or No 75. As a result it would not have an unacceptable impact on outlook, or light.
 12. Residents have stated that they consider the plans to be misleading but offer no substantive evidence to demonstrate why. The plans have been prepared by a chartered architect who is a member of professional institutes. Furthermore, the architect has detailed the method used to ascertain measurements. I have no reason to doubt therefore that the plans are correct. I also note that the Council raise no issue in this respect.
 13. I note the concerns of residents regarding the potential increase in cars that will be caused through the provision of two 4 bedroom houses and the consequent impact on an already congested area. I saw that most houses had capacity for off street parking, nevertheless some limited on street parking was occurring at the time of my site visit. I appreciate that this was only a snap shot in time and the demand for parking may be higher in the evenings and at weekends. Nevertheless I have been supplied with no substantive evidence regarding high levels of on street parking in the area or ongoing problems of highway capacity. Furthermore each house would have two off street parking spaces which would be in accordance with the standards in the LP therefore making adequate provision for parking. I am not persuaded therefore that parking and traffic movements associated with the addition of two houses would cause harm to highway safety.
 14. The existing house is not protected by any designation to prevent its demolition. Furthermore, restrictive covenants, being private property matters, are outside the planning considerations with which I am concerned in this appeal.
 15. Residents also refer me to para 9.1 of section 9 of the "Harrow Development Plan" regarding the protection of open space, heritage and leafy suburbs within Pinner and Hatch End. However, I have already concluded that the proposal would not be harmful to the character and appearance of the area. It follows therefore that I consider it would comply with the requirement of this paragraph.
 16. The residents also refer to the document Supplementary Planning Document Garden Land Development 2013 (SPDGLD) which provides guidance on new development on garden land. The document though specifically excludes the redevelopment of an existing dwelling or group of dwellings to provide multiple dwellings or flats on the same building footprint, plus any appropriate enlargement (extension that accords with the SPD), from its definition of garden land development. The Council confirm in its committee report that although the footprint of the proposal is larger than the existing house on site the existing house could be extended with deep/larger extensions under Permitted Development and therefore complies with the requirements in the SPDGLD.

The contents of the SPDGLD have therefore not been determinative in this appeal.

Conditions

17. I have had regard to the various planning conditions that have been suggested by the Council and considered them against the tests in the Framework and the advice in the Planning Practice Guidance and have made such amendments as necessary to comply with those documents. In the interests of clarity it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans.
18. Conditions relating to materials, boundary treatment and refuse collection are necessary to protect the character and appearance of the area. The Council has suggested that a condition be imposed regarding the submission of a landscaping scheme. However, this would be a small domestic scheme where landscaping should be left to the discretion of the owners.
19. I have carefully considered the Council's submitted condition regarding the removal of permitted development rights for the proposed houses. Paragraph 017 of the Planning Practice Guidance states that conditions restricting the future use of permitted development rights will rarely pass the test of necessity and should only be used in exceptional circumstances. I have seen no convincing reason for this being an exceptional circumstance for removing permitted development rights and therefore I have not imposed this condition.
20. Following consultation with both parties I have imposed a condition relating to the layout and retention of the car parking spaces in the interests of highway safety.
21. Finally, I have imposed a condition requiring that the development is constructed to the specifications of Part M, M4 (2), category 2: Accessible and Adaptable Dwellings' of the Building Regulations 2013. This is to ensure that the proposal meets the needs of a range of different users and meets the requirements of Policy 3.8 of the LP which states that 90% of new housing meets Building Regulation requirement M4 (2) Accessible and Adaptable Dwellings.

Conclusion

22. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Zoe Raygen

INSPECTOR

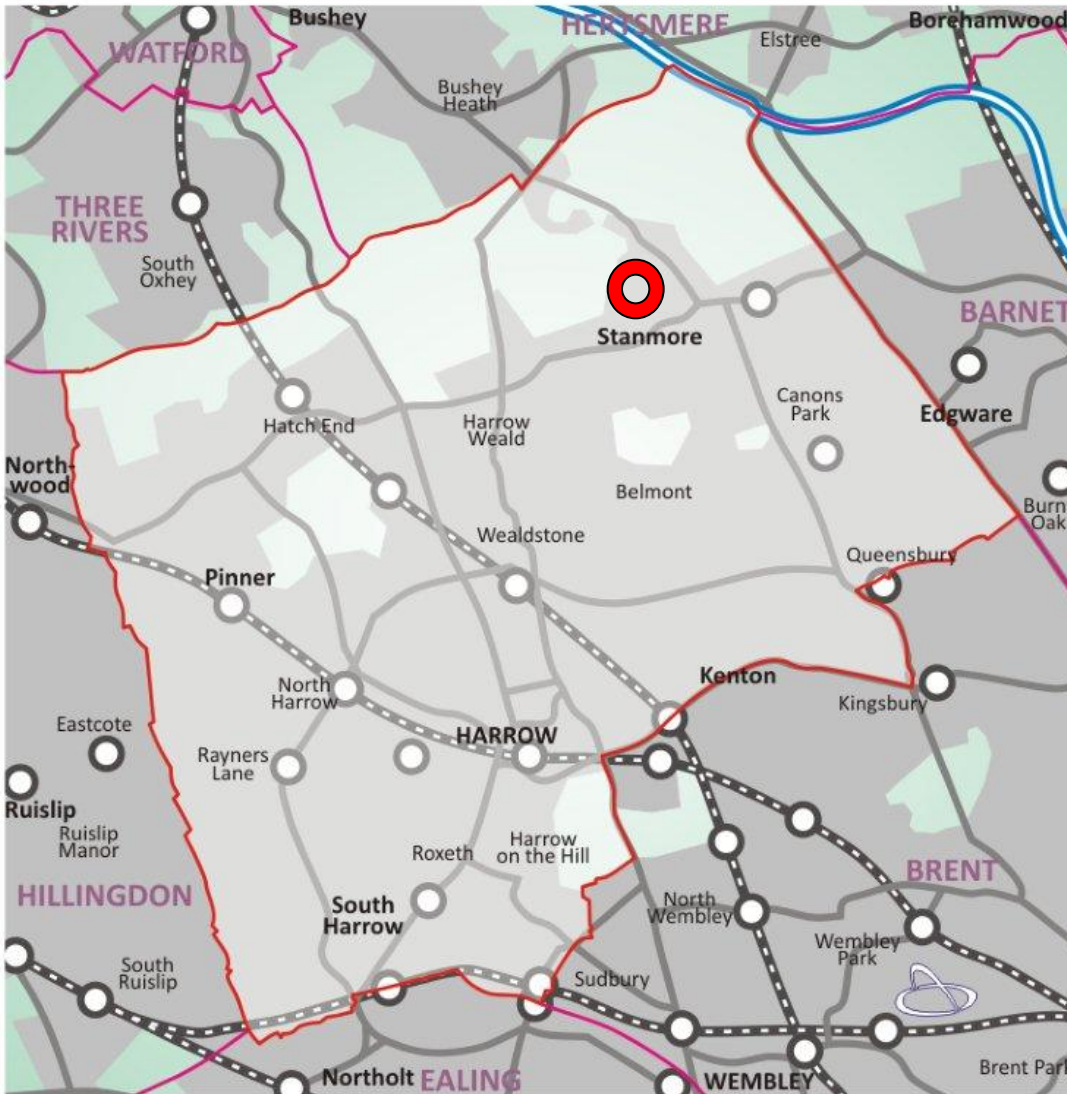
SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: C243-01 Rev A, C243-04 Rev A, C243-05 Rev A, C243-06 Rev A, C243-09 Rev A, C243-11 Rev A, C243-12 Rev A, C243-13 Rev A, C243-15 Rev A, C243-16 Rev A, C243-17 Rev A, C243-33 Rev A, C243-34 Rev A.
- 3) Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not commence beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:
 - a: the dwellinghouses
 - b: ground surfacingThe development shall be carried out in accordance with the approved details which shall thereafter be retained.
- 4) The development hereby permitted shall not commence beyond damp proof course level until details of the boundary treatment between the front gardens of the houses has been submitted to and approved in writing by the local planning authority. The approved details shall be implemented on site prior to the approved dwelling being first occupied and retained thereafter.
- 5) Other than on collection days, the refuse/waste bins shall at all times be stored in the approved refuse/waste storage area on plan ref C243-12 A. The refuse/waste storage area shall be retained and kept available for its intended purpose at all times thereafter.
- 6) All off street parking shall be laid out and made available for use in accordance with plan ref C243-12 A prior to the first occupation of the approved houses and they shall be retained and kept available for their intended purpose at all times thereafter.
- 7) The development hereby permitted shall be constructed to the specifications of 'Part M, M4 (2), category 2: Accessible and Adaptable Dwellings' of the Buildings Regulations 2015 and thereafter retained in that form.

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Agenda Item: 2/04

 = application site



43 Morecambe Gardens, Stanmore, HA7 4SL

P/4842/21

LOCATION PLAN



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

18th January 2023

APPLICATION NUMBER: P/4842/21
VALIDATION DATE: 30/12/2021
LOCATION: 43 MORECAMBE GARDENS, STANMORE
WARD: CANONS
POSTCODE: HA7 4SL
APPLICANT: MR BABU HALAI
AGENT: MALIBU
CASE OFFICER: JOSEPHINE DUTTON
EXTENDED EXPIRY DATE: 14/11/2022

PROPOSAL

Conversion of dwelling into two flats (2 x 2 bed); front porch; single storey rear extension; external alterations; parking; bin and cycle stores; proposed vehicle access.

The Planning Committee is asked to consider the following recommendation:

RECOMMENDATION

- 1) To agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to subject to the Conditions listed in Appendix 1 of this report.

REASON FOR THE RECOMMENDATIONS

The creation of flats on the site is appropriate in this location and the proposed extensions and external alterations do not appear at odds with the character of development in the immediate area and would not have an adverse impact on the amenity of future occupiers or the occupiers of adjoining properties.

Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the application is worthy of support.

INFORMATION

This application is reported to Planning Committee at the request of a nominated member in the public interest. This application was deferred from the December committee.

Statutory Return Type:	Minor Development
Council Interest:	None
Net additional Floorspace:	20sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£1,200
Local CIL requirement:	£3,260

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application, the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policy D11 of the London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

1.0 SITE DESCRIPTION

- 1.1 The application site comprises of a two-storey semi-detached dwellinghouse that faces west on Morecambe Gardens
- 1.2 The subject property is currently unextended and features a detached outbuilding/shed located along the side of the property.
- 1.3 The attached dwelling, No. 45 adjoins to the south, while the unattached semi, No. 2 Tintagel Drive adjoins to the north. Both adjoining properties are unextended.
- 1.4 The site is identified within surface water flood zone 3a and 3b and a critical drainage area.

2.0 PROPOSAL

- 2.1 Planning permission is sought for the conversion of single dwelling to two flats to provide two two-bedroom flats (3 persons) and the construction of a front porch, single storey rear extension, off street vehicular parking, provision of separate amenity space, landscaping, bin/cycle storage and external alterations.
- 2.2 The proposed single storey rear extension would be 3 metres deep and 3 metres high and would contain a flat roof.
- 2.3 The proposed front porch would be 1 metre deep, 2.7 metres wide, 3.6 metres max. height and would contain a pitched roof.
- 2.4 Refuse and cycle storage are to be located to the side and rear of the site
- 2.5 Car parking for two cars is proposed on the frontage including new vehicle access/dropped kerb.
- 2.6 The rear and side garden is proposed to be segregated to provide a private outdoor amenity space for each of the flats.
- 2.7 External alterations; new boundary treatment consisting of 1.8m fence and hardstanding to the front garden to facilitate off-street parking.

3.0 RELEVANT PLANNING HISTORY

- 3.1 N/A

4.0 CONSULTATION

- 4.1 A total of 4 consultation letters were sent to neighbouring properties regarding this application. The overall expiry date was 19th July 2022.
- 4.2 A total of 1 response has been received to date.
- 4.3 A summary of the responses received along with the Officer comments are set out below:

- Potential noise disturbance (horizontal stacking).

Officer response: This point has been assessed within the body of the report.

- Ground floor extension would be obtrusive, overbearing and would cause overshadowing to dining room and would be chamfered, contrary to the SPD

Officer response: This element of the proposal has been revised and now fully complies with the Council's SPD.

- Lack of usable amenity space.

Officer response: This element of the proposal has been revised to allow for a better quality amenity space for both flats.

- Drawings do not correct number of bins.

Officer response: This element of the proposal has been revised and is now policy compliant.

- Additional front door would be out of character.

Officer response: This element of the proposal has been revised and the additional front door has now been omitted.

4.4 Statutory and Non-Statutory Consultation

- 4.5 The following consultations have been undertaken, together with the responses received and officer comments:

LBH Drainage

With regards to the above planning application, we can confirm that the revised Flood Risk Assessment with Compensatory Flood Storage details submitted is satisfactory. However, the following details are still outstanding and can be conditioned.

- **Drainage Details:**

A drainage layout drawing showing surface and foul water connections and their outfall details from the proposed development should be submitted. If a soakaway has been proposed please request the applicant to submit **full construction details of the soakaway** with its location, size, storage volume and calculations.

Please advise the applicant, that the soakaway should be located at a minimum of 5m away from any building and should be designed for a volume **of 1m³ of empty storage for every 16m² of hard standing/roof area draining into it.**

▪ **Permeable Paving:**

Please request the applicant to submit a cross section of permeable paving construction with full details and their maintenance plan for our approval.

Please be informed that the requested details can be conditioned with our standard pre commencement drainage conditions/informative mentioned below.

Vehicle Crossings Officer

Although I have no objection to the crossing itself, the applicant will need to apply for consultation on the removal of the controlled parking bay and this is carried out by traffic and transportation and can take up to 6 months to be processed. So approval can only be given subject to a successful consultation.

LBH Highways

No comments received

5.0 **POLICIES**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

‘If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.’

5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] sets out the Government’s planning policies for England and how these should be applied and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies, Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 A full list of all the policies used in the consideration of this application is provided as Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Character of the Area
- Residential Amenity
- Traffic, Parking and Servicing
- Flood Risk and Drainage

6.2 Principle of Development

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- Policy CS1.A of Harrow's Core Strategy (2012)

6.2.2 Having regard to the London Plan (2021) policies H1 and H2 and the Council's policies and guidelines, it is considered that the proposal would provide an increase in smaller housing stock within the Borough thereby complying with housing growth objectives.

6.2.3 As such, the conversion of the property into two flats is considered to be acceptable in principle, in accordance with the relevant policies subject to acceptable details.

6.3 Character of the Area

6.3.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Development Management Policies (2013): DM1, DM23
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)

Single storey rear extension and front porch

6.3.2 The proposed ground floor rear extension is 3m deep and 3m in height. This complies with the SPD requirements. It is not considered to result in any adverse visual amenity impact as it is located to the rear of the property and is of a form which respects and complements the character and appearance of the host building. Similarly, the proposed front porch, would also be in accordance with the residential design guide SPD. The extension is considered to be relatively modest in scale and would be of identical appearance to the porch at

the neighbouring property. Moreover, it should be noted that both the ground floor extension and front porch would be achievable under permitted development rights.

Forecourt and Landscaping

- 6.3.3 The existing forecourt is fully soft landscaped, and the proposal seeks to introduce some hardstanding in order to facilitate two off-street parking spaces. Such a loss in forecourt greenery is regrettable, however, a large section of lawn area would still be retained to the side of the property. Furthermore, it is acknowledged that a number of forecourts within the immediate area appear to largely consist of hard surfacing and therefore, the development would not be out of keeping with other properties along this street.
- 6.3.4 A 1.8-metre-high boundary fence is also proposed along the front and side of the dwelling which would enclose the subdivided side and rear gardens. The height and design of the fencing would be acceptable and overall, the proposed boundary treatment is considered to have a softer appearance compared to that of the existing brick wall. However, it is noted that some openness would be lost as a result of the new fencing as it would align with the original front wall of the building and extend along the side of the property. Despite this, the proposal is not considered to have an adverse impact within the street scene as a large section of green open space would still be retained beyond the fence.
- 6.3.5 The refuse bins and cycle stores would be located at the side and rear of the property and would not be visible from the street, as such, would not be detrimental to the character and appearance of the dwellinghouse and nearby area.
- 6.3.6 In conclusion, the proposal is considered to have an acceptable impact on the character and appearance of the main house and the street scene and would meet with the design aspirations of the above listed policies.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3, D6,
- Harrow Development Management Policies (2013): DM1, DM26
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)
- Technical housing standards - nationally described space standard (2016);

Impact of Development on Neighbouring Amenity

6.4.2 As mentioned above, the proposed single story rear extension and front porch fully comply with the Design Guide SPD and the same development could be

achieved under permitted development rights. As such, the extensions are not considered to introduce any significant adverse amenity impacts to any of the adjoining properties.

6.4.3 The conversion of the property would not significantly vary the intensity of use of the dwelling and its coming and goings. It would remain residential in character and use.

6.4.4 The proposal is therefore considered acceptable in terms of neighbouring amenity impacts in accordance with the relevant policies.

Future Occupiers – Internal Configuration and Quality of Accommodation

6.4.5 Policy D6 of the London Plan specifies that boroughs should ensure that, amongst other things, ‘housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts’. It also sets out the minimum internal space standards for new dwellings. The use of these residential unit GIA’s as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. Policy DM26 of the DMP specifies that “proposals will be required to comply with the London Plan minimum space standards. The National Technical Housing Standards provide additional detail.

6.4.6 The proposed development includes the following:

Flat no.	Room	Proposed Floor Area (m ²)	Minimum Floor Area Required (m ²)
Flat 1 (2 bed 3 persons)	Total GIA	61.65	61
	Double bedroom	14.9	11.5
	Single bedroom	9.03	7.5
	Storage	1.7	2.0
Flat 2 (2 bed 3 persons)	Total GIA	80.3	70
	Single bedroom	9.9	7.5
	Loft bedroom (double)	25.2	11.5
	Storage	7.7	2.0

6.4.7 The proposed dwellings would meet the above space standards in terms of GIA and all of the habitable rooms are provided with windows which allow for sufficient levels of natural light and adequate outlook. It is noted that flat A would not meet the minimum requirements for internal storage, however, this shortfall is very minor and considering that the flat slightly exceeds the minimum gross internal floor area, it is considered that adequate storage space can be provided for this unit.

- 6.4.8 With regards to vertical stacking, the layout of the proposed flats has been arranged to ensure bedrooms would not overlap living rooms/kitchen. Therefore, the vertical stacking of the proposed units is acceptable. However, in relation to horizontal stacking, it has been noted that the lounge area of flat 2 would adjoin the bedroom of the attached dwelling. Although not ideal, in any case, this type of development would need to comply with Building Regulations requirements for sound insulation measures to ensure there would be no unacceptable noise transmission. As such, the proposed layout of these units is considered acceptable in this instance.
- 6.4.9 In regard to amenity space, the existing garden would be subdivided to provide each flat with private garden space which is considered to be of sufficient size to meet the needs of future occupiers.
- 6.4.10 The London Plan seeks 2.5m floor to ceiling heights for 75% of the Gross Internal Area (GIA), the Nationally Described Space Standards advise that the minimum floor to ceiling height should be 2.3m for 75%. In terms of their head heights, flat 2 would accord the London Plan standards, while flat 1 would meet the Nationally Described Standards with a floor to ceiling height of 2.4m. Given that the ground and first floors comprise of an existing house, and the proposal is for a conversion rather than a new-build unit, flat 1 falling slightly short of the London Plan standards, however, officer considered the marginal 100mm shortfall acceptable in this instance.
- 6.4.11 The proposal would be considered acceptable in terms of the amenity of future occupiers of the flats in accordance with the relevant policies.

6.5 Traffic, Parking and Servicing

- 6.5.1 The relevant policies are:
- The National Planning Policy Framework (2021)
 - The London Plan (2021): T4, T5, T6
 - Harrow Development Management Policies (2013): DM42, DM45
 - Harrow's Core Strategy (2012): CS1
- 6.5.2 Policies DM1 and DM42 of the DMP give advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.
- 6.5.3 The site lies within a Public Transport Accessibility Level (PTAL) of 2, on a scale of 1 to 6b, the latter being the best, denoting good access to public transport. The London Plan advises a maximum parking requirement of up to 0.75 spaces for 1-2 bed dwellings in PTAL 2 areas. Two car parking space has been provided which is considered acceptable given the low PTAL rating. A new dropped kerb is also proposed in order to facilitate the on-street parking and no objections have been raised from the Vehicle's Crossing team in this regard. However, the applicant should note that upon approval of planning permission, there is a further mandatory legal process to be carried out in

relation to removal of the permit bays, therefore, implementation of the vehicle crossing is subject a successful consultation carried out by the traffic and transportation department.

- 6.5.4 In respect to cycle parking, Policy T.5 and table 10.2 of The London Plan (2021) requires a minimum of 2 spaces per two bed and 1 space per one bed. The proposal shows that each flat would have adequate outdoor storage space to provide at least 2 cycle spaces which would be in line with the above requirements and is therefore acceptable, subject further details of the cycle storage units, which has been conditioned.
- 6.5.5 In terms of servicing, the refuse storage for the flats is proposed within the subdivided gardens with access along the front and side of the property. This location allows for the bins to be taken onto the frontage on collection days and is deemed to be a suitable arrangement.

6.6 Development and Flood Risk

6.6.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- London Plan (2021): S1 12, SI 13
- Harrow Development Management Policies (2013): DM9, DM10
- Harrow's Core Strategy (2012): CS1

6.6.2 Policy DM9 B of the Development Management Policies Local Plan (2013) states, "proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused."

6.6.3 The site is identified within surface water flood zone 3a and 3b according to the Council's surface water flood maps and is therefore at a high risk of flooding. The applicant has submitted a flood risk assessment as part of the application and the Council's drainage engineer has confirmed the details are satisfactory.

As the site is located within a Critical Drainage Area, sustainable urban drainage [SuDs] is encouraged. An informative is therefore attached to this effect.

6.7 Fire Safety

6.7.1 The relevant policies are:

- London Plan (2021): D12



6.7.2 Part A of Policy D12 of the London Plan (2021) requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply.

6.7.3 A condition is recommended to ensure that a fully comprehensive Planning Fire Safety Strategy is provided prior to the completion of the development.

7.0 **CONCLUSION AND REASONS FOR APPROVAL**

7.1 The proposed development does not unduly impact on the character of the area or the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The proposed development would therefore accord with Policy D6 of the London Plan (2021), Policy CS1 of the Harrow Core Strategy 2012 and policies DM1 and DM26 of the Harrow Development Management Policies Local Plan (2013).

Checked

 Mehdi Rezaie Head of Development Management (Interim) 22 nd December 2022	 Viv Evans Chief Planning Officer 4 th January 2023
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APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Timing

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990

2. Approved Drawing and Documents

The development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and document Schedule of application documents:

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, Site Location Plan, Flood Risk Assessment (18/08/2022), Design and Access Statement

REASON: For the avoidance of doubt and in the interests of proper planning.

3. Materials

The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

REASON: To safeguard the character and appearance of the area in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

4. Glazing 2

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s) shall be installed in the flank elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

5. No Balcony

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

6. Permeable Paving

Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding. In accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

7. Cycle Storage

The development hereby approved shall not be first occupied until detailed elevations, including materials and specification of the external appearance of the cycle storage have been first submitted to, and agreed in writing, by the local planning authority. The details shall include: the siting and appearance of the storage. The development shall be carried out in accordance with the details as so agreed prior to the first occupation of the development and retained in that form thereafter.

REASON: To safeguard the appearance of the locality and to ensure the satisfactory provision of cycle storage, to serve the development.

8. Boundary Treatment

The outdoor rear private garden areas shown on the approved plans shall be bounded by close-boarded timber fencing to a maximum height of 1.8 metres. The fencing required by this condition shall be erected prior to the occupation of the flats and shall be retained thereafter.

REASON: To protect the residential amenities of occupiers of the development in accordance with policies DM1 and DM26 of the Harrow Development Management Policies Local Plan (2013) and the Residential Design Guide SPD (2010)

9. Permitted Development Restriction

The development hereby permitted shall be used for Class C3 dwellinghouse(s) only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity.

10. Secure by Design Accreditation

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority in writing to be agreed, or justification shall be submitted where the accreditation requirements cannot be met. Secure by design measures shall be implemented and the development shall be retained in accordance with the approved details.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime. the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

11. Refuse Storage

The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: To safeguard the character and appearance of the area in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

12. Fire Safety

Prior to occupation a Fire Safety Statement shall be submitted to and approved in writing by the Local Planning Authority, this statement shall include details of how the development will function in terms of the following:

- 1) identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point

- 2) is designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) is constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust management strategy for evacuation which is to be periodically updated and published (details of how often this management strategy is to be reviewed and published to be included), and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

The development shall be operated in accordance with the approved details in perpetuity.

REASON: To ensure that the fire safety of the proposed building is managed in a satisfactory manner and that the development contributes to fire safety in line with Policy D12A of the London Plan (2021). To ensure appropriate fire safety measures are approved before development is occupied.

Informatives

1. Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2021)

The London Plan (2021): D3, D4, D6, D12, SI 12, SI 13, T5, T6

Harrow Core Strategy (2012): CS1

Harrow Development Management Policies Local Plan (2013): DM1, DM2, DM9, DM10, DM22, DM26, DM27, DM42, DM45

Supplementary Planning Documents:

Supplementary Planning Document Residential Design Guide (2010)

Technical housing standards - nationally described space standard (2015).

Major of London Housing Supplementary Planning Guidance (2016)

2. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 39-42 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

3. Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

4. Party Wall Act

The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:

1. work on an existing wall shared with another property;
 2. building on the boundary with a neighbouring property;
 3. excavating near a neighbouring building,
- and that work falls within the scope of the Act.

Procedures under this Act are quite separate from the need for planning permission or building regulations approval.

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB. Please quote Product code: 02 BR 00862 when ordering. Also available for download from the CLG website: <http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

5. Liability for Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

6. Surface and foul water connections

The applicant is advised that the Drainage Authority in Harrow recommends the submission of a drainage plan, for their approval, indicating all surface and foul water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email infrastructure@harrow.gov.uk with your plans.

7. Designing Out Crime

For further information regarding Secure By Design, the applicant can contact the North West London Designing Out Crime Group on the following: DOCOMailbox.NW@met.police.uk

8. Mayoral CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £2,604.

The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the planning portal website where you can download the appropriate document templates.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

9. Harrow CIL

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;

Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis) - £55 per sqm;

Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £4,774

This amount includes indexation which is 333/224. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the planning portal website where you can download the relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk. Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges

10. Soakaway

The applicant is advised that the soakaway should be located at a minimum of 5m away from any building and should be designed for a volume of 1m³ of empty storage for every 16m² of hard standing/roof area draining into it.

11. Vehicle Crossing

The applicant is advised to contact Vehicle Crossings Team on VehicleCrossings@harrow.gov.uk for constraints & further guidance and regarding the mandatory legal process in relation to the removal of the permit bays.

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS

Front and Side Elevation



Rear Elevation and Garden

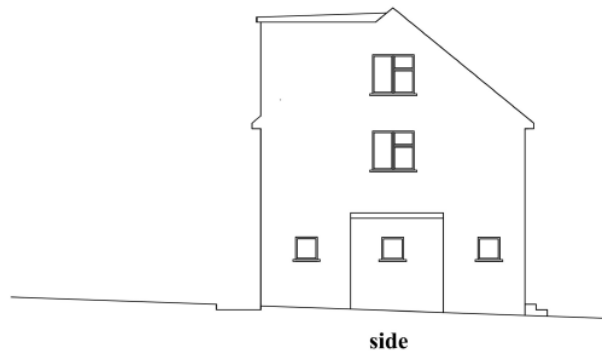
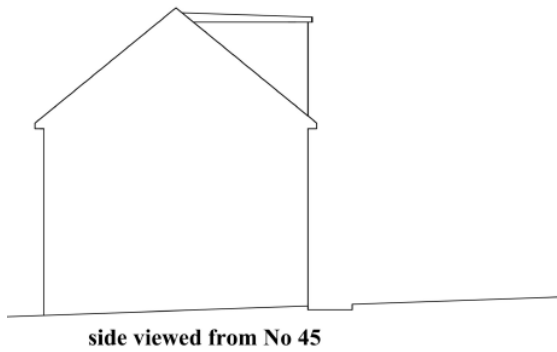


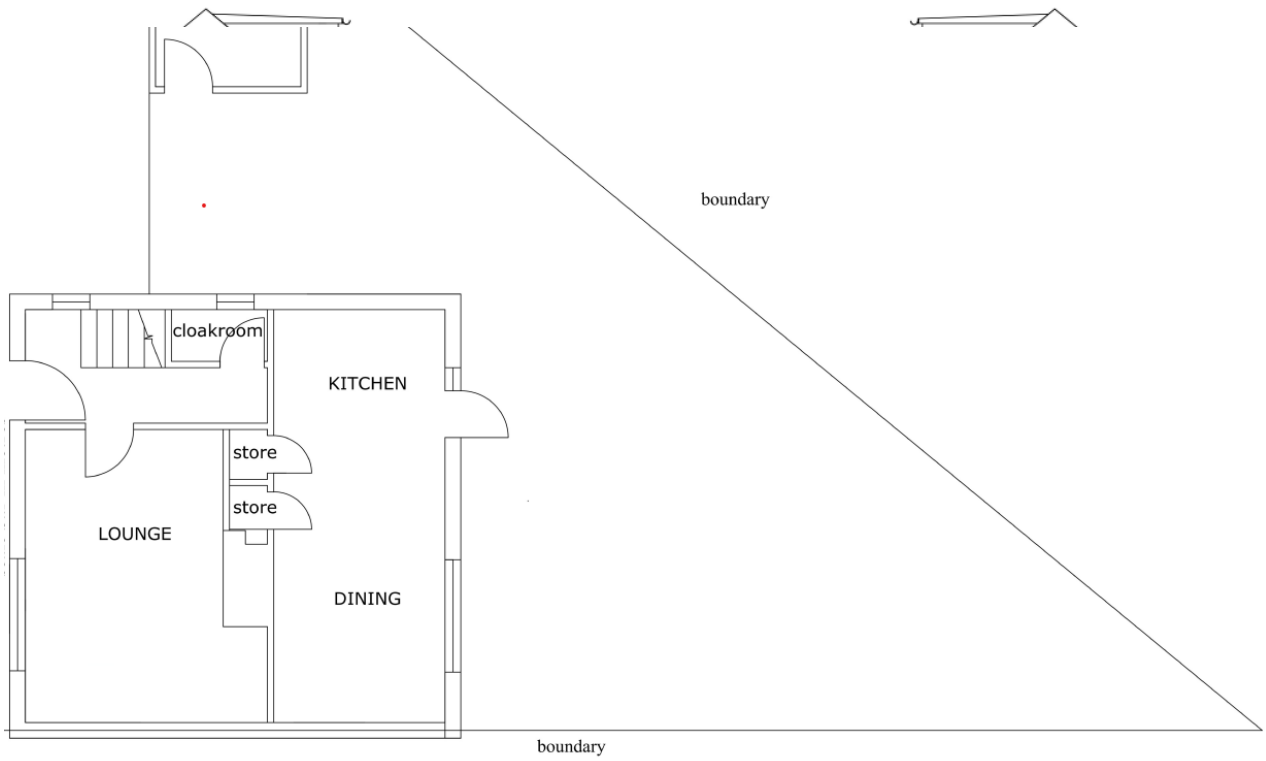




APPENDIX 4: PLANS AND ELEVATIONS

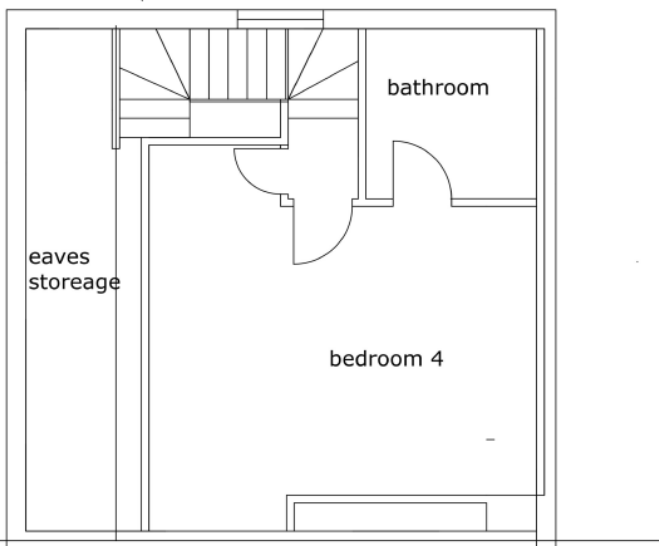
Existing and Proposed Elevations





EXISTING GROUND FLOOR

Existing Floor Plans

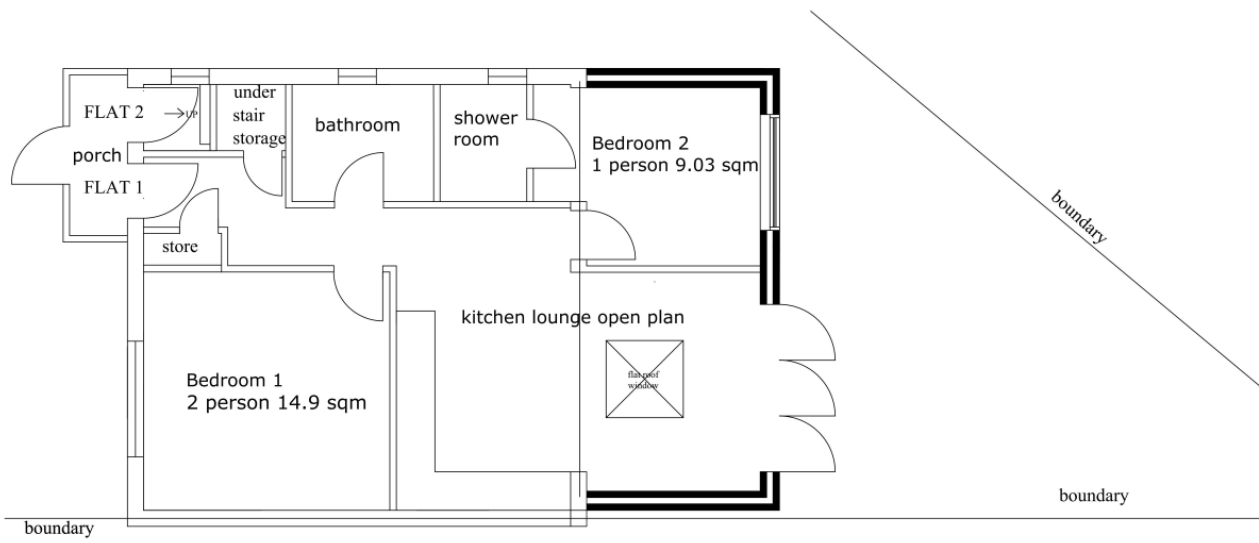


EXISTING LOFT FLOOR
area 27 sqm

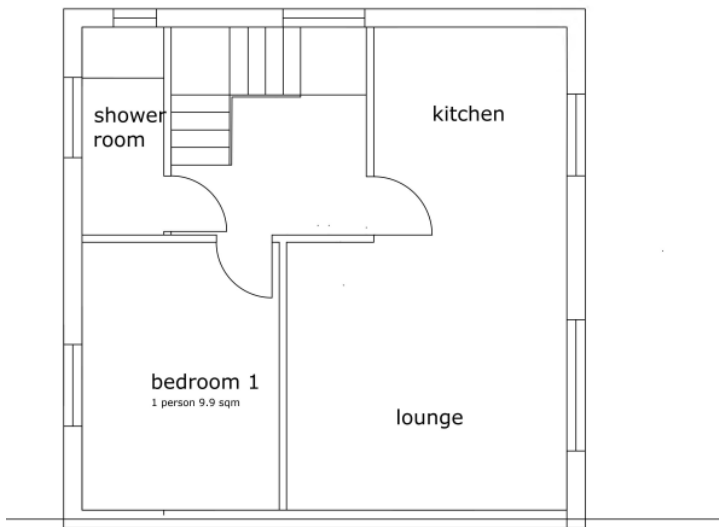
43 Morecambe Gardens, Stanmore, HA7 4SL

EXISTING FIRST FLOOR

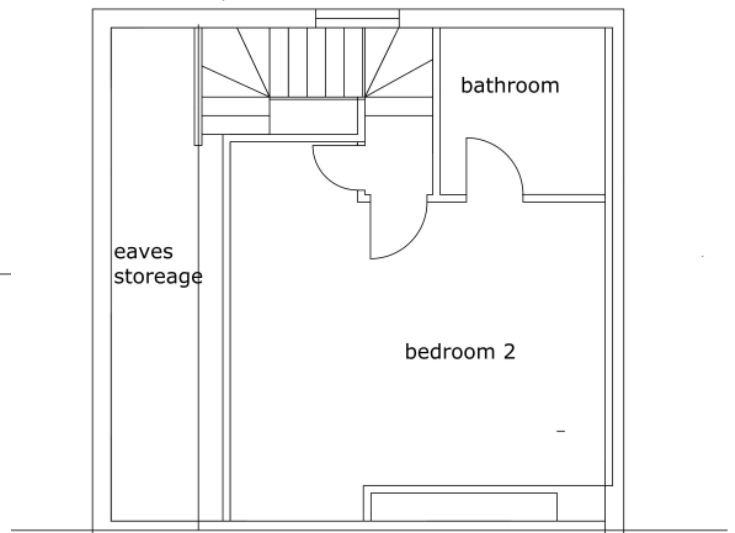
Proposed Floor plans



PROPOSED GROUND FLOOR LAYOUT 1:50

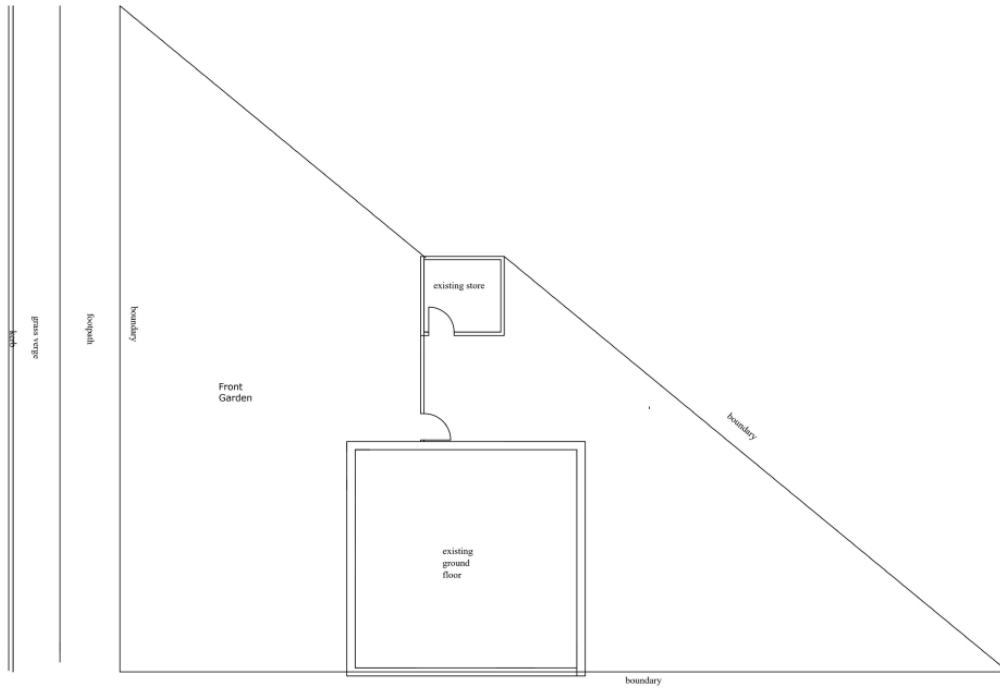


PROPOSED FIRST FLOOR 1:50

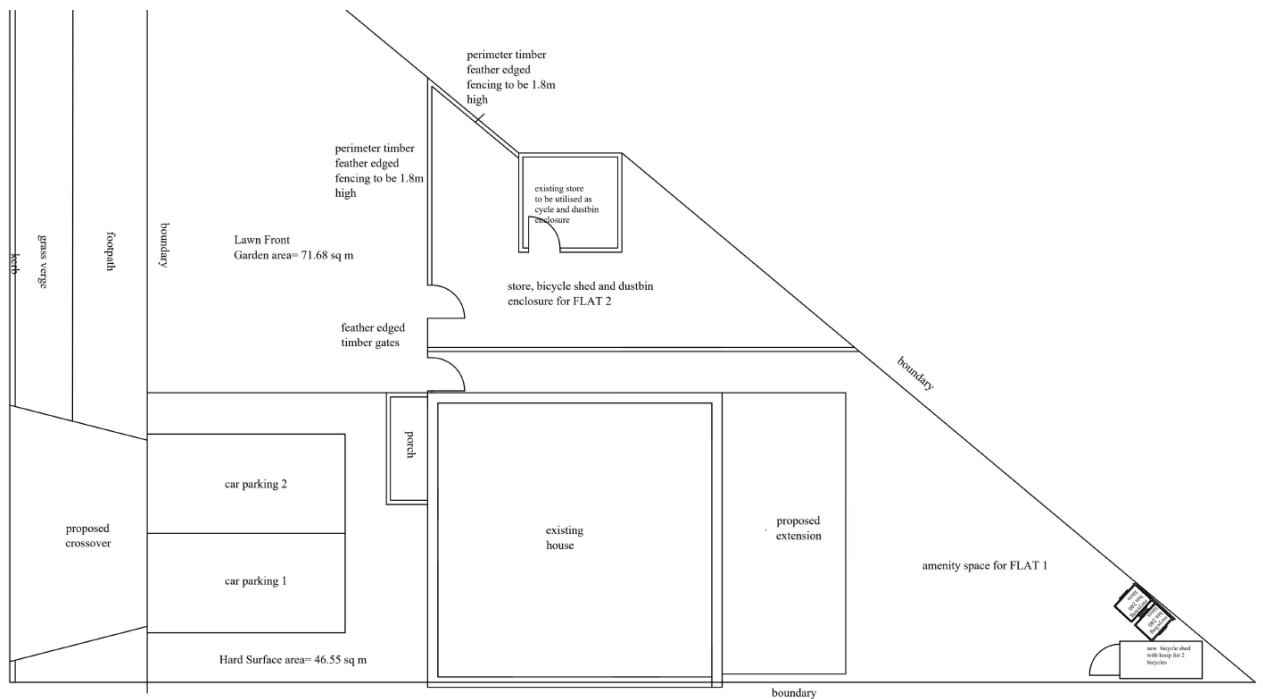


PROPOSED SECOND FLOOR 1:50

Existing and Proposed Site Plan



EXISTING LOCATION PLAN 1:100



PROPOSED LOCATION PLAN 1:100

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