

Planning Committee Agenda

Date: Wednesday 19 April 2023

Time: 6.30 pm

Venue: The Auditorium - Harrow Council Hub, Kenmore Avenue, Harrow, HA3 8LU

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

The date and time for 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 11 April 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 - 12)
That the minutes of the meeting held on 15 March 2023 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, 14 April 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**
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.
11. **Quarterly (Calendar Year) Appeals Report** (Pages 13 - 40)

Planning Applications Received

Report of the Chief Planning Officer - circulated separately.

Members are reminded that, in accordance with the Planning Protocol, where Councillors disagree with the advice of the Chief Planning Officer, 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.

12. Section 1 - Major Applications

(a)	1/01, Kilby's Industrial Estate and Numbers 1- 5 Bacon Lane, P/0037/23	EDGWARE	GRANT - SUBJECT TO LEGAL AGREEMENT	(Pages 41 - 76)
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13. Section 2 - Other Applications recommended for Grant

(a)	2/01, Unit 10, Waverley Industrial Estate, Hailsham Drive P/0216/23	MARLBOROUGH	GRANT	(Pages 77 - 102)
(b)	2/02, Unit 11, Waverley Industrial Estate, Hailsham Drive P/0240/23	MARLBOROUGH	GRANT	(Pages 103 - 128)
(c)	2/03, Rooks Heath College, Eastcote Lane, P/1907/22	ROXBOURNE	GRANT	(Pages 129 - 170)
(d)	2/04, Vaughan Library, High Street, P/0613/23	HARROW ON THE HILL	GRANT	(Pages 171 - 192)

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

Agenda - Part II - NIL

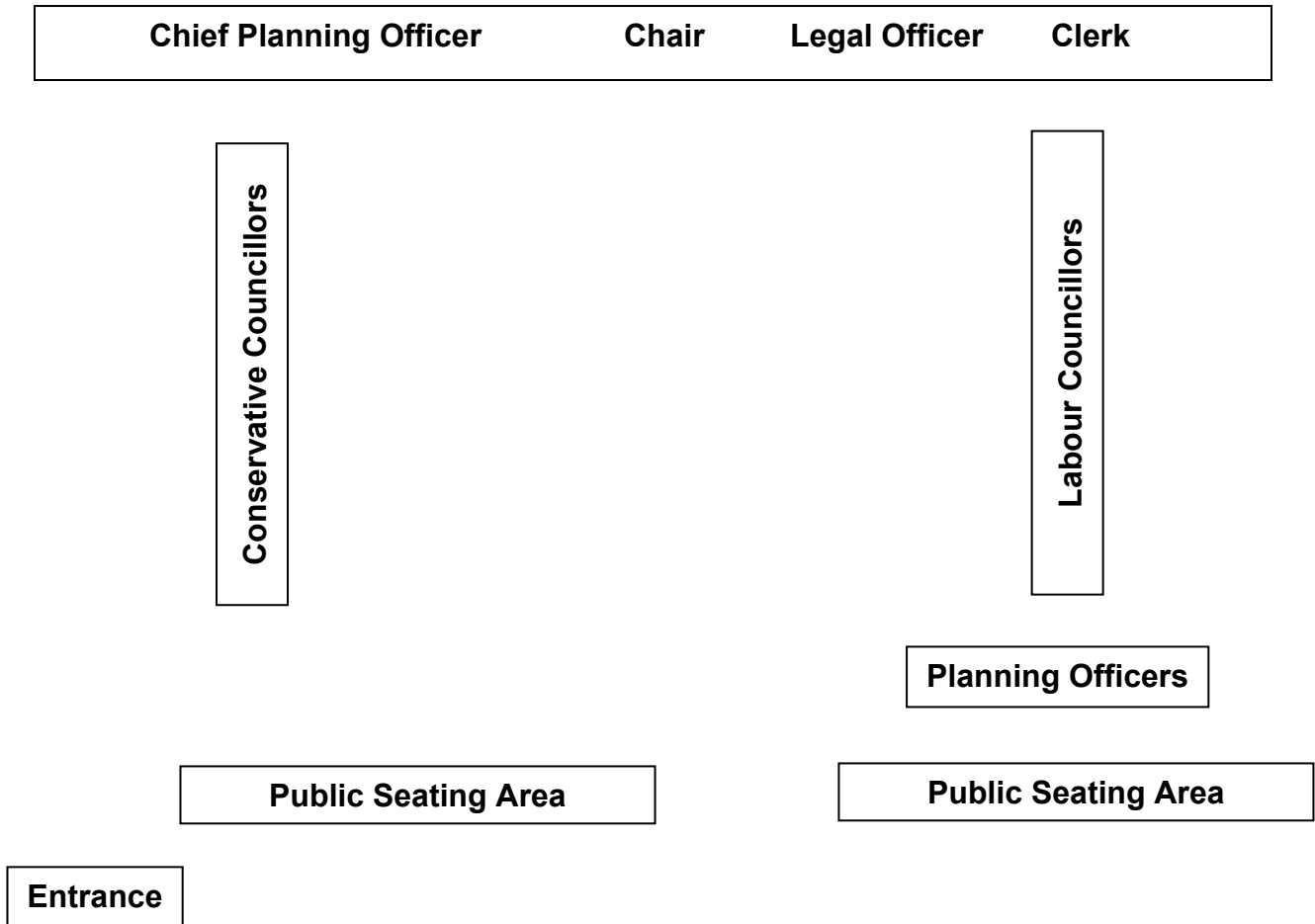
Data Protection Act Notice

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

15 March 2023

Present:

Chair: Councillor Marilyn Ashton

Councillors: Ghazanfar Ali
Christopher Baxter
Salim Chowdhury
Kandy Dolor
Nitin Parekh
Norman Stevenson

158. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Peymana Assad

Councillor Kandy Dolor

Councillor Zak Wagman

Councillor Norman Stevenson

159. Right of Members to Speak

RESOLVED: That no Members, who were not members of the Committee, had indicated that they wished to speak at the meeting.

160. Declarations of Interest

RESOLVED: To note that there were none.

161. Minutes

The Chair, Councillor Marilyn Ashton, advised that reasons for refusal should be written in the present tense.

Therefore, the reason for refusal for agenda item 2/01, 24 Dryden Road HA3 7JZ, P/3350/22, should read: "The development by reason of its scale and coverage of the garden area represents an over-intensive use of the site, which is out of character and detrimental to the overall amenities of the neighbouring properties contrary to CS1 of the Harrow Core Strategy (2012), DM1 and DM7 of the Harrow Development Management Plans (2013) and D3 of the London Plan (2021)."

RESOLVED: That subject to the above amendment, the minutes of the meeting held on 15 February 2023, be taken as read and signed as a correct record.

162. Public Questions

RESOLVED: To note that no public questions were received.

163. Petitions

RESOLVED: To note that there were none.

164. Deputations

RESOLVED: To note that there were none.

165. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

166. Addendum

RESOLVED: To accept the Addendum and Supplemental Addendum.

167. Representations on Planning Applications

RESOLVED: To note that there were none.

Resolved Items

168. 2/01, 2 Snaresbrook Drive HA7 4QW, P/4319/22

PROPOSAL: Single storey front extension; single and two storey side extension; single and two storey rear extension; alterations to roof; rear dormer; rooflights in front, side and rear roof slopes; outbuilding at side for boiler; external alterations.

The Committee was informed that the application was formally withdrawn on 10 March 2023.

169. 3/01, 227 Whitchurch Lane HA8 6QT, P/1838/22

PROPOSAL: change of use from dwelling house (Class C3) to charity use with private events by invitation and ancillary accommodation (Sui Generis).

The Committee voted and resolved to agree the officer recommendations.

RECOMMENDATION

The Planning Committee was asked to:

- 1) agree the reason(s) for refusal as set out in the report; and
- 2) refuse planning permission.

DECISION: REFUSE

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

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

Councillors Parekh and Dolor abstained.

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 7.05 pm).

(Signed) Councillor Marilyn Ashton
Chair

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Quarterly (Calendar Year) Appeals Report

The Planning Service had received the following Appeal Decisions between December 30th 2022 and March 31st 2023.

Summary of Appeal Decisions:

Item	Site Address	Planning Reference	Description of Development	Decision Type	Status and Costs
1	1, 3 and 5 Bacon Lane and Kilbys Industrial Estate, Bacon Lane, HA8 5AS	Appeal Ref: 3297090 LPA Ref: P/3522/21	Redevelopment to provide 23 houses; associated landscaping and parking; refuse storage without complying with a condition attached to planning permission p/3667/19 dated 11 March 2021.	Committee Refusal on 19.01.2022	Dismissed 03.01.2023
2	33 High View, Pinner, HA5 3PE	Appeal Ref: 3307006 LPA Ref: P/1762/22	Two-storey front extension, single storey side, single and two-storey rear extension, relocation of front door and external alterations, installation of 3 no. front rooflights and 1 no. on the side elevation.	Delegated Refusal on 08.07.2022	Dismissed 10.01.2023
3	14 Anglesmede Crescent, Pinner, HA5 5SP	Appeal Ref: 3306774 LPA Ref: P/2324/22	Single storey front extension incorporating porch; single and two-storey side to rear extension; single storey rear extension; Alterations to roof to form end gable rear dormer with Juliet balcony; three rooflights in front roofslope; raised patio; external alterations (retrospective).	Delegated Refusal on 12.08.2022	Appeal Allowed 10.01.2023
4	48 Canons Drive, Edgware, HA8 7QY	Appeal Ref: 3305566 LPA Ref: P/1013/22	New security grilles to front façade ground floor windows.	Delegated Refusal on 31.05.2022	Appeal Allowed 11.01.2023
5	13 and 14 Orchard Close, Edgware, HA8 7RE	Appeal Ref: 3299533 LPA Ref: P/4641/21	First floor side extensions and two storey rear extensions to both properties; rear dormer to each property; external alterations.	Delegated Refusal on 23.03.2022	Appeal Allowed 13.01.2023
6	Land at High Road, Weald Lane, Wealdstone, London, HA3 5EG	Appeal Ref: 3287882 LPA Ref: P/1859/21	Siting and appearance of a 20m monopole supporting 6 no. antenna, 2.No.transmission dishes, 2.No cabinets and ancillary development.	Delegated Refusal on 26.06.2021	Appeal Allowed 13.01.2023
7	294 Station Road, Harrow, HA1 2DX	Appeal Ref: 3295660 LPA Ref: P/4816/21	Two 1-bedroom self-contained units on existing first floor, and proposed second floor with mansard roof & cycle and refuse storage at ground floor.	Delegated Refusal on 01.02.2022	Dismissed 18.01.2023
8	Roxey, Brookshill, Harrow Weald, HA3 6RY	Appeal Ref: 3296465 LPA Ref: P/3636/21	loft conversion, front rooflight, two storey side extension and single storey rear extension.	Delegated Refusal on 25.02.2022	Dismissed 21.02.2023

9	39 Chestnut Drive, HA3 7DL	Appeal Ref: 3313971 LPA Ref: P/3491/22	Single storey front extension incorporating porch; single and two-storey side to rear extension incorporating covered access to side and first floor rear bay window, single storey rear extension; external alterations (demolition of attached garage).	Non-Determination	Withdrawn 21.02.2023
10	6 Old Hall Close, Pinner, HA5 4ST	Appeal Ref: 3313145 LPA Ref: P/3324/22	First floor rear extension.	Delegated Refusal on 15.11.2022	Appeal Allowed 21.03.2023
11	Briardene, 38 Cuckoo Hill, Pinner, HA5 2AJ	Appeal Ref: 3311837 LPA Ref: P//3156/22	Retrospective application for a hip to gable loft conversion.	Delegated Refusal on 08.11.2022	Appeal Allowed 13.02.2023
12	3 Chartwell Place, HA2 0HE	Appeal Ref: 3313031 LPA Ref: P/3140/22	Ground floor conservatory to the rear of the house and linked to the existing garage, conversion of part of the garage into habitable rooms and a ground floor extension to the converted garage with new windows, doors and rooflights to the converted garage.	Delegated Refusal on 20.10.2022	Appeal Allowed 20.02.2023
13	30 Melbourne Avenue, Pinner HA5 5SJ	Appeal Ref: 3309594 LPA Ref: P/2873/22	Alterations and extensions to raise roof height, front dormer, and side dormer to both sides.	Delegated Refusal on 29.09.2022	Dismissed 21.02.2023
14	12 Chestnut Drive, Pinner, HA5 1LY	Appeal Ref: 3286659 LPA Ref: P/2714/21	Loft conversion with rear dormer, hip to gable roof profile and front skylights.	Delegated Refusal on 24.08.2021	Appeal Allowed 02.03.2023
15	56 Uxbridge Road, Harrow Weald, HA7 3LW	Appeal Ref: 3311348 LPA Ref: P/2170/22	Single and 2 storey side to rear extension; alterations and extension to the roof to provide storage space; rooflights to the front, side and rear roof slopes; a front porch; relocation of the main entrance; a vehicle access; extensions and alterations to hardstanding; installation of a 2m high pedestrian gate and boundary fence to the side; and an outbuilding in the rear for use as storage/gym (demolition of detached garage and side entrance canopy).	Delegated Refusal on 16.09.2022	Appeal Allowed 13.02.2023
16	82 Sherwood Road, Harrow HA2 8AR	Appeal Ref: 3307507 LPA Ref: P/1655/22	Single storey rear extension.	Delegated Refusal on 05.07.2022	Appeal Allowed 02.02.2023
17	47 Hillview Road, Pinner, HA5 4PB	Appeal Ref: 3311271 LPA Ref: P/1568/22	Single storey side extension.	Delegated Refusal on 13.10.2022	Dismissed 10.02.2023

18	71 The Avenue, Hatch End, Pinner, HA5 4EL	Appeal Ref: 3312233 LPA Ref: P/1568/22	Rear extension.	Delegated Refusal on 08.09.2022	Appeal Allowed 13.02.2023
19	2 Andrews Close, Harrow HA1 3GE	Appeal Ref: 3303370 LPA Ref: P/0920/22 Costs Ref: 3303370	Single storey side extension to include covered seating area at the back.	Delegated Refusal on 28.04.2022	Appeal Allowed 03.03.2023 Costs Award Refused 03.03.2023
20	45 Cavendish Avenue, HA1 3RD	Appeal Ref: 3309878 LPA Ref: P/0401/22	Single and two storey side extension; first floor rear extension; single storey rear extension; external alterations; outbuilding at rear for use as gym / office (demolition of attached garage).	Delegated Refusal on 01/09.2022	Split- Decision 21.02.2023
21	Pinner Green Dental, 661 Uxbridge Road, Pinner, HA5 3LW	Appeal Ref: 3292310 LPA Ref: P/4510/20	Ground and first floor extension to a dental surgery	Delegated Refusal on 12.08.2021	Dismissed 25.01.2023
22	14 Chantry Road, HA3 6NT	Appeal Ref: 3314147 LPA Ref: P/3106/22	Single storey side to rear extension; external alterations.	Delegated Refusal on 20.10.2022	Dismissed 21.03.2023
23	4 Georgian Close, Stanmore, HA7 3QT	Appeal Ref: 3313806 LPA Ref: P/2958/22	The construction of 2 no rear dormer windows and the conversion of existing loft floorspace to provide additional residential accommodation.	Delegated Refusal on 10.10.2022	Dismissed 21.03.2023
24	John Lyon School, Middle Road, HS2 0HN	Appeal A: 3275231 LPA Ref: P/1813/19 Appeal B: 3281359 LPA Ref: P/2504/19 Appeal C: 3281360 LPA Ref: P/2092/21	Redevelopment to provide four storey teaching blocks; hard and soft landscaping; parking (demolition of existing building). Planning obligation modified by amending the defined building envelope and inserting a clause to require demolition of existing Oldfield House. Planning obligation discharged.	Committee Overturn on 18.11.2020 Delegated Refusal on 25.07.2019 Committee Refusal on 29.09.2021	Dismissed 27.03.2023 Dismissed 27.03.2023 Dismissed 27.03.2023

25	233 Cannon Lane, Pinner, HA5 1JB	Appeal Ref: 3309458 LPA Ref: P/2312/22	The construction a part ground and first floor rear extension.	Delegated Refusal on 16.08.2022	Dismissed 26.01.2023
26	Alden Mead 14 The Avenue, Hatch End, Pinner HA5 4ES	Appeal Ref: 3288178 LPA Ref: P/1890/21	Single storey roof extension providing 2 No. 1-bed flats.	Committee Refusal on 18.11.2021	Appeal Allowed 02.03.2023
27	16 Thistlecroft Gardens, Stanmore, HA7 1PN	Appeal Ref: 3304817 Costs Ref: 3304817 LPA Ref: P/1841/22/ PRIOR	Single storey rear extension	Delegated Refusal on 30.06.2022	Dismissed 23.03.2023 Costs Award A part allowed. Costs Award B Refused 23.03.2023
28	98 Vernon Drive, Stanmore, HA7 2BL	Appeal Ref: 3304409 LPA Ref: P/1834/22	Extension and conversion of garage to form self-contained dwelling.	Delegated Refusal on 14.07.2022	Dismissed 23.02.2023
29	67 Wood End Avenue, HA2 8NT	Appeal Ref: 3294797 LPA Ref: P/0074/22	Certificate of Lawful Development (proposed): installation of garden annexe in rear garden for use incidental to the main dwelling (demolition of outbuilding)	Delegated Refusal on 07.03.2022	Withdrawn 26.01.2023
30	34-38 Pinner Road, HA1 4HZ	Appeal Ref: 3305179 LPA Ref: P/0058/21 Costs Ref: 3305179	Change of use of existing building to supported housing (Sui Generis).	Delegated Refusal on 25.05.2022.	Dismissed 24.03.2023 Costs Award Refused 24.03.2023
31	18 Compton Rise, Pinner, HA5 5HR	Appeal Ref 3300084: LPA Ref: P/0896/22	Certificate of Lawful Use or development is sought is described in the application as hip to gable conversion, construction of box dormer on rear roof slope and two rooflights on front roof slope.	Delegated Refusal on 26.04.2022	Appeal Allowed 03.01.2023
32	9 Caddis Close, Stanmore, HA7 3TL	Appeal Ref: 3306553 LPA Ref: P/0225/22	Part retrospective single storey front extension; Single storey side and single and two storey rear extension; Infilling of lower ground floor at rear and single storey side extension at lower ground floor; Connecting wall, access platform, terraces and steps between the main dwelling and two storey outbuilding (garage/utility) on lower ground and ground floor level; External alterations.	Delegated Refusal on 29.07.2022	Dismissed 01.03.2023

33	8 Orchard Close, Edgware HA8 7RE	Appeal Ref: 3303307 LPA Ref: P/2843/18	Breach of planning control.	Enf Notice 20.06.2022	Split Decision 02.03.2023
34	Former Oakleigh Nursing Home, 10 Oakleigh Road, Hatch End, HA5 4HB	Appeal Ref: 3299782 LPA Ref: P/0030/22	Demolition of former care home (class C2) and redevelopment of the site to provide 8 x 2 bed residential units (class C3) along with associated landscaping, ancillary works, closure of existing access points and formation of new vehicular access point from Oakleigh Road is refused.	Non- Determinati on	Dismissed 24.01.2023
35	Bromefield, Stanmore, HA7 1AA	Appeal Ref: 3310151 LPA Ref: P/2750/22	Double storey wraparound extension, new front porch, roof alterations including loft conversion. (The proposed design is coordinated with a proposed design for No.3 Bromefield in order to achieve similar massing and appearance, including matching ridge heights.	Delegated Refusal on 21.09.2022	Appeal Allowed 31.03.2023

Summary of Appeal Decisions:

- 1. 1, 3 and 5 Bacon Lane and Kilbys Industrial Estate, Bacon Lane, HA8 5AS (Appeal Ref: 3297090)**
 - 1.1. The appellant sought a varied planning permission which would include the erection of additional rear dormers to 10 houses.
 - 1.2. The main issues for consideration in this appeal is effect that varying the condition would have on the living conditions of the occupants of nearby properties with reference to their privacy, and/or whether or not planning obligations are necessary to make the development acceptable and, if so, whether or not any necessary agreements have been entered into.
 - 1.3. The inspectorate observed the location of the development as predominantly residential to include some industrial to the south, properties in the area being generally served by spacious plots with large rear gardens.
 - 1.4. On the topic of living conditions, the inspectorate observed that no windows would be placed any closer to neighbouring properties or materially different property relationships would be created than what has already been established under the current planning permission, concluding that there would be no significant loss of privacy or increases in overlooking for adjacent occupants, and living conditions would be preserved. However, the inspectorate made the observation that Policy D1 of the London Plan 2021 which the Council had cited, was not especially pertinent to living conditions because it primarily focuses on undertaking area assessments and preparation of development plans for London boroughs.
 - 1.5. Regarding planning obligations, the inspectorate pointed out that P/3667/19's planning permission had been subject to a Section 106 agreement, and it has not been demonstrated to him that the revised scheme at issue in this appeal would not also need those obligations to be sealed through a varied agreement. Establishing that no such amended Section 106 agreement has been secured, as a result, the necessary commitments have not been fulfilled.
 - 1.6. The inspectorate came to the conclusion that while the development would have acceptable effects upon the living conditions of the occupants of nearby properties in accordance with Policy CS1 of the Core Strategy (2012) and Policy DM1 of the Local Plan (2013), in the absence of a complete Section 106 agreement renders the development as a whole

unacceptable in light of earlier requirements secured and Section 106 of the Town and Country Planning Act 1990 (as amended).

2. 33 High View, Pinner, HA5 3PE (Appeal Ref: 3307006)

- 2.1. The appellant sought a two-storey front extension, single storey side, single and two storey rear extension, relocation of front door and external alterations, installation of 3 no. front rooflights and 1 no. on the side elevation.
- 2.2. The main issues for consideration in this appeal includes the effect of the proposed development upon the character and appearance of the host dwelling and upon the surrounding area.
- 2.3. The inspectorate observed that this detached, two-story property was situated in a well-established, and high-quality residential area. The inspectorate recognised that design and appearance of dwellings varied from one plot to the next, however stated that No. 33 and its neighbour No.31 form a symmetrical pair featuring strong Arts and Crafts influences in their original design, which provide a positive contribution to the street scene via careful attention to detail and strong architectural character.
- 2.4. The inspectorate took note of the case made by the appellant that alterations to No.31 in support of the proposal. However, pointed out that those alterations had not unduly interfered with the original property's design quality or the significance of the roof form as an Arts and Crafts-influenced design.
- 2.5. The inspectorate concluded that the extent and bulk of the proposed development would, cumulatively, subsume the original built form to an unacceptable degree and fail to harmonise with the existing building or its neighbour (No.31) and harm both the character and appearance of the host dwelling and, thereby, of the area. As such, the development proposal conflicts with Policy CS1 of the Core Strategy (2012) and Policy DM1 of the Local Plan (2013) and the councils Residential Design Guidance SPD (2010)

3. 14 Anglesmede Crescent, Pinner, HA5 5SP (Appeal Ref: 3306774)

- 3.1. Pursuant to an enforcement investigation, the appellant sought retrospective permission for a single storey front extension incorporating porch, a single and two-storey side to rear extension, a single storey rear extension, and alterations to roof to form end gable rear dormer with juliet balcony and three rooflights in front roofslope with a raised patio and external alterations.
- 3.2. The main issues for consideration in this appeal includes the effect of the development on the character and appearance of the host dwelling.
- 3.3. The inspectorate took note of the case made by the appellant that what had been built is the result of seeking to implement roof alterations addressed by a Certificate of Lawfulness ("COL") in combination with a permitted two-storey side extension and single storey front extension which, as approved, incorporated a hipped roof form extending from the main roof of the dwelling . The COL related to a rear dormer with a hip to gable roof extension which has, as implemented, curtailed the opportunity to complete the hipped roof form in the 2018PP by the introduction of a gable.
- 3.4. The appellant referred to written advice for the sequencing of these works made by the LPA before to the start of the works, which they purported to have followed. The Council responded

to a question on the implementation of both the COL and the 2018PP on June 28th, 2019, stating in clear terms that *'they can be both built lawfully (providing) the (COL) is completed before the (PP2018) is completed.'* In contrast, the Council's position in relation to the appealed matter was that *'both these applications (sic) have been implemented on site'* going on to reason: *'Therefore the development has not been implemented in accordance with planning permission P4662/18'*; presumably by reference to condition 2 of that permission and its versions of the named drawings, which presented replicated numbers.

- 3.5. The inspectorate observations that the works permitted by the 2018PP have been implemented and are all-but-complete notwithstanding the inconsistency in the roof form brought about by the prior implementation of the works identified in the COL. He continues by stating any harm resulting from the identified inconsistency with the approved plans should be given little weight based on his views of what is seen on site, taking into account the surrounding pattern of development and a wide range of alterations and extensions.
- 3.6. On the topic of enforcement, the inspectorate emphasised that the LPA ought to have responded to the suspected planning control breaches proportionately as the appellant clearly intended to prevent such an infringement as they had, through previously sought advice from the Council in good faith. In essence, he asserted that it is not reasonable for them to deal with the consequences of acting on that advice as if it had not been given because doing so created confusion regarding the position in which the appellant found himself.
- 3.7. The inspectorate concluded that he found no conflict with Policy DM1 of the Harrow Development Management Local Plans Policies (2013) and Supplementary Planning Document: Residential Design Guide (2010).

4. 48 Canons Drive, Edgware, HA8 7QY (Appeal Ref: 3305566)

- 4.1. The appellant sought permission for new security grilles to front façade ground floor windows.
- 4.2. The main issues for consideration in this appeal includes the effect of the development on the character and appearance of the Canons Park Conservation Area.
- 4.3. On the topic of character and appearance, the inspectorate drew attention on the Council's view that the proposal is 'unsympathetic to the special character of the building', however, remarked that it is not clear what that special character (of the building) might be.
- 4.4. The inspectorate commented that while the white fixing plates do help to identify the presence of the grilles by creating some visual confusion, the change made to No. 48's appearance is otherwise minimal. The security grilles have been designed so that their white metal bars line up with the glazing bars of the windows behind them, and that only three ground-floor windows have grilles installed. Therefore, any reservations about a (cumulative) urbanising effect would be justified only had grilles were to be installed on additional windows.
- 4.5. Furthermore, the inspectorate observed that the impact on the Conservation Area's character and appearance would be minimal if the fixing plates were overpainted in a fitting colour, making the grilles almost unnoticeable to the public realm. Further emphasising that this approach compliments the objectives of the Article 4 Directive in order to avoid harm to the character and appearance (of a conservation area) that would result from cumulative change to the buildings within.
- 4.6. The inspectorate concluded that, subject to condition, as to the colour of the fixing plates, he found no conflict with Policies DM1 or DM7 of the Harrow Development Management Policies

Local Plan (2013), the identified CA Management Strategy, or duty set out within Section 72 of the Listed Building Conservation Areas Act 1990.

5. 13 and 14 Orchard Close, Edgware, HA8 7RE (Appeal Ref: 3299533)

- 5.1. The appellant sought permission for a first-floor side extensions and two storey rear extensions to both properties; rear dormer to each property; external alterations.
- 5.2. The main issues for consideration in this appeal includes the effect of the proposal on the character and appearance of the area with regard to i) the design of the proposal and ii) protected trees.
- 5.3. On the topic of design, the inspectorate commented that altered roof pitch would not undermine the continuity of the street scene, especially since there was variety in dwelling design and roof forms in the street. That the proposed side extensions he considered would not subsume or erode the existing built form or alter the spacious character of the appeal site or the surrounding area, and that the proposed two storey rear extension he found subservient in scale in relation to the large appeal properties, which themselves are set within spacious plots, and is of a design which is consistent with the character and appearance of the host properties.
- 5.4. The inspectorate then went onto express that the special interest and the character and appearance of the Conservation Area would not be compromised because of the proposed extensions and alterations, continuing to preserve the character and appearance of the Conservation Area. Furthermore, that the setting of the listed buildings is confined to the park therefore the setting of the listed buildings would also be preserved by the proposal.
- 5.5. The inspectorate concluded that the proposed extensions would not have a harmful effect on the character and appearance of the appeal site or the Conservation Area, therefore no conflict with the National Planning Policy Framework (2021), the aims of Policy D3 from The London Plan (2021), Policy CS1 of the Harrow Core Strategy (2012) or Policies DM1 and DM7 of the Harrow Development Management Policies Local Plan (2013).
- 5.6. On the topic of protected trees, the inspectorate accepted that the Council was unable to determine if there would be any harm to these trees since the tree report was lacking. However, it was determined that the harm would be minimal given the siting and scale of these trees as well as their limited impact on the appearance and character of the Conservation Area. Furthermore, even if tree protection measures were ineffective, any amenity value which these particular trees provide could still be adequately achieved through further planting. As a result, he had appended a condition requiring details of existing and proposed landscaping to complement the tree protection requirement.
- 5.7. The inspectorate concluded that the above element of the proposal accords with the aims of Policy G7 from The London Plan (2021), and Policies DM1 and DM22 from the Harrow Development Management Policies Local Plan (2013) and with the Canons Park Conservation Area Appraisal and Management Strategy (2013).

6. Land at High Road, Weald Lane, Wealdstone, London, HA3 5EG (Appeal Ref: 3287882)

- 6.1. The appellant sought prior approval for the siting and appearance of a 20m monopole supporting 6 no. antenna, 2 no. transmission dishes, 2 no cabinets and ancillary development.

- 6.2. The main issues for consideration in this appeal were the relevant provisions under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The effect of the siting and appearance of the proposal on the character and appearance of the area and, if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed taking into account any suitable alternatives.
- 6.3. The appellant contended that the development is necessary to replace telecommunications equipment serving the area which, as a result of proposed redevelopment at the site is set to be removed. The appellant provided information on existing and predicted mobile telecommunications coverage in the vicinity of the appeal site, with their coverage plans indicating that on removal of the existing installation at Maison Alfont coverage would be reduced significantly with a high probability of dropped or missed calls. The appellants coverage plans also identified a significant improvement in 4G and 5G coverage were the proposal to go ahead.
- 6.4. The inspectorate commented that the resultant restricted coverage and capacity in the area would be inadequate to the needs of local businesses and the community. It would also be contrary to Framework's emphasis on extending and futureproofing digital connectivity in order to ensure that communities can benefit from economic growth and greater social inclusion. Concurring with the view of the appellant that there is a need for a replacement facility within close proximity to the existing site and also hold that it is reasonable that any new site should provide similar or improved coverage to that which is currently in place.
- 6.5. The inspectorate also found the appellant's evidence in respect of their search and assessment of alternative sites to be robust.
- 6.6. The inspectorate took into account concerns raised over potential health risks. However, commented that the appellant had provided a certificate to confirm that the proposal has been designed to comply with the guidelines published by the International Commission on Non-ionizing Radiation Protection (ICNIRP), and that there was no substantive evidence to suggest that the ICNIRP guidelines would not be met, and therefore a departure from the approach within The Framework would not therefore be justified.
- 6.7. The inspectorate also commented on concerns raised over the effect of the proposal on two oak trees which are under a Tree Preservation Order. However, commented that the Arboricultural Report prepared by ACS Consulting dated October 2021 stated that the proposed equipment would be located outside the root protection areas and canopies of these trees and holds that the proposal could be carried out without causing harm to the protected trees.
- 6.8. The inspectorate concluded that although he had identified that the proposal would cause harm to the character and appearance of the area, due to the proposed location of the development, intervening screening and the nearby commercial area along High Road he found this harm to be relatively localised. Moreover, he recognised the benefits associated with improved communications infrastructure within the area which would not otherwise be achieved.
- 6.9. The inspectorate concluded that subject to any relevant exception, limitation or condition, the proposal falls in accordance with the provisions of Schedule 2, Part 16 of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO) and guidance within The National Planning Policy Framework (2021).

7. 294 Station Road, Harrow, HA1 2DX (Appeal Ref: 3295660)

- 7.1. The appellant sought permission for two 1-bedroom self-contained units on existing first floor and proposed second floor with mansard roof & cycle and refuse storage at ground floor.
- 7.2. The main issues for consideration in this Appeal is the effect of the proposed development upon the character and appearance of the area, whether the proposed development would provide suitable living conditions for future occupiers with regard means of access and the standard of accommodation with specific regard to internal space and whether the proposed development would make adequate provision for the storage of refuse, and the effect of the proposed development upon flood risk.
- 7.3. On the topic of character and appearance, the inspectorate recognised that the proposed development would incorporate a flat roof extension incorporating flat roof dormer projections. The inspectorate then went onto express that the roof extension would represent a significant addition to the building and would occupy the entirety of the existing flat roof space.
- 7.4. Concluding that the proposed roof extension, due its height and design, would appear as a prominent feature and would interrupt the rhythm of the terrace to a significant degree. This would erode the strength of positive character that currently exists contrary to Policies D3(1) and D3(11) of The London Plan 2021, Policy CS1.B of the Harrow Core Strategy (2012), and Policy AAP2 of the Harrow and Wealdstone Area Action Plan (2013), and Policies DM1.A and DM1.B of the Harrow Development Management Policies Local Plan (2013).
- 7.5. On the topic of living conditions, the inspectorate expressed that access to the appeal site would not be inviting, giving rise to the fear of crime. In terms of proposed standards of accommodation, the inspectorate was not convinced that ceiling height standards of 2.5m across 75% of the proposed floorspace could be achieved, especially since there was no evidence before him that would demonstrate that this would be the case.
- 7.6. The inspectorate concluded that the proposed development would fail to provide to suitable for living conditions for future occupiers with regard to means of access, and the standard of accommodation contrary to Policies D3 and D6 of The London Plan 2021, Policy CS1 of the Harrow Core Strategy (2012), and Policy AAP, AAP2 and AAP3 of the Harrow and Wealdstone Area Action Plan (2013), and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).
- 7.7. The inspectorate also went onto express that no demarcation or separation of bin storage space is proposed, and so, the possibility of waste relating to the residential properties becoming mixed with commercial waste from any ground floor commercial use would exist. This in turn conflicts with Policy D3 of The London Plan 2021, and Policies DM1 and DM35 of the Harrow Development Management Policies Local Plan (2013).
- 7.8. On the topic of flooding, it was accepted that the appeal site lies within Flood Risk Zone 3A, and the requirements to provide a site-specific flood risk assessment were acknowledged, which were absent. Therefore, the inspectorate concluded that it was not possible to assess the effect of the development upon flood risk, accordingly the proposal would be contrary to Policy SI12 of The London Plan 2021, and Policies DM9 of the Harrow Development Management Policies Local Plan (2013), and Policy CS1 of the Harrow Core Strategy (2012).

8. Roxey, Brookshill, Harrow Weald, HA3 6RY (Appeal Ref: 3296465)

- 8.1. The appellant sought permission for a loft conversion, front rooflight, two storey side extension and single storey rear extension.
- 8.2. The main issues for consideration in this Appeal is whether the proposal would be inappropriate development in the Green Belt, the effect of the proposed development on the openness of the Green Belt, the character and appearance of the existing property and the surrounding area and effect of the proposal on the living conditions of the occupiers of the neighbouring property at Wykenham in Brookshill, with particular reference to outlook, daylight and sunlight and whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.
- 8.3. The inspectorate acknowledged that the proposed extensions would more than double the size of the original building, whether calculated by volume, floorspace or footprint, which would substantially exceed a 30% increase. Concluding the development proposal to constitute inappropriate development in the Green Belt, under paragraph 147 and 149(c) of the Framework.
- 8.4. The inspectorate drew attention to the Councils Residential Design Guide (2010), in particular guidance on the design of first floor and two-storey side extensions to detached and semi-detached properties. Here, the inspectorate highlighted the effect of the proposed development in extending the house substantially across the width of the plot and closing up the gap at the side of the house which he felt would fail to respect the space around the existing property and its contribution to the street scene in this part of Brookshill, contrary to Policies D3 and D(1) of The London Plan (2021), Policy CS1.B of the Harrow Core Strategy (2012) and DM1 of the Harrow Development Management Policies (2013), or Paragraph 130(c) of the Framework.
- 8.5. On the topic of living conditions, the inspectorate concluded that the appeal proposal would cause unacceptable harm to living conditions of the occupiers of Wykenham, with particular reference to outlook, daylight and sunlight. Consequently, and be contrary to Policies D3 and D(7) of the London Plan (2021) and Policies DM1 of the Harrow Development Management Policies (2013), as well as paragraph 130(f) of the Framework.

9. 39 Chestnut Drive, HA3 7DL (Appeal Ref: 3313971)

- 9.1. The Appeal had been withdrawn by the appellant on February 20th, 2023 following the Councils grant of LPA Ref: P/4400/22 for “*Single storey front extension incorporating porch; single and two storey side to rear extension; first floor rear bay window; single storey rear extension; external alterations (demolition of attached garage)*” on February 24th, 2023.

10. 6 Old Hall Close, Pinner, HA5 4ST (Appeal Ref: 3313145)

- 10.1. The appellant sought permission for a first-floor rear extension.
- 10.2. The main issues for consideration in this Appeal is the effect of the proposed development on the character and appearance of the dwelling.
- 10.3. The inspectorate recognised that the dwelling has already been extended significantly with a two-storey extension front, side and rear extension, however, acknowledged that proposals would be sited on the rear elevation. The inspectorate concluded that certain aspects would

not be seen clearly from the street and given the high surrounding hedges of the property and would only be seen clearly from its rear garden.

- 10.4. The inspectorate concluded the proposal as being a well-designed extension which respects the scale and character of the existing house in accordance with Policies D3, D(1) and D(11) of the London Plan (2021), and Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the of the Council's Development Management Policies (2013) together with the Councils SPD entitled 'Residential Design Guide' (2010).

11. Briardene, 38 Cuckoo Hill, Pinner, HA5 2AJ (Appeal Ref: 3311837)

- 11.1. The appellant sought retrospective permission for a hip to gable loft conversion.
- 11.2. The main issues for consideration in this Appeal is the effect of the proposal on the character and appearance of the local area.
- 11.3. The inspectorate acknowledged that the extension does not meet some of the requirements from the Council's "Residential Design Guide" SPD (2010), but ultimately concluded that, subject to the requirement that a new side window have obscure glazing to protect neighbours' privacy, the proposal would fit in reasonably well with the prevailing pattern of development, which he felt did not harm the area's character or appearance. Therefore, in accordance with aims of Policy D3 of The London Plan (2021), Policy CS1(B) of the Harrow Core Strategy (2012), and Policy DM1 of Harrow Council Development Management Policies (2013), the Councils SPD entitled 'Residential Design Guide' (2010). and the National Planning Policy Framework.

12. 3 Chartwell Place, HA2 0HE (Appeal Ref: 3313031)

- 12.1. The appellant sought retrospective permission for a ground floor conservatory to the rear of the house and linked to the existing garage, conversion of part of the garage into habitable rooms and a ground floor extension to the converted garage with new windows, doors and rooflights to the converted garage.
- 12.2. The main issues for consideration in this Appeal is whether the proposal would preserve or enhance the character or appearance of the Roxeth Hill Conservation Area and the setting of listed buildings and the effect on living conditions at 4 Chartwell Place next door, in terms of the impact on outlook and light.
- 12.3. On the topic of character and appearance, the inspectorate noted that even though the enlarged building would be somewhat longer than usual for an outbuilding, it would be discreetly positioned such that only a small portion of Chartwell Place could see it. Further contending that those views wouldn't be intrusive because they would be viewed in the context of other development and a tall evergreen hedge.
- 12.4. The inspectorate continued to note that the proposal would fit comfortably on the plot, be subordinate in scale to the dwellings due to its modest height, yet retain enough garden space to prevent it from drastically altering the open character of Chartwell Place, representing a design and material use which blend in well with the existing building.
- 12.5. The inspectorate agreed with views of the Conservation Area Advisory Committee who raised no objection to the proposal and concluded his position by expressing it complied with Policy D3 and HC1 of The London Plan (2021), Policy CS1(B) of the Harrow Core Strategy (2012), and Policies DM1 and DM7of Harrow Council Development Management Policies (2013),

Councils SPD entitled 'Residential Design Guide' (2010), and the National Planning Policy Framework.

12.6. The inspectorate noted that the proposed garage extension is placed well away from this neighbouring house and is only directly adjacent to a small area of its expansive garden when it came to the living conditions concern. In addition, the extension would be the same height as the garage, which is a low single-story building. Acknowledged that there would be a small negative impact on No 4's garden's outlook and a small amount of additional overshadowing, but these effects would be negligible and well within acceptable bounds. The inspectorate concluded, subject to conditions imposing matching materials, the proposal complied with Policy D3 of The London Plan (2021), and Policy DM1 Harrow Council Development Management Policies (2013), Councils SPD entitled 'Residential Design Guide' (2010).

13. 30 Melbourne Avenue, Pinner HA5 5SJ (Appeal Ref: 3309594)

13.1. The appellant sought permission for alterations and extensions to raise roof height, front dormer, and side dormer to both sides.

13.2. The main issues for consideration in this Appeal is the effect of the proposed development upon the existing building and the character and appearance of the locality.

13.3. The inspectorate highlighted the requirements under Policy CS1(B) of the Harrow Core Strategy (2012) which seeks that new development responds positively to the local and historic context in terms of design, spacing, density and siting which reinforces positive attributes of local distinctiveness. Additionally, Policy DM1 of the Harrow Development Management Policies Local Plan (2013) which also seeks to establish high quality design that has regard to massing, bulk, scale and height and their relationship to the surrounding layout.

13.4. The inspectorate observed that front dormer windows are not found on the front roof planes of dwellings within this location and would not form part of the characteristics of this particular locality. In this particular case the dormer windows would add clutter to the roof and would not reflect the positive and established characteristics of the locality.

13.5. The inspectorate took note of the case made by the appellant that the raising of the ridge height would not be immediately obvious, the inspectorate disagreed and stated it would be obvious, that the increased ridge height would give the dwelling a 'top-heavy' appearance where the height from the eaves to the ridge would be disproportionate to the wall height, and together with the elongated crown roof would accentuate the massing and visual bulk of the building which would have an incongruous and disproportionate appearance within the street scene.

13.6. The inspectorate summarised that the proposed extensions when combined would result in the loss of positive characteristics and would be clearly disproportionate and the additional visual bulk and massing contrary to requirements under Policy CS.1(B) of the Harrow Core Strategy (2012), and Policies DM1(A), DM1(B) (a), (b) and (c) of the Harrow Development Management Plan (2013) and Policy D3 (D(1) and (11)) of The London Plan (2021).

14. 12 Chestnut Drive, Pinner, HA5 1LY (Appeal Ref: 3286659)

14.1. The appellant sought a Certificate of Lawful Use or development for a loft conversion with rear dormer, hip to gable roof profile and front skylights.

- 14.2. The main issues for consideration in this Appeal is whether the Council's refusal to grant the Lawful Development Certificate was well founded.
- 14.3. The inspectorate cited the Council over the assessment on the height of the eaves of the rear extension, as built, exceeds the height of the eaves of the existing dwellinghouse and therefore fails to satisfy the criteria at Schedule 2, Part 1, Class A.1 (d) of the GPDO. However, the inspectorate, from he/her observations of reading of the plans and during his site visit, the eaves of the existing rear extension do not exceed the height of the eaves of the existing dwellinghouse. Therefore, the development does not fail to meet the limitation under Paragraph A.1 (d) of Schedule 2, Part 1, Class A of the GPDO.
- 14.4. The inspectorate cited the Council over the proposed dormer failing to maintain or reinstate the eaves of the original roof and therefore the proposal fails to satisfy the criteria at Schedule 2, Part 1, Class B.2 (b)(i)(aa) of the GPDO. However, the inspectorate, from he/her observations commented that the plans illustrate that the eaves of the original roof would be maintained and the development does not fail to meet the limitation under Paragraph B.2 (b)(i)(aa) of Schedule 2, Part 1, Class B of the GPDO.
- 14.5. The inspectorate concluded by expressing that there is no dispute that the proposed development would adhere to all other limitations and conditions set out under Classes A, B and C of the GPDO, and he/her found no reason to disagree with these findings that there is no conflict against the relevant limitations and conditions of Article 3, Schedule 2, Part 1, Classes A, B and C of the GPDO.

15. 56 Uxbridge Road, Harrow Weald, HA7 3LW (Appeal Ref: 3311348)

- 15.1. The appellant sought permission for a single and 2 storey side to rear extension; alterations and extension to the roof to provide storage space; rooflights to the front, side and rear roof slopes; a front porch; relocation of the main entrance; a vehicle access; extensions and alterations to hardstanding; installation of a 2m high pedestrian gate and boundary fence to the side; and an outbuilding in the rear for use as storage/gym (demolition of detached garage and side entrance canopy).
- 15.2. The main issues for consideration in this Appeal is effect on the character and appearance of the local area.
- 15.3. The inspectorate highlighted the requirements under the Council's Residential Design Guide Supplementary Planning Document (2010), which advises that side extensions to semi-detached houses should be set back by at least a metre from the front wall at first floor level to avoid creating a terracing effect. It does allow, however, that the lack of a setback can be justified in certain circumstances, including where the flank wall would be at least a metre from the side boundary or where there is open space to the side.
- 15.4. The inspectorate commented that in this case, the proposed extension's first floor front wall would only be set back marginally, but the 2 criteria above would both be more than met since there is a substantial width of garden and open space to the side, and that the new two-storey section would stretch well to the rear of the existing house, together with the use of a hipped roof at the back would help to keep it from being overly dominant in the street scene. In this comparatively spacious situation and open setting the extension would not overdevelop the plot or appear out of scale.
- 15.5. The inspectorate concluded by expressing that the proposal would be well designed to avoid harm to the character and appearance of the local area, which subject to a materials condition, confirmation of plans and restriction of use of flat roofed areas, the proposal adhered with

Policy D3 of The London Plan (2021), Policy CS.1(B) of the Harrow Core Strategy (2012), and Policy DM1(A), DM1 of the Harrow Development Management Plan (2013).

16. 82 Sherwood Road, Harrow HA2 8AR (Appeal Ref: 3307507)

- 16.1. The appellant sought permission for a single storey rear extension.
- 16.2. The main issues for consideration in this Appeal is effect of the proposal on the living conditions at 84 Sherwood Road ('No 84'), with particular regard to outlook.
- 16.3. The inspectorate observed that whilst No 84 has a nearby rear-facing ground floor habitable room window, and a side-facing kitchen window in its outrigger, the extension's roof would slope down towards the boundary, and the part abutting it would be just 2.45 metres high, and thus not much taller than the existing fence. The inspectorate also added that, whilst the proposed extension would be clearly visible from No 84's closest ground floor rear and side-facing windows, its height and bulk would be limited, and it would not have an overbearing impact.
- 16.4. The inspectorate concluded, that subject to condition on use of specified materials, accordance with plans and a condition removing permitted development rights for windows or doors in its flanks which he believed necessary the proposal would not conflict with Policy D3(7) of the London Plan (2021) or that of Policy DM1 of the Harrow Development Management Policies (2013) or with guidance under The National Planning Policy Framework (2021).

17. 47 Hillview Road, Pinner, HA5 4PB (Appeal Ref: 3311271)

- 17.1. The appellant sought permission for a single storey side extension.
- 17.2. The main issues for consideration in this Appeal is the effect of the proposed development on the character and appearance of the host property and the area.
- 17.3. The inspectorate observed that the front face of this scheme with the existing side to rear extension, would be wider than the original house, and their footprint would be broadly similar to it. Consequently, whilst this scheme by itself would be modestly proportioned, considered cumulatively, the extensions would not appear subordinate to the original house, and the resultant property would have an unduly elongated, horizontal form.
- 17.4. Additionally, the inspectorate commented that the proposed extension would significantly close the gap to 45 Hillview Road, and its corner would project forward of the corner of that property. Consequently, allowing for the curvature of the highway, it would breach the fairly consistent building line on this side of the road.
- 17.5. The inspectorate concluded that the proposal, would dominate the host property, whose original form and proportions would be overwhelmed, and its siting would not reflect the prevailing pattern of development in the area contrary to Policy D3 Parts D1) and D11) of the London Plan (2021) or that of Policy DM1 of the Harrow Development Management Policies (2013) and Policy CS1.B, and Harrow Development Management Policies (2012) and It would also conflict with the National Planning Policy Framework requirement for good design which is sympathetic to local character; and with the Harrow Residential Design Guide Supplementary Planning Document (2010).

18. 71 The Avenue, Hatch End, Pinner, HA5 4EL (Appeal Ref: 3312233)

- 18.1. The appellant sought permission for a rear extension.
- 18.2. The main issues for consideration in this Appeal is the effect of the proposed on the character and appearance of this part of The Avenue and the living conditions at the neighbouring property 73 The Avenue.
- 18.3. On the topic of character and appearance, the inspectorate observed that this modestly sized extension would largely fit into the L-shaped form at the back of the house so would not extend the building much further to the rear, and that it would be almost entirely out of public view. Concluding that the proposal would be well designed to avoid any harm to the character and appearance of this part of The Avenue in keeping with the shared aims of Policy D3 of The London Plan (2021), and Policy CS1.B, and Harrow Development Management Policies (2012), Policy DM1 of the Harrow Development Management Policies (2013) and Harrow Councils Residential Design Guide Supplementary Planning Document (2010) as well as The National Planning Policy Framework (2021).
- 18.4. On the topic of living conditions, the inspectorate observed that the extension would be a comparatively small structure and there would be a significant gap to the neighbouring house, No 73. Although the extension would stretch over 8m to the rear of No 73, it would only appear just over a metre above the existing boundary enclosure.
- 18.5. Subject to imposition of a condition specifying the relevant plans to provide certainty and a condition requiring the use of matching materials and a further one preventing the use of the flat roof as a roof terrace and removing normal permitted development rights to install side windows, the inspectorate concluded that the proposal would fall in keeping with the shared aims of Policy D3.D(7) of The London Plan (2021), and Policy DM1 of the Harrow Development Management Policies (2013) and Harrow Councils Residential Design Guide Supplementary Planning Document (2010) as well as The National Planning Policy Framework (2021).

19. 2 Andrews Close, Harrow HA1 3GE (Appeal Ref: 3303370, Costs Ref:)

- 19.1. The appellant sought permission for a single storey side extension to include covered seating area at the back.
- 19.2. The main issues for consideration in this Appeal is the impact of the proposal upon character and appearance of the area.
- 19.3. The inspectorate took into account the Council's concerns about the perception of a new front door and the impression of a new separate dwelling, which might have a minor impact on the legibility of the streetscene being made up of separate dwellings. However, the inspectorate indicated that the wider area is very diverse in its architectural style, in which there is a great mix of both style and articulation of dwellinghouses, and a site visit revealed several extensions or side garage structures that contain doors accessing onto the front of the property.
- 19.4. The inspectorate went onto further emphasise that the cul de sac of St Andrews Close is well shielded from much of the area and as such the actual impact of a new, sensitively designed doorway, would not cause undue harm to the character and appearance of the area, concluding that the proposal adhered with requirements of Policies D3 (D1 and D(11)) of the London Plan (2021), the Core Strategy CS1 (B) of the Harrow Core Strategy (2012), and

Policy DM1 of the Harrow Development Management Policies Local Plan (2013) as well as Harrow Councils Residential Design Guide Supplementary Planning Document (2010).

- 19.5. On the topic of costs, the appellant was aggrieved primarily due to the allegation that the planning case officer failed to give due care and attention to the assessment of the case. This was alleged to be largely due to the case officer being on holiday and thereby not having the time or capacity to fully consider the original planning application or to offer enough reasoning or justification to refuse the application on design and character grounds.
- 19.6. The inspectorate concluded that, in their view, it appeared that the delegated report was actually thorough in its detail and consistent in its regard of relevant policies. The case officer confirms that he attended site to inspect the property, at least externally, which he considered shows some consideration. Moreover, the inspectorate considered that the reasons for refusal were credible in terms of the Council's opinion.
- 19.7. The inspectorate concluded on this matter by expressing, the fact they found against the Council in this matter does not demean the credibility of the argument put forth, however and they were unable to obtain any sense that due care or attention was lacking or that the assessment of the application was rushed. The application for award of costs against the Council was refused.

20. 45 Cavendish Avenue, HA1 3RD (Appeal Ref: 3309878)

- 20.1. The appellant sought permission for a single and two storey side extension; first floor rear extension; single storey rear extension; external alterations; outbuilding at rear for use as gym/office (demolition of attached garage).
- 20.2. The main issues for consideration in this Appeal is the effect of the proposed side and rear extensions upon the existing building and the character and appearance of the locality and the living conditions of No.47 Cavendish Avenue, with particular regard to access to light, and sense of enclosure.
- 20.3. On the topic of character and appearance, the inspectorate observed that the proposal would extend the already elongated roof form to the boundary and would further accentuate the asymmetry of the existing roof form which would present as an awkward extension to the existing pair of semi-detached dwellings and to the greater locality. Further citing that the erosion of much of the visual gap would also remove the key gaps and spaces in and around the dwelling, and would create a poor relationship to the existing buildings within the street scene.
- 20.4. In conclusion of this matter, the proposed two storey side, first floor and ground floor rear extensions would not be a subservient alteration which would result in the loss of visual gap and be detrimental to the character and appearance of the existing building and the greater locality, contrary to Policies D3 (D(1) and (11)) of the London Plan (2021), the Core Strategy CS1 (B) of the Harrow Core Strategy (2012), and Policy DM1 A, DM1 B (a), (b) and (c) of the Harrow Development Management Policies Local Plan (2013) as well as Harrow Councils Residential Design Guide Supplementary Planning Document (2010).
- 20.5. On the topic of living conditions, the inspectorate agreed with the appellant with regards to there being no adverse detriment cause by loss of light and overshadowing, further highlighting that this would not outweigh the detriment caused with regards to sense of enclosure and outlook. As such, the proposed scheme would be contrary to Policies D3.D(7) of the London Plan (2021), and Policy DM1 of the Harrow Development Management Policies

Local Plan (2013) as well as Harrow Councils Residential Design Guide Supplementary Planning Document (2010).

- 20.6. The inspectorate further noted that the Core Strategy Policy CS1 was cited as a reason for the refusal. This policy deals with place shaping and housing delivery, neither of which appear to be related to the evaluation of living conditions and are, therefore, irrelevant to the consideration of this issue.
- 20.7. The inspectorate pointed out that the Council in their Planning Officer Report state that the rear outbuilding would be appropriate and in accordance with the Development Plan Policies. The inspectorate had no reason to dispute this, and given that this element
- 20.8. The inspectorate drew attention to the fact that the Council stated in the Planning Officer Report that the rear outbuilding would be suitable and consistent with the Development Plan Policies. The inspectorate had no reason to contest this, and he concludes that a split decision would be a reasonable outcome given that this element can be both functionally and physically severable from the side and rear extensions, a split decision is considered a suitable outcome in his opinion, subject to condition (matching materials), the appeal should succeed in relation to the rear outbuilding, however, in relation to the side and rear extensions, the appeal should be dismissed.

21. Pinner Green Dental, 661 Uxbridge Road, Pinner, HA5 3LW (Appeal Ref: 3292310)

- 21.1. The appellant sought permission for a ground and first floor extension to a dental surgery.
- 21.2. The main issues for consideration in this Appeal is the effect of the proposed development upon the character and appearance of the area, the living conditions of existing nearby occupiers with regard to light and outlook, the impact upon a protected tree, and the effect of the proposal upon the safe and efficient operation of the highway network.
- 21.3. The appellant submitted revised drawings that attempted to address the reasons for the refusal. Proposals cannot be altered during the appeals process, the inspectorate noted, citing the Procedural Guide to Planning Appeals England. The guidelines are explicit that amendments intended to address refusal reasons should normally be examined through new applications. Therefore, the inspectorate had determined the appeal in accordance with the plans and information that the Council had considered when making its decision on which all parties had been consulted, taking into consideration the Wheatcroft Principles, and in the interests of fairness.
- 21.4. On the topic of character and appearance, the inspectorate observed that the development would be highly visible and over-dominant within the street scene on account of its substantial forward projection. This would be compounded by the building occupying almost the entire frontage with limited space around it. The inspectorate went onto further comment that the proposal would be noticeable from several private and public vantage points appearing as an unduly awkward, prominent and dominant feature detracting from the character and appearance of the local area, contrary to Policies D1, D3 and D5 of the London Plan (2021), the Core Strategy CS1 of the Harrow Core Strategy (2012), and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).
- 21.5. On the topic of living conditions, the inspectorate commented that the proposed extension would have a significant adverse impact on the living conditions of the occupiers of ground and first floor apartments by virtue of loss of light and outlook due to its position along the boundary and its projection. Further citing that It would be an overbearing feature creating a sense of enclosure, not just to the nearest window but to both openings in the front of the

apartments serving habitable spaces, contrary to Policy D3 of the London Plan (2021), Policy CS1 of the Harrow Core Strategy (2012), and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

- 21.6. In respect of the protected tree, the inspectorate shared the same concerns as the Council in regard to its contents and that such matters could not be adequately addressed through the imposition of conditions. This element of the proposal fell contrary to Policies G7 of the London Plan (2021), and Policy DM22 of the Harrow Development Management Policies Local Plan (2013).
- 21.7. In respect of safe and efficient operation of the highway network, the inspectorate expressed concern over its accessibility, and usable. Further citing that no information has been provided in relation to management of the parking area or swept path diagrams to demonstrate the functionality of the parking area, contrary to Policy T6 of the London Plan (2021), and Policy DM42 of the Harrow Development Management Policies Local Plan (2013).

22. 14 Chantry Road, HA3 6NT (Appeal Ref: 3314147)

- 22.1. The appellant sought permission for a single storey side to rear extension and external alterations.
- 22.2. The main issues for consideration in this Appeal is the effect of the proposed development on the living conditions of the existing and future occupiers of the dwelling in terms of garden space.
- 22.3. The inspectorate observed that the projection of the adjoining property and the close proximity of the rear boundary, the extension would also have an enclosing effect on the remaining garden area and this would result in a poor outlook from the garden.
- 22.4. The inspectorate drew attention to the Council's SPD on 'Residential Design Guide' (2010) which requires that extensions should not exceed 50% of the rear garden area. The inspectorate cited that the proposal is certainly close to this figure but whether it exceeds it is not material in this case.
- 22.5. Concluding that by reason of its size and siting and the specific site circumstances, the proposal would fail to provide a reasonable area and quality of outside space for the occupiers. I conclude that this would significantly harm the living conditions of the existing and future occupiers of the dwelling and the proposal is contrary to Policy D3 D(7) of the London Plan (2021), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and Policy CS1 of the Harrow Core Strategy (2012).

23. 4 Georgian Close, Stanmore, HA7 3QT (Appeal Ref: 3313806)

- 23.1. The appellant sought permission for the construction of 2 no rear dormer windows and the conversion of existing loft floorspace to provide additional residential accommodation.
- 23.2. The main issues for consideration in this Appeal is the effect of the proposed development on the character and appearance of the dwelling and the street scene.
- 23.3. The inspectorate observed that the raising of the ridge height can be clearly seen from the street and the difference in height between the appeal dwelling and the other three would be clearly perceived. The proposed eastern side elevation shown as C on the plans, when viewed from the eastern end of the cul-de-sac would be noticeably bulkier and its steeper pitch and asymmetrical form would appear contrived and at odds with the other roof forms in this group.

23.4. The inspectorate concluded that, the proposed roof alterations are significant and overriding. And whilst acknowledging the appellant's need for additional accommodation for their growing family, that does not outweigh the wider, public harm that would be caused. Concluding that the proposal falls contrary to Policy D3 D(1) and D(11) of the London Plan (2021), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and Policy CS1 B of the Harrow Core Strategy (2012).

24. John Lyon School, Middle Road, HS2 0HN (Appeal A Ref: 3275231, Appeal B Ref: 3281359, Appeal C Ref: 3281360)

24.1. Hearing held on December 6th, 2022, Decision Issued March 27th, 2023.

24.2. The appellant sought permission under Appeal A the redevelopment to provide four storey teaching block; hard and soft landscaping; parking (demolition of existing building).

24.3. The appellant sought permission under Appeal B to have the planning obligation modified by amending the defined building envelope and inserting a clause to require demolition of existing Oldfield House.

24.4. The appellant sought permission under Appeal C to have the planning obligation discharged.

24.5. In each of the appeals, the main issue was as follows:

- Appeal A - The effect on the character and appearance of the area, with particular regard to the sites location within the Harrow on the Hill Village Conservation Area.
- Appeal B - The acceptability of the proposed modification of the planning obligation, to amend the defined building envelope.
- Appeal C - Whether the planning obligation continues to serve a useful purpose.

24.6. Appeal A - The location of the new building would emphasise its scale and height at this sensitive location. The building would be a visually overly dominant feature. Would appear as a discordant feature, out-of-scale with other townscape features in the CA. In agreement with the Committee overturn, the inspectorate agreed that the proposal would have a harmful effect on the character and appearance of the area, including the Harrow on the Hill Village Conservation Area. In conflict with policies CS1 and CS3A of the Harrow Council Core Strategy (2012) and policies DM1, DM6 and DM7 of the Harrow Council Development Management Policies (2013). There would also be conflict with policies D4 and HC1 of the London Plan (2021).

24.7. Appeal B - Modify the planning obligation, principally to amend the building envelope defined within it. Inspectorate considered that the planning obligation should continue to have effect without modification and Appeal B fails.

24.8. Appeal C - Discharge the existing planning obligation in its entirety. Inspectorate considered that as it stood, it continues to serve a useful purpose and accordingly it should not be discharged. Appeal C therefore fails

25. 233 Cannon Lane, Pinner, HA5 1JB (Appeal Ref: 3309458)

- 25.1. The appellant sought permission for the construction a part ground and first floor rear extension.
- 25.2. The main issues for consideration in this Appeal is the effect of the proposed development on the character and appearance of the host property.
- 25.3. The inspectorate observed that the proposal would involve the replacement of the rear gabled projection with a first-floor extension, given its form and proportions, and its rearward projection in this elevated position across part of the host's original rear face, it would have a bulky and dominant appearance, and it would be markedly at odds with the style and design of the original property. Concluding that the proposal fell contrary to Policy D3 Parts D1) and 11) of the London Plan (2021), Policy DM1 Parts A) and B) of the Harrow Development Management Policies Local Plan (2013) and Policy CS1 B of the Harrow Core Strategy (2012).
- 25.4. The inspectorate took note of the appellants arguments in reference to extensions at 2 and 4 Wimborne Drive, however, commented that he had no details of those properties' planning histories, and in any event those examples do not address this scheme's poor design. The inspectorate also dismissed the appellants concerns regarding the Council's handling of his application, citing that he had dealt with the scheme before me on its planning merits, and against relevant policies and guidance.

26. Alden Mead 14 The Avenue, Hatch End, HA5 4ES (Appeal Ref: 3288178)

- 26.1. The appellant sought permission for a single storey roof extension providing 2 No. 1-bed flats.
- 26.2. The main issues for consideration in this Appeal is the effect of the proposal on the character and appearance of the area; and on the living conditions of nearby residents, particularly those within 12 The Avenue (No.12) with regard to outlook and sunlight.
- 26.3. The inspectorate cited that original planning application was refused by the Council contrary to the advice of officers and that he had not been provided with a statement of case by the Council to support this position.
- 26.4. On the topic of character and appearance, the inspectorate observed that the modelling of the proposed roof, in combination with modest dormers, and the external facing materials, would break the visual massing of the new storey, leaving him satisfied that the proposal would not appear over-dominant in relation to either Sandy Lodge or No.12. The inspectorate went onto further express that the fenestration of the proposed roof extension would be articulated appropriately to match the existing building, and the proposed and existing window positions would align. The proposed balconies would also reflect those on the host property and cladding materials to be used are commonly associated with roofing and dormers. Concluding these aspects of the proposal to accord with Policy D1 of the London Plan (2021), the Core Strategy Policy CS1 of the Harrow Core Strategy (2012), and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).
- 26.5. On the topic of living conditions, namely in terms of the potential of being overlooked from the new development, the inspectorate observed that the facing elevation already contains six side facing windows, the two additional windows, serving a kitchen in each case, with their greater height and consequential restricted angle of view would make direct overlooking difficult. In his opinion, the proposal would not result in an increased loss of privacy.
- 26.6. The inspectorate went on to further express that, sufficient separation would exist to accommodate the increased height of the building and the proposed rear facing windows

without undue loss of privacy or outlook. In addition, the new balcony would be screened to the side to restrict potential for overlooking. The same considerations would apply to the front aspect of the proposal, and the proposal would retain acceptable levels of privacy for the occupiers of neighbouring premises.

- 26.7. The inspectorate concluded by expressing that the proposed layouts replicate the layout of existing homes below and would provide good living accommodation and storage for future occupiers, and that the provision of private balcony space in combination with the communal garden, he does not consider would be unreasonably compromised, and are suitable for the proposed scale and type of development.
- 26.8. Subject to imposition of additional conditions, requiring agreement on how the works are to be undertaken, the inspector is imposing conditions securing agreement on materials of construction, protection of trees, communal television apparatus and refuse storage in the interests of amenity.

27. 16 Thistlecroft Gardens, Stanmore, HA7 1PN (Appeal Ref: 3304817, Costs Ref: 3304817)

- 27.1. The appellant sought prior approval for a single storey rear extension.
- 27.2. The main issues for consideration in this appeal were whether prior approval was required for a rear extension under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the Order), and the effect of the proposed development on the amenity of the occupiers of No 14 Thistlecroft Gardens.
- 27.3. The inspectorate commented that, from the evidence and her findings on site, owing to the already extended nature of No 18 at the rear, the position and scale of an existing outbuilding within the appeal site and the siting of the proposed extension away from the shared boundary, the proposal would not harm the living conditions of occupiers of No 18 Thistlecroft Gardens.
- 27.4. However, she went on to further cite that a 6-metre-deep extension at the overall height of around 3 metres as proposed, positioned on the shared boundary with the un-extended neighbouring dwelling at No 14 would result in harm to the neighbouring occupiers from a loss of outlook, and enclosing effects. The inspectorate went on to express that she considers the fence to be visually dominant and even if the extension did not project as far as the end of the highest fence panels, its greater bulk and solidity would still create a tunnel effect when viewed from the neighbouring dwelling and upper garden area.
- 27.5. The inspectorate went on to conclude, having particular regard to outlook, that the proposal would harm the living conditions of the occupants of No 14 Thistlecroft Gardens, though not expressly relevant to a prior approval application, the proposal would therefore fail to comply with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).
- 27.6. The inspectorate described the second reason for refusal, which concerned the combination of the proposed extension with an existing outbuilding in relation to the parameters detailed within the Order. This reason was incorrectly inserted, according to the Council, as the inspectorate noticed, thus wasn't considered a main issue in the appeal.
- 27.7. On the topic of costs, the appellant indicated and alleged that the Council had failed to confirm how the living conditions of No 14 Thistlecroft Gardens would be affected, with a lack of meaningful assessment of the scheme. Seconded by the erroneous second reason for refusal relating to the cumulative effects of the extension and existing outbuilding was also raised.

- 27.8. The Council submitted a response to the appellants claim for costs and included a counter claim on the basis that the Applicant has submitted numerous applications for similar proposals, including three that have been refused and dismissed at appeal, further highlighting that two further prior approval applications have been refused during the processing of this fourth appeal on the same site.
- 27.9. The inspectorate concluded that, in her view, the Council's case is sufficiently well explained in the submitted officer's report and I do not consider that the key reason for refusal is vague or lacks substance. Furthermore, it does not appear that the Council has wholly relied on the assertion that the closest window in the neighbouring property serving a kitchen is 'protected' under the Harrow SPD entitled 'Residential Design Guide' (2010) to justify the unneighbourly impacts that would arise.
- 27.10. Despite the above, the Council had since acknowledged that the second reason for refusal was an error. Regardless of the suggestion by the Applicant that this was likely to have been deliberate, I find that its inclusion has put the Applicant to wasted expense. Therefore, the costs of the appeal relating to this particular reason for refusal were unnecessary and the Applicant should be entitled to recover them.
- 27.11. The application for award of costs against the Council was partly allowed in exercise of the powers under Section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 (as amended).

28. 98 Vernon Drive, Stanmore, HA7 2BL (Appeal Ref: 3304409)

- 28.1. The appellant sought permission for the extension and conversion of garage to form self-contained dwelling.
- 28.2. The main issues for consideration in this Appeal is the effect the development would have on the character and appearance of the surrounding area; whether the development would provide acceptable living conditions for future occupiers, with particular reference to privacy, amenity space, bin storage and cycle storage; and the effect on the living conditions of occupiers of the host property, with particular reference to privacy.
- 28.3. On the topic of character and appearance, the inspectorate observed that the proposed alterations to the front elevation would be prominent in the street scene and involve two new windows and the replacement of the garage door with a front entrance door. The inspectorate went onto further express that the proposed flat roof bungalow and its positioning at a right angle to the host property would combine to make the new dwelling contrast with other dwellings in this section of the street scene.
- 28.4. The inspectorate went onto stipulate that the proposal, would appear to be an incongruous addition to the host site and at odds with the prevailing character and appearance of the area contrary to Policy D3 (11) of the London Plan (2021), the Core Strategy Policy CS1.B of the Harrow Core Strategy (2012), and Policy DM1 of the Harrow Development Management Policies Local Plan (2013) as well as Harrow Councils Residential Design Guide SPD (2010).
- 28.5. On the topic of living conditions, the inspectorate observed that the front elevation directly abuts the open space, and there was no option to provide screening or a boundary treatment to provide privacy. Therefore, these windows would not allow for sufficient privacy and so would fail to provide acceptable living conditions for future occupiers, contrary to Policy D3(7) and D6 of the London Plan (2021), and Policies DM1, DM26 and DM27 of the Harrow Development Management Policies Local Plan (2013) as well as Harrow Councils Residential Design Guide SPD (2010).

28.6. The inspectorate took note of the case made by the appellant of the benefits of the proposed development in providing a windfall contribution towards the housing land supply within the Borough. The inspectorate concluded that the benefit of one additional house in an accessible location is limited by the scale of development, likewise, the wider economic benefits during the construction phase are limited, but nevertheless carry modest weight in favour of the development.

29. 67 Wood End Avenue, HA2 8NT (Appeal Ref: 3294797)

29.1. The Appeal had been withdrawn by the appellant on January 26th, 2023 following the Councils decision to refuse LPA Ref: P/0074/22 for “*Certificate Of Lawful Development (Proposed): Installation of garden annexe In rear garden for use incidental to the main dwelling (demolition of outbuilding)*” on March 7th, 2022.

30. 34-38 Pinner Road, HA1 4HZ (Appeal Ref: 3305179, Costs Ref: 3305179)

30.1. The appellant sought permission for change of use of existing building to supported housing (Sui Generis).

30.2. The appellant submitted revisions in attempted to further support the application. Proposals cannot be altered during the appeals process, the inspectorate noted, citing the Procedural Guide to Planning Appeals England. The guidelines are explicit that amendments intended to address refusal reasons should normally be examined through new applications. Therefore, the inspectorate had determined the appeal in accordance with the plans and information that the Council had considered when making its decision on which all parties had been consulted, taking into consideration the Wheatcroft Principles, and in the interests of fairness.

30.3. The main issues for consideration in this appeal were whether the proposed development would provide acceptable living conditions for future occupiers, with particular regard to specific user groups, suitability of accommodation, and internal space.

30.4. The inspectorate commented that, the submitted evidence is conflicting in terms of the proposed level of occupancy of the host property, management details and intended user group(s). That there is limited evidence outlining the management details of the proposed scheme in the Lotus Sanctuary operators’ letter and no management plan has been provided.

30.5. The inspectorate draws attention to provisions of Policy H12.A which requires that supported and specialised accommodation should be designed to satisfy the requirements of the specific use or group it is intended for, whilst providing options within the accommodation offer for the diversity of London’s population.

30.6. The inspectorate went onto conclude, that there was insufficient evidence before them that the proposal has been designed specifically for the requirements of the proposed specific user group identified in the statement of case, nor whether it would provide suitable standard of accommodation for a diverse range of future occupiers as sought in Policy H12.A of The London Plan (March 2021). Which, in the absence of sufficient evidence, the inspectorate could not be certain that the proposed development would meet the needs of the specific user group or provide suitable standard of accommodation with a choice for a diverse range of future occupiers. Therefore, the proposed development falls contrary to Policy H12.A of The London Plan (March 2021) and Policy DM1.D(g) of the Harrow Council Development Management Policies (2013).

- 30.7. On the topic of costs, this application was made by London Borough of Harrow for a full award of costs against Hencap (West Country) Limited as the appellant had submitted a materially different proposal to that submitted and assessed under the original application which resulted in wasted officer time in processing and responding to the appeal.
- 30.8. The inspectorate concluded that, whilst they accept that a materially different proposal can amount to unreasonable behaviour under the cost's regime. Nevertheless, from the evidence before them it appeared that the delays in processing the initial planning application, LPA staffing issues and responding to the need to address the issues raised by the applicant contributed to the need to change the scheme, rather than this being a result of wilfully un-cooperative behaviour on the part of the appellant. The inspectorate concluded by expressing unreasonable behaviour resulting in unnecessary expense during the appeal process has not been demonstrated.

31. 18 Compton Rise, Pinner, HA5 5HR (Appeal Ref: 3300084)

- 31.1. The appellant sought a Certificate of Lawful Use or development for hip to gable conversion, construction of box dormer on rear roof slope and two rooflights on front roof slope.
- 31.2. The main issues for consideration in this Appeal in the Council's view, the proposed hip to gable extension element of the proposal would extend beyond the plane of an existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway. If this is the case, permitted development rights would not apply to the proposal as a whole, and therefore this is the main issue for determination.
- 31.3. The inspectorate drew attention to the (former) MHCLG publication, Permitted Development Rights for Householders; Technical Guidance published in September 2019 discusses such matters at pages 33-34 where reference is made to earlier sections of the guidance discussing what is meant by a 'principal elevation' and the factors, and relevant to whether an elevation of a house fronts a highway. Highlighting that the guidance identifies that the principal elevation 'could' include more than one wall facing in the same direction.
- 31.4. The inspectorate concluded that here, she did not consider there is an 'L' shaped frontage, and that the rear projection is just that, it is a projection from the side elevation of the house at the rear, and the half-metre or so of wall by which it projects is insufficient in appearance and scale to warrant its description as forming part of the principal elevation to the front.
- 31.5. The inspectorate surmised that there was no other suggested reasons why the proposal might not amount to permitted development under Article 3 and Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, thereby she shall allow the appeal.

32. 9 Caddis Close, Stanmore, HA7 3TL (Appeal Ref: 3306553)

- 32.1. The appellant sought permission for part retrospective single storey front extension; Single storey side and single and two storey rear extension; Infilling of lower ground floor at rear and single storey side extension at lower ground floor; Connecting wall, access platform, terraces and steps between the main dwelling and two storey outbuilding (garage/utility) on lower ground and ground floor level; External alterations.
- 32.2. The main issues for consideration in this Appeal is the effect of the proposal on the character and appearance of 9 Caddis Close and its surroundings, including the effect on neighbouring users.

- 32.3. The inspectorate observed that the previous grant of permission¹ has significantly increased the bulk and depth of the original house and reduced easterly outlook from the frontage of No.10, further commenting that the reallocated entrance door had added to the overall sense of enclosure and tightness of the shared access arrangements.
- 32.4. The inspectorate went onto emphasise that the proposed single storey 'side' extension to the kitchen would actually project towards No.10, appearing as an incongruous addition which significantly intrudes upon the openness of the forecourt, replacing a relatively unobtrusive fence with further built form. Concluding that proposal conflicts with Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the principles set out in the Councils SPD on Residential Design Guide (2010).

33. 8 Orchard Close, Edgware, HA8 7RE (Appeal Ref: 3303307)

- 33.1. The requirements of the notice was to demolish the unauthorised development or alter to first floor rear extension and rear dormer to comply with the approved plans for the planning permission reference P/0876/18; and alter the front porch to comply with the approved details shown in planning application reference P/2843/18. The notice went onto further require, make good any damage caused to the building as a result of the above step and ensure that all materials used shall match those used in the existing building and remove from the land all materials and debris arising from compliance with the aforementioned requirements of the notice. The period for compliance with the requirements is 9 months.
- 33.2. In regards to the rear dormer, the inspectorate commented that this had been built in a position largely similar to the approved scheme, is modest in size and is well set in from the side boundaries, eaves and sits below the ridge line. Expressing that during their site visit, observed that there are a variety of roof forms in the area, many of which contain front, side and/or rear dormer windows, which are visible from the public realm. Concluding, in this context, the rear dormer does not harm the character and appearance of the building and preserves the character and appearance of the CA as a whole.
- 33.3. In regards to the front porch, the inspectorate commented that the porch is taller than that permitted under the LDC application, however, sympathetic with the overall form and scale of the host property and neighbouring properties and does not appear overly dominant. Concluding, that this aspect of the development does not harm the character and appearance of the building nor the CA as a whole.
- 33.4. In regards to the first floor rear extension, the inspectorate commented that its increased size and width, extends the building considerably with the mass and bulk of the extension projecting over a larger area of the ground floor rear extension. The size and scale of the unauthorised development is accentuated by its visibility from neighbouring properties. Concluding that this aspect of the development conflicts with Policy CS1 of the Harrow Core Strategy (2012), Policies DM1 and DM7 of the Harrow Development Management Policies Local Plan (2013), the Harrow Supplementary Planning Document Residential Design Guide (2010) and Policies D3 and HC1.C of the London Plan (2021).
- 33.5. The inspectorate took note of the case made by the appellant which refers to a number of extensions nearby. However, the inspectorate based on the limited evidence submitted regarding these, none appeared to be directly comparable in terms of size and scale as the current appeal development before them and therefore did not alter their decision. In any event, the inspector emphasises that they had assessed this case on its own merits.

- 33.6. The appeal is allowed insofar as it relates to the construction of a rear dormer and front porch and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended, for the construction of a rear dormer and front porch.
- 33.7. The appeal is dismissed, and the enforcement notice is upheld insofar as it relates to the first-floor rear extension and planning permission is refused in respect of the first-floor rear extension at 8 Orchard Close, Edgware HA8 7RE, on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

34. Former Oakleigh Nursing Home, 10 Oakleigh Road, Hatch End, HA5 4HB (Appeal Ref: 3299782)

- 34.1. The Appeal is made against the failure of the Council to give notice of its decision within the prescribed period for the demolition of former care home (class C2) and redevelopment of the site to provide 8 x 2 bed residential units (class C3) along with associated landscaping, ancillary works, closure of existing access points and formation of new vehicular access point from Oakleigh Road is refused.
- 34.2. The main issues for consideration in this appeal were whether the proposed development would be appropriately located having regard to the spatial strategy of the area, the effect of the development upon the character and appearance of the area, and the effect of the proposed development upon the living conditions of occupiers of neighbouring properties with regard to outlook, light and privacy.
- 34.3. In regard to whether the development would be appropriately located, the inspectorate, having regard to the spatial strategy of the area, concluded that it would represent garden land development, and would therefore comprise the harmful dispersal of residential development to the detriment of the spatial strategy. It would therefore be contrary to HCS Policies CS1.A and CS1.B, as well as the GLSPD which together seek to ensure that new development is directed towards regeneration areas and previously developed sites, in the first instance and state that new residential development should not comprise garden land development.
- 34.4. In regard to the effect of the development upon the character and appearance of the area, the inspectorate, observed that the proposal would have a significantly larger volume and massing, particularly as a result of a two-storey wing being located where there is currently an existing single storey double garage. Concluding that, overall, the proposal would appear as an excessively large and harmfully dominating feature within the streetscene, conflicting with Policy D3, HCS of The London Plan (2021) and Policy CS1.B of the Harrow Core Strategy (2012), and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).
- 34.5. In regard to the effect of the proposed development upon the living conditions of occupiers of neighbouring properties with regard to outlook, light and privacy. The inspectorate observed that the proposed development would lead to harm to the living conditions of occupiers of No 8 in terms of outlook and light. Concluding that the proposal would therefore conflict with Policy D3 of The London Plan (2021) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013) as well as Harrow Councils Residential Design Guide SPD (2010).
- 34.6. The inspectorate did however note the appellant had indicated that a fallback position exists, with planning permission for an amended scheme of development having been granted following the submission of this appeal. The inspectorate acknowledged that such a fallback position exists, and that there is a greater than theoretical possibility that it would be implemented should the appeal be dismissed. Although the design approaches taken for both

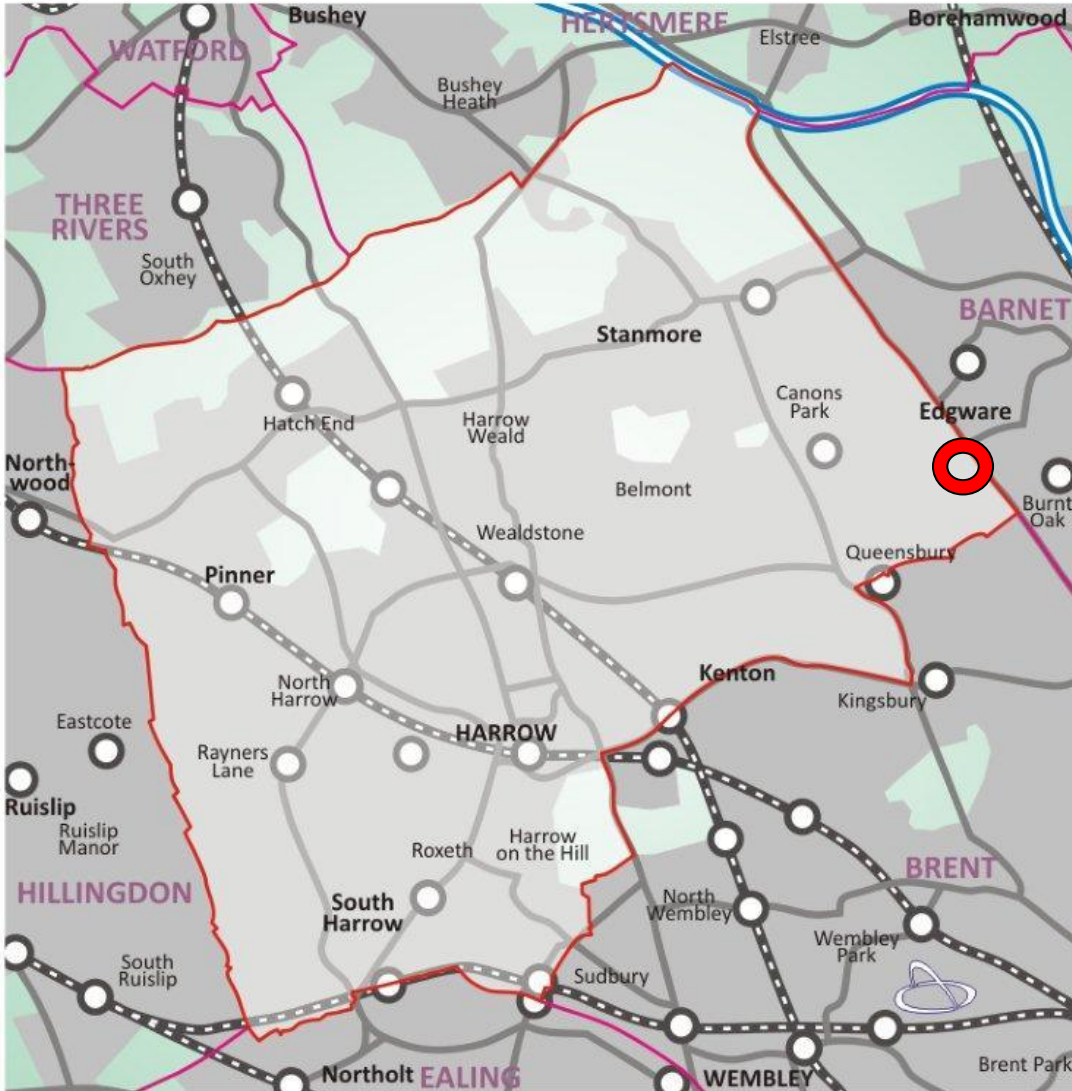
the approved scheme and that currently before the inspectorate exhibited some similarities and offer a similar level of residential units, they are, nevertheless, materially different. Summarising that the fallback position forms a material consideration which, with specific regard to whether the site is an appropriate location for new development, would outweigh the conflict with Policy HCS Policies CS1.A and CS1.B.

35. Bromefield, Stanmore, HA7 1AA (Appeal Ref: 3310151)

- 35.1. The appellant sought permission for a Double storey wraparound extension, new front porch, roof alterations including loft conversion. (The proposed design is coordinated with a proposed design for No.3 Bromefield in order to achieve similar massing and appearance, including matching ridge heights.
- 35.2. The main issues for consideration in this Appeal is the effect of the proposal on the character and appearance of the host property and the area; and the living conditions at 3 Bromefield, with particular regard to outlook.
- 35.3. On the topic of character and appearance, the inspectorate observed that the host's main roofline would be raised by around 1 metre, and a rear dormer is proposed within its extended roof. According to the Council, that dormer would be set up from the eaves by around 1 metre and down from the extended main roof by around 0.8 metre. It would also be set in from the edge of the two-storey side extension's roof. It would thus comply with the SPD's broad stance that dormers should be visually contained within the roof profile.
- 35.4. Concluding that the scheme as a whole would achieve an articulated appearance, which would limit its perceived bulk, including in views from around Brick Lane, and it would respect the broad architectural style of the host. It would also be more in keeping with the scale and proportions of the generally much larger buildings nearby and in accordance with Policies Policy D3 Parts D1) and D11) of The London Plan 2021, Policy CS1.B of the Harrow Core Strategy (2012), and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).
- 35.5. On the topic of character and appearance, the inspectorate observed that the rear extension would project 4.65 metres beyond the host's original rear wall at ground floor level and 3 metres at first floor. On the basis of the available evidence, having regard to No 3, the two-storey rear extension would fail to comply with the SPD's 45-degree code. Notwithstanding this, the inspectorate went on to express that No 3 currently retains its original proportions to the rear, this scheme's form, depth and proportions would be very similar to the adjacent proposal. Consequently, if both were to be implemented, this scheme would have a minimal impact on the outlook from the proposed rear face of No 3 which would continue to be principally down that property's reasonably generous garden.
- 35.6. The inspectorate also disregarded the Council's request for pre-commencement condition requiring the submission of sewage disposal details, citing, this stance is inconsistent with the adjacent proposal where no such condition was suggested, further stating that he has no evidence that the existing system would not cope with the limited additional foul discharge as a result of this small scheme, and I have not therefore imposed that condition.

Agenda Item: 1/01

 = application site



Kilby's Industrial Estate and No's 1-5 Bacon Lane

P/0037/23

KILBY'S INDUSTRIAL ESTATE AND NOS 1-5
BACON LANE, EDGWARE



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

19th April 2023

APPLICATION NUMBER: P/0037/23
VALID DATE:
LOCATION: KILBY'S INDUSTRIAL ESTATE AND NOS.
1-5 BACON LANE
WARD: EDGWARE
POSTCODE: HA8 5AS
APPLICANT: MR POLYCARPOU
AGENT: Cg Architects
CASE OFFICER: MUHAMMAD SALEEM
EXPIRY DATE: 28/04/2023

PROPOSAL

Variation of condition 2 (Approved Plans) attached to planning permission P/3667/19 (dated 11/03/2021) to allow addition of a rear dormer to 10 of the houses approved.

RECOMMENDATION A

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 authority being delegated to the Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of a Deed of Variation to the Section 106 legal agreement (dated 22nd February 2021) and, subject to amendments 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.

HEADS OF TERMS

- 1) Provision of offsite affordable housing contribution of £110,000 with a viability review mechanism
- 2) Harrow Employment and Training Initiatives: financial contribution towards local training and employment initiatives prior to commencement
- 3) Child Play Space provision contribution
- 4) Parking permit restriction
- 5) Carbon offsetting contribution
- 6) External materials strategy
- 7) Planning Permission monitoring fee
- 8) Legal fees

RECOMMENDATION B

That if, by 1st July 2023 or such extended period as may be agreed in writing by the 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 proposal, in the absence of a Deed of Variation to the Section 106 (dated 22nd February 2021) to provide the appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies D3, D4, H4, S4, SI2, T4 of the London Plan (2021), Policy CS1 of the Harrow Core Strategy (2012) and Policies DM12, DM28, DM42, DM50, of the Harrow Development Management Policies Local Plan (2013).

INFORMATION

This application is reported to Planning Committee at the request of a nominated member in the public interest.

Statutory Return Type:	E(7) Small-scale Major Dwellings
Council Interest:	None
Net additional Floorspace:	3sqm
GLA CIL (provisional):	£180
Harrow CIL (provisional):	£330

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 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 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. 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 approximately 0.33ha of land where the approved scheme has now been built and is near completion. The site is located between the rear gardens of the residential properties along Vancouver Road and The Chase with the access point from Bacon Lane. The land was formerly occupied by B1/B2 lock up garages. In addition, the application site includes three residential properties, nos. 1-5 Bacon Lane. As construction is entering the final stages the three approved blocks are within their final form and appearance. The surrounding land use is predominantly residential in the form of semi-detached and terraced inter-war housing.
- 1.2 The application site is located within the policy sub area of Edgware and Burnt Oak. It is an identified allocated site (H15) for residential development within the Harrow Site Allocations SPD (2013).

2.0 PROPOSED DETAILS

- 2.1 The proposal is for a variation of condition 2 (Approved Plans) attached to planning permission P/3667/19 (dated 11/03/2021) to allow addition of a rear dormer to 10 of the houses of the total 23 houses approved.
- 2.2 The proposal would create a dormer window to serve a top floor study in each of the 10 houses, improving the outlook from the room, and daylight levels into the room, which gives a better environment for a study rather than a store. The dormer proposed for approved house type 1 does not amend the total area of the room, due to the reconfiguration of the roof and maintains a total area of 7sqm. The room does increase within the approved house type 3 from 5.6m to 7.39m and this would remain under the 7.5m² which is the size of a single bedroom.
- 2.3 The previous variation application sought approval for a single width dormers measuring 6.3m² under planning ref: P/3522/21 and the wider double dormer formed part of application ref: P/0451/22 were both refused. The proposed total additional 10 dormers have since all been built to the properties in Blocks A, B and C and now seek retrospective planning permission as part of this application.

3.0 RELEVANT HISTORY

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

Ref no.	Description	Status & date of decision
P/5810/17	Redevelopment to provide 24 houses; associated landscaping and parking; refuse storage	Granted: 16/04/2018
P/3667/19	Redevelopment to provide 23 houses; associated landscaping and parking; refuse storage.	Granted: 09/12/2019
P/1077/21	Details pursuant to conditions 5 (materials), 6 (electric vehicle charger point/s) and 20 (biodiversity mitigation) attached to planning permission P/3667/19 dated 11/3/2021 for Redevelopment to provide 23 houses; Associated landscaping and parking; Refuse storage	Granted 11/5/2021
P/2225/21	Details pursuant to conditions 3 (disposal of surface water) and 4 (surface water attenuation) attached to planning permission P/3667/19 dated 11/03/2021	Granted 21/1/2022
P/3522/21	Variation of condition 2 (Approved Plans) attached to planning permission P/3667/19 (dated 11/03/2021) to allow addition of a rear dormer to 10 of the houses approved	Refused 27/01/2022 Appeal Dismissed 07/11/2022
Reason for refusal: The additional dormer windows, by reason of their siting, will give rise to undue overlooking and loss of privacy to the dwellings nearby, over and above the approved proposal, and given that these rooms are now going to be used as studies, this will result in a loss of residential amenities within the locality, contrary to policies CS1 Harrow Core Strategy (2012), DM1 Harrow Development Management Policy (2013) and D1 London Plan (2021).		
P/0451/22	Variation of condition 2 (approved plans) attached to planning permission P/3667/19 dated 11/03/2021 to allow addition of rear	Refused 16/03/2023

	dormers to 5 No. houses (within Block B and C). (Retrospective).	
<p>Reason for refusal:</p> <p>The additional dormer windows, by reason of their siting, will give rise to undue overlooking and loss of privacy, over and above the approved proposal, to the dwellings and their rear gardens abutting the site and will result in a loss of residential amenity within the locality, contrary to policies CS1 Harrow Core Strategy (2012), DM1 Harrow Development Management Plan (2013), D1, D3 London Plan (2021).</p>		

4.0 **CONSULTATIONS**

- 4.1 A total of 94 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The overall public consultation period expired on 13th February 2023 and 11 objections were received. The response to the neighbouring consultation is summarised in the table below:

Neighbouring Amenity

- Privacy concern due to overlooking.
- Privacy concern due to increasing noise and air pollution concern.
- Blocking of natural light
- There is concern regarding the ground level change which means the windows at ground floor of the development are visible over the wall that is 3m high from The Chase and Vancouver Road.
- Following previous refusals by Planning Committee the dormers have been built and reapplied in this application.

Officer response: All issues raised will be considered in sections 6.3.1 – 6.3.6 of the assessment below. The ground floor windows and the amount of overlooking of the built scheme is being investigated by the Council’s Planning Enforcement Officer.

Statutory and non-statutory consultation

- 4.3 There are no statutory or non-statutory consultees that are relevant to this variation application.

5.0 POLICIES

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 '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.'
- 5.3 The Government has issued the National Planning Policy Framework [NPPF 2021] which 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.
- 5.4 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]. The relevant policies are referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Character, and Appearance of the Area
- Neighbouring Residential Amenity
- S106
- Fire Safety

6.2 Character, and Appearance of the Area

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan 2021: D3
- Harrow Core Strategy 2012: CS1.B
- Harrow Development Management Policies Local Plan (2013): DM1

6.2.2 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.

6.2.3 Policy DM1 of the Development Management Policies Local Plan states 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”.

- 6.2.4 Whilst the previous application for the additional dormers were refused planning permission (under planning references P/3522/21 and P/0451/22) due to their amenity impact on neighbouring properties, the additional dormers were considered acceptable in terms of their overall design and scale. The recent planning appeal related to only the amenity impact on neighbours and whether or not planning obligations were necessary to make the development acceptable and if any agreements had been entered into. The design of the built rear dormers is considered in keeping with the scale, character and appearance of the development approved (P/3667/19 dated 11/03/2021). As such, the design of the 10 additional dormers is considered acceptable.

6.3 Neighbouring Residential Amenity

- 6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- Harrow Core Strategy 2012: CS1.K
- Harrow Development Management Policies Local Plan (2013): DM1
- London Plan Policy: D3, D6

Relevant Supplementary Documents

- Mayor of London Housing Supplementary Planning Guidance (2016)

- 6.3.2 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”.
- 6.3.3 The application seeks planning permission for the introduction of 10 new dormers within the development which was granted planning permission (under planning reference: P/3667/19).
- 6.3.4 The consented scheme benefited from 6 dormers to the rear roof slope of Block B which has now introduced 3 additional dormers matching the design, scale and siting of the approved dormers. The rear roof slope of Block A now accommodates 5 dormers (the approved plans had none) and Block C was approved with 7 rear dormers, with a further 2 dormers now added.
- 6.3.5 Proposals for additional dormers to these blocks were refused under planning references P/3522/21 and P/0451/22 due to their impact on the neighbouring amenities of residential properties at The Chase, Vancouver Road and adjacent properties on Bacon Lane in terms of overlooking and loss of privacy.

- 6.3.6 In the recent appeal decision following the refusal of additional dormers to these blocks under planning reference: P/3522/21 the Planning Inspector stated the following (see PINS decision at Appendix 5):

[7] The proposed dormers to Block A would not be orientated towards the rear elevations of houses on neighbouring The Chase or Vancouver Road, or the adjacent properties on Bacon Lane. Some views would be possible from the study rooms across the rear gardens of these properties. However, these would be acute angles and at a distance slightly farther away than would be the case from the approved first floor windows.

[8] The additional dormers proposed to Blocks B and C would be directly opposite the rear of some houses on The Chase. However, the gardens of Blocks B and C and those on The Chase abut, and this would ensure that there is separation. The recess from eaves level and siting up the roof slope would mean that the dormers would be situated farther from properties on The Chase than the approved first floor windows. The dormer windows depicted on the plans would be smaller than those approved at first floor level. As approved. 13 dormers would be sited on the roof slopes of Blocks B and C. These dormers would be quite evenly distributed along the length of the terraces. As a result of this distribution, properties on The Chase, which back onto the site, would already be opposite dormers in the approved scheme.

[9] Consequently, the development would provide windows that would be no closer to neighbouring properties than has already been established under the existing planning permission of provide for any substantially different property relations than would, regardless, prevail as a result of the existing planning permission. Therefore, I find that no increases in overlooking or loss of privacy of significance for neighbouring occupants would result and acceptable living conditions would be preserved.

- 6.3.7 The Planning Inspector's decision forms a material consideration. It is clear from this assessment that there wasn't considered to be an amenity impact regarding the proposed dormers due to site considerations. A reason for refusal on this basis could therefore not be sustained.
- 6.3.8 It is noted that we have received 11 objections raising concerns regarding loss of privacy and overlooking along with loss of light, air quality and noise pollution. Matters pertaining to loss of privacy have been addressed above. Concerns regarding loss of light are noted however the dormers proposed fit within the frame and scale of the approved dwellings, therefore Officers consider the level of daylight received at neighbouring properties within the immediate vicinity would be unaffected by this proposal. The substantive scheme in relation to the 23 homes has been granted planning permission under reference P/3667/19. The addition of a total of 10 dormer windows would not increase noise impacts beyond the permission already permitted. Air quality is an environmental concern that was addressed in the consideration of the original scheme and this permission as granted subject to a legal agreement requiring mitigation relating to carbon off setting as required by planning policy at the time.

6.4 S106

6.4.1 The appeal was dismissed solely due to the fact that the appellant had not submitted a legal agreement to PINS to be considered alongside the appeal to link the proposal into the heads of terms of the legal agreement on the principal permission. As part of this submission the applicant confirm they would enter into the legal agreement which would include the amendments and the Council's legal officers are currently reviewing this.

6.5 Fire Safety

6.5.1 The relevant policies are:

- London Plan (2021): D12

6.5.2 When the primary permission was considered, fire safety for new development as a consideration which is now encapsulated in policy D12 of the London Plan did not exist and as such it has not been addressed in this application.

7.0 CONCLUSIONS AND REASONS FOR RECOMMENDING APPROVAL

7.1 The proposals are considered to form an appropriate addition to the units to facilitate a study room within each unit, that conforms to the character and appearance of the approved development, and would not unduly impact on the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The proposed development would therefore accord with Policies D3, D6, and D12 of the London Plan (2021), policy CS1 of the Harrow Core Strategy 2012, and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Timing

The development shall be begun not later than three years from the date of Planning Permission numbered P/3667/19 dated 09/12/2019.

REASON: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Approved Plans and Documents

Save where varied by the other planning conditions comprising this planning permission, the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents:

Planning Statement dated Jan 2023, Site Location Plan, 1294/50, 1294/51, 1294/52, 1294/53, 1294/54 Rev C, 1294/55 Rev A, 1294/56, 1294/57 Rev A, 1294/58 Rev A, 1294/59 Rev B, 1294/60 Rev B, 1294/61 Rev C, 1294/62, 1294/63, 1294/64, 1294/65, LLDD1210-LAN-DWG-100 Rev 04, 1294/71, 1294/72, 1294/73, 1294/73, LLDD1210-LAN-DWG-101 Rev 05, LLDD1210-LAN-DWG-102 Rev 05, LLDD1210-LAN-DWG-200 Rev 03, LLDD1210-LAN-DWG-201 Rev 05, LLDD1210-LAN-DWG-202 Rev 05, Design and access statement, Planning Statement, Energy and Sustainability Assessment, Phase 3 Remediation Strategy, Air Quality Impact Assessment, Contamination Assessment Report, Report on a Phase 2 Ground Investigation, Extended Phase 1 Habitat Survey, Food Risk Assessment and Drainage Strategy, Construction Management Plan with supporting plans, Construction Logistics Plan, Transport Statement Addendum, Illustrated Schedule of Materials and Planting, Soft Landscape Specification, Daylight Sunlight and Overshadowing Assessment, Detailed Plant Schedule and Specification, Financial Viability Assessment

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

3. Disposal of Surface and Foul Water

The disposal of surface and foul water and foul water drainage shall be implemented in accordance with the details approved in application reference: P/2225/21 dated 25th January 2022 and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk.

4. Surface Water Attenuation and Storage Works

The surface water attenuation and storage works shall be implemented in accordance with the details approved in application reference: P/2225/21 dated 25th January 2022 and shall thereafter be retained.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk.

5. Materials

The materials used in the construction of the external surfaces noted below shall be implemented in accordance with the details approved in application reference: P/1077/21 dated 12th May 2021:

- a. external appearance of the buildings;
- b. windows and doors
- c. refuse and cycle storage area
- d. the boundary treatment

The development shall be carried out in accordance with the details so agreed and shall thereafter be retained.

REASON: To ensure that the development achieves a high standard of design and layout and safeguard the character and appearance of the area

6. Electric Vehicle Charging Points

The vehicle charging points approved under reference P/1077/21 dated 21st May 2021 shall be implemented on site prior to the first occupation of the development and shall be retained thereafter.

REASON: In the interests of sustainable transport.

7. PD Rights – Householder Extensions

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 development which would otherwise fall within Classes A - F in Part 1 of Schedule 2 to that Order shall be carried out 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 and to safeguard the amenity of neighbouring residents.

8. Use as Dwellinghouse

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.

9. Planting

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first use of the building(s), 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 5 development, die, are removed, or become seriously damaged or diseased, 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 ensure that the development maintains appropriate provision for soft landscaping soft landscaping details.

10. Hard Surfacing Material

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. Please note: guidance on permeable paving has now been published by the Environment Agency on <http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>

REASON: To ensure that adequate and sustainable drainage facilities are provided.

11. Contamination 1

The development hereby permitted shall be undertaken in accordance with the remediation measures and strategy detailed within the Phase 3 Remediation Strategy (November 2018), unless otherwise agreed and approved in writing by the Local Planning Authority.

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.

12. Contamination 2

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the Local Planning Authority in writing to be agreed.

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, neighbours and other offsite receptors.

13. Accessible and Adaptable Dwellings

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.

14. Wheelchair User Dwellings

Ten per cent of the proposed dwellinghouses shall be constructed to meet the specifications of Building Regulation requirement M4(3) 'wheelchair user dwellings' and shall thereafter be retained in that form.

REASON: To ensure that the appropriate number of dwellinghouses are designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.

15. Construction Logistic Plan

The development hereby permitted shall be constructed in accordance with the details set out within the Construction Logistics Plan and Construction Management Plan, unless otherwise agreed and approved in writing by the Local Planning Authority.

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site.

16. Refuse Storage

The refuse and waste bins shall be stored at all times, other than on collection days, within the approved designated refuse storage areas

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

17. Flank Windows

Notwithstanding the detail shown on the approved plans, the windows within the flank elevations of the dwellinghouses shall be obscurely glazed and non-openable below 1.7m above internal floor level. The windows implemented shall be retained thereafter.

REASON: To protect the amenities of the neighbouring occupiers.

18. Secured By Design

Evidence of certification of Secure by Design Accreditation for the development shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

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, in accordance with Policy D11 of the London Plan (2021) and Section 17 of the Crime & Disorder Act 1998.

19. Site Hoardings

Site works in connection with the development hereby permitted shall not commence before the boundary of the site is enclosed by a close boarded or other security fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety.

20 Biodiversity

Details of biodiversity mitigation and enhancements for the site as approved under reference: P/1077/21 dated 12th May 2021 shall be implemented prior to the first occupation of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard and enhance the ecology and biodiversity of the area.

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

London Plan 2021: D3, D6,

The Harrow Core Strategy 2012: CS1

**Harrow Development Management Policies Local Plan 2013:
DM1**

2. Considerate Contractor Code of Practice

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.

3. 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 Portal website:

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

4. Mayoral Community Infrastructure Levy (provisional)

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 £131,760. 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 planningportal 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

5. Harrow Community Infrastructure Levy (provisional)

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 £348,115

This amount includes indexation which is 323/224. 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 planningportal 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.

6. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This decision has been reached in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

7. Thames Water

The applicant is advised that under the terms of the Water Resources Act 1991, and the Thames Region Land Drainage Byelaws 1981, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Edgware Brook, designated a main river.

8. Sustainable Urban Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of

residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information.

9. Compliance with Conditions

Compliance with Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
- Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

10. Highways Interference



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.

11. Street Naming and 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

Checked

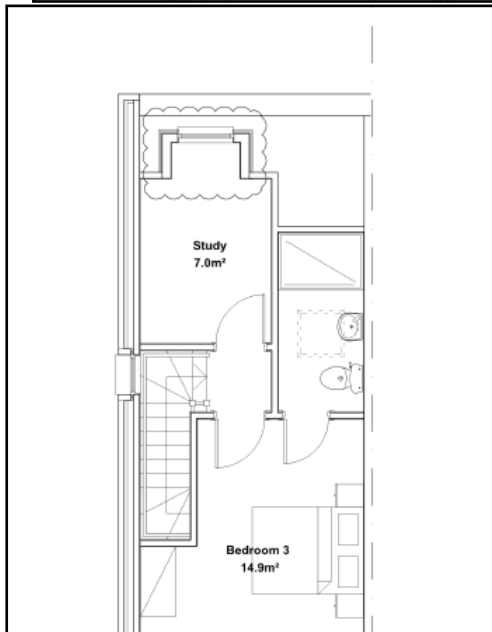
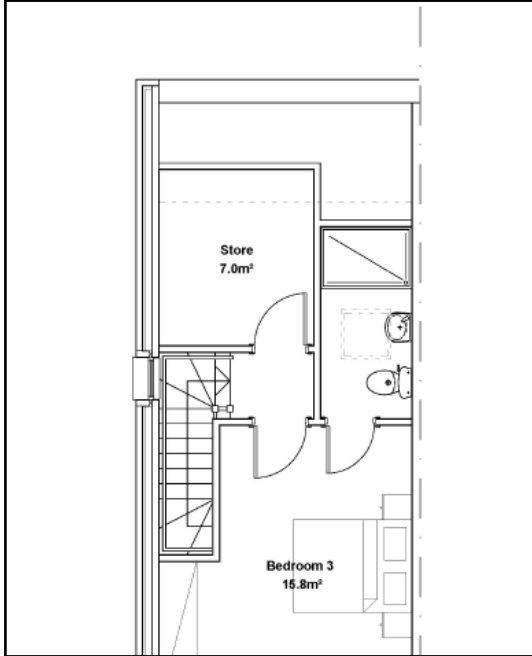
 <p>Orla Murphy Head of Development Management</p> <p>6th April 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>6th April 2023</p>
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APPENDIX 2: SITE PLAN

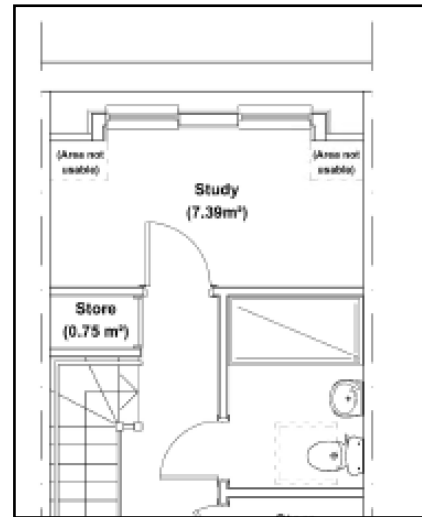
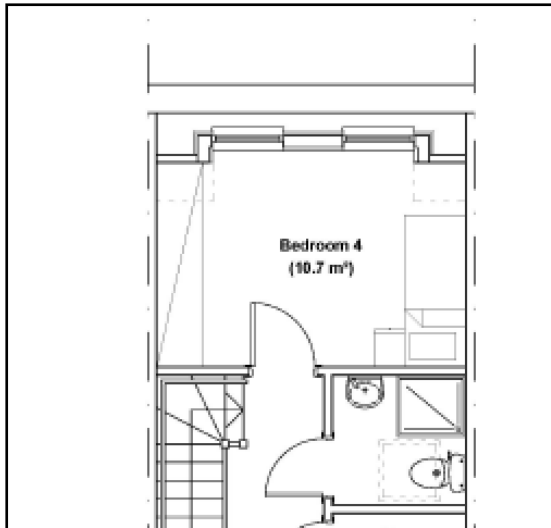


APPENDIX 3: PLANS AND ELEVATIONS

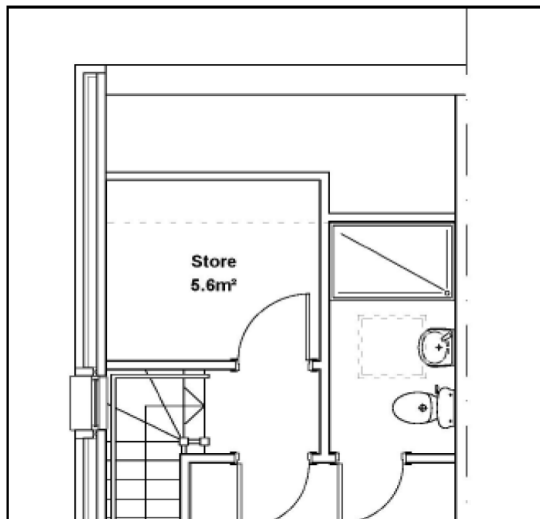
Approved and Proposed House Type 1



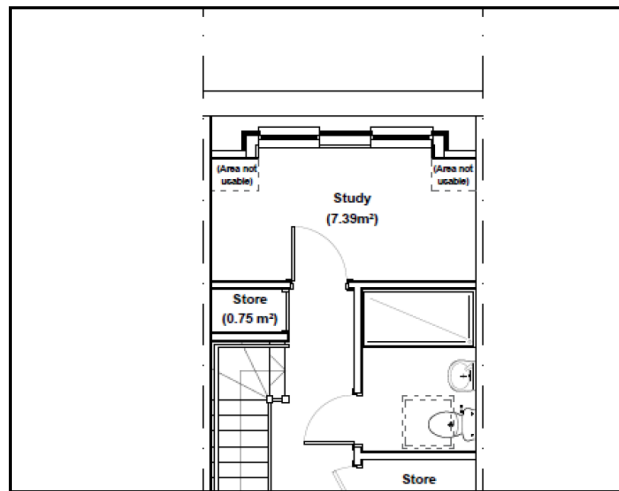
Approved and Proposed House Type 2



Approved and Proposed House Type 3



Approved

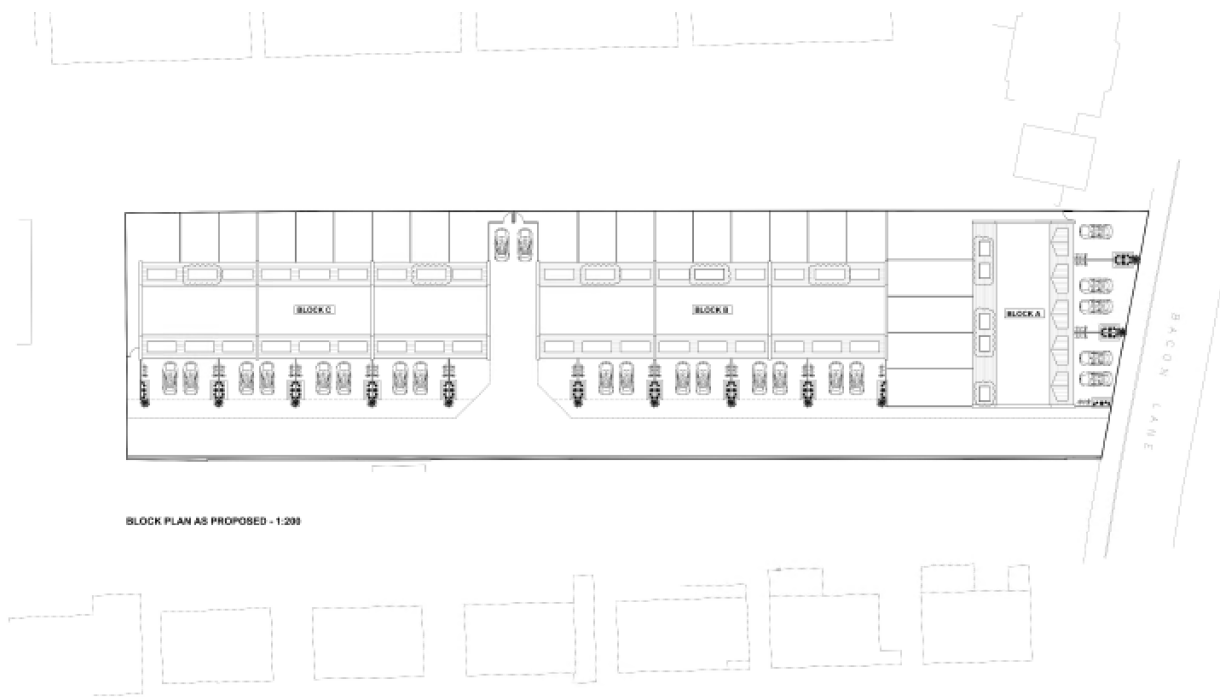


Proposed

Proposed Block Plan

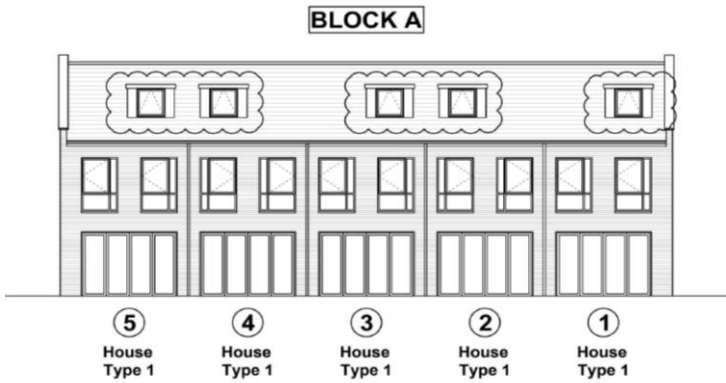
Planning Committee
Edgware Wednesday 19th April 2023

Kilby's Industrial Estate & No's 1-5 Bacon Lane,



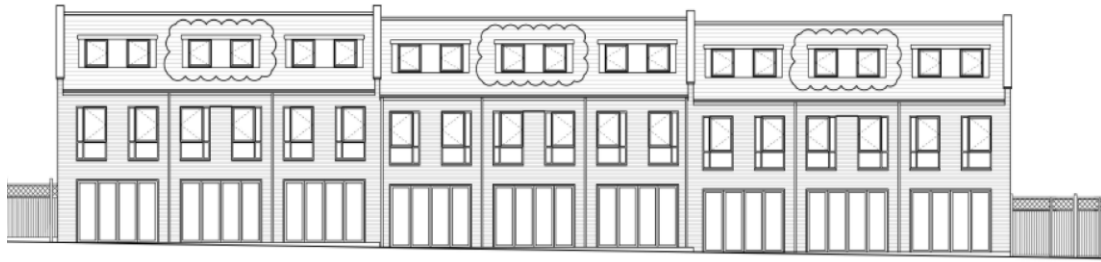
BLOCK PLAN AS PROPOSED - 1:200

Amendments to Block A Rear Elevation



Amendments to Block B Rear Elevation

BLOCK B



- ⑥ House Type 2
- ⑦ House Type 3
- ⑧ House Type 2
- ⑨ House Type 2
- ⑩ House Type 3
- ⑪ House Type 2
- ⑫ House Type 2
- ⑬ House Type 3
- ⑭ House Type 2

Amendments to Block C Rear Elevation

BLOCK C



- ⑮ House Type 2
- ⑯ House Type 3
- ⑰ House Type 2
- ⑱ House Type 2
- ⑲ House Type 2
- ⑳ House Type 2
- ㉑ House Type 2
- ㉒ House Type 3
- ㉓ House Type 2

The plans below outline the proposed dormers under previous applications which were refused planning permission under references P/3522/21 and P/0451/22:

BLOCK B

P/3522/21 – proposed dormers refused



P/0451/22 – proposed dormers refused

BLOCK C

P/3522/21 – proposed dormers refused





Aerial photograph showing the development with the built dormers

Site photographs



Front elevation - Block A – view from Bacon Lane



View of Block A from eastern side of Bacon Lane



Rear of Block A – built rear dormers



Block B and C - rear elevations



Block C – rear elevation



Block C – view from south looking back at development from Mill Yard Industrial Estate, Columbia Avenue

APPENDIX 5: Appeal Decision



Appeal Decision

Site visit made on 7 November 2022

by **H Jones BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3rd January 2023

Appeal Ref: APP/M5450/W/22/3297090

1, 3 and 5 Bacon Lane and Kilbys Industrial Estate, Bacon Lane, Harrow HA8 5AS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Polycarpou against the decision of the Council of the London Borough of Harrow.
- The application Ref P/3522/21, dated 23 August 2021, was refused by notice dated 19 January 2022.
- The application sought planning permission for *redevelopment to provide 23 houses; associated landscaping and parking; refuse storage* without complying with a condition attached to planning permission p/3667/19 dated 11 March 2021.
- The condition in dispute is No 2 which states that: *Save where varied by the other planning conditions comprising this planning permission, the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents: Site Location Plan, 1294/50, 1294/51, 1294/52, 1294/53, 1294/54, 1294/55, 1294/56, 1294/57, 1294/58, 1294/59, 1294/60, 1294/61, 1294/62, 1294/63, 1294/64, 1294/65, LLDD1210-LAN-DWG-100 Rev 04, 1294/71, 1294/72, 1294/73, 1294/73, LLDD1210-LAN-DWG-101 Rev 05, LLDD1210-LAN-DWG-102 Rev 05, LLDD1210-LAN-DWG-200 Rev 03, LLDD1210-LAN-DWG-201 Rev 05, LLDD1210-LAN-DWG202 Rev 05, Design and access statement, Planning Statement, Energy and Sustainability Assessment, Phase 3 Remediation Strategy, Air Quality Impact Assessment, Contamination Assessment Report, Report on a Phase 2 Ground Investigation, Extended Phase 1 Habitat Survey, Food Risk Assessment and Drainage Strategy, Construction Management Plan with supporting plans, Construction Logistics Plan, Transport Statement Addendum, Illustrated Schedule of Materials and Planting, Soft Landscape Specification, Daylight Sunlight and Overshadowing Assessment, Detailed Plant Schedule and Specification, Financial Viability Assessment*
- The reason given for the condition is: *For the avoidance of doubt and in the interests of proper planning.*

Decision

1. The appeal is dismissed.

Background and Preliminary Matters

2. The appellant seeks a varied planning permission which would include the erection of additional rear dormers to 10 houses.
3. On my visit I noted that 10 additional dormers are built or are in the process of being built on the site. The 5 dormers on the rear elevation of Block A appear to match those on the proposed plans. The remaining 5, on the rear elevations of Blocks B and C, differ from those shown on the proposed plans. For the

<https://www.gov.uk/planning-inspectorate>

avoidance of doubt, I have determined the appeal on the basis of the plans submitted.

Main Issues

4. The main issues are:

- The effect that varying the condition would have on the living conditions of the occupants of nearby properties with particular reference to their privacy; and
- Whether or not planning obligations are necessary to make the development acceptable and, if so, whether or not any necessary agreements have been entered into.

Reasons

Living Conditions

5. The appeal site is located within an area which is predominantly residential in character although some industrial units are adjacent to the south. House types in this part of Bacon Lane and the surrounding streets vary but principally consist of traditionally designed semi-detached properties and short rows of terraces. Some properties are served by dormer windows. Properties in the area are generally served by spacious plots with large rear gardens.
6. The dormers proposed to the rear of Block A would be opposite a gable end, front driveways and rear gardens of Block B within the appeal site. The dormers would be separated from Block B by lengthy rear gardens. Recessed from eaves level, and set part way up the rear roof slopes of Block A, the dormers would be located farther from Block B than the approved first floor windows serving Block A. The dormer windows would be smaller than the rear elevation first floor windows. Therefore, whilst occupants of the study rooms would have some views across the gardens and drives of Block B they would be at a distance and views would be no more invasive than those which would be available from first floor rooms. The gable end of Block B would contain windows but condition 16 of the existing planning permission requires that these windows be obscurely glazed and non-opening below 1.7m above the internal floor level. Had the appeal been allowed, such a condition could be reimposed, and no views into those rooms would be available from the proposed dormers.
7. The proposed dormers to Block A would not be orientated toward the rear elevations of houses on neighbouring The Chase or Vancouver Road, or the adjacent properties on Bacon Lane. Some views would be possible from the study rooms across the rear gardens of these properties. However, these would be at acute angles and at a distance slightly farther away than would be the case from the approved first floor windows.
8. The additional dormers proposed to Blocks B and C would be directly opposite the rear of some houses on The Chase. However, the gardens of Blocks B and C and those on The Chase abut, and this would ensure that there is separation. The recess from eaves level and siting up the roof slope would mean that the dormers would be situated farther from properties on The Chase than the approved first floor windows. The dormer windows depicted on the plans would be smaller than those approved at first floor level. As approved, 13 dormers

would be sited on the roof slopes of Blocks B and C. These dormers would be quite evenly distributed along the length of the terraces. As a result of this distribution, properties on The Chase, which back onto the site, would already be opposite dormers in the approved scheme.

9. Consequently, the development would provide windows that would be no closer to neighbouring properties than has already been established under the existing planning permission or provide for any substantially different property relationships than would, regardless, prevail as a result of the existing planning permission. Therefore, I find that no increases in overlooking or loss of privacy of significance for neighbouring occupants would result and acceptable living conditions would be preserved. It follows that the development would be compliant with Policy CS1 of the Harlow Council Core Strategy and Policy DM1 of the Harlow Council Development Management Policies document. In summary, and amongst other matters, these policies require that development responds positively to local density and spacing and ensures a high standard of privacy. I find that Policy D1 of the London Plan, 2021, referred to by the Council, which principally focuses upon the undertaking of area assessments and preparation of development plans for London boroughs, is not particularly relevant to living conditions.

Planning Obligations

10. The application subject to the appeal was recommended for approval by Council Officers. That recommendation, which was overturned by Members of the Planning Committee, was subject to a schedule of conditions and a variation of a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) (the Planning Act). On this basis, it appears that planning permission p/3667/19 is subject to a Section 106 agreement and it has not been shown to me that the revised scheme subject to this appeal would not also require those obligations to make it acceptable in planning terms through a varied agreement. It has been confirmed that no such varied Section 106 agreement has been completed and therefore, the required obligations have not been secured.

Conclusion

11. Whilst I have concluded that the development would have acceptable effects upon the living conditions of the occupants of nearby properties, I have no reason to conclude that a planning obligation under Section 106 of the Planning Act is not necessary to make the development acceptable in planning terms. No such Section 106 agreement has been completed and, in its absence, the development as a whole is not acceptable. The appeal is therefore dismissed.

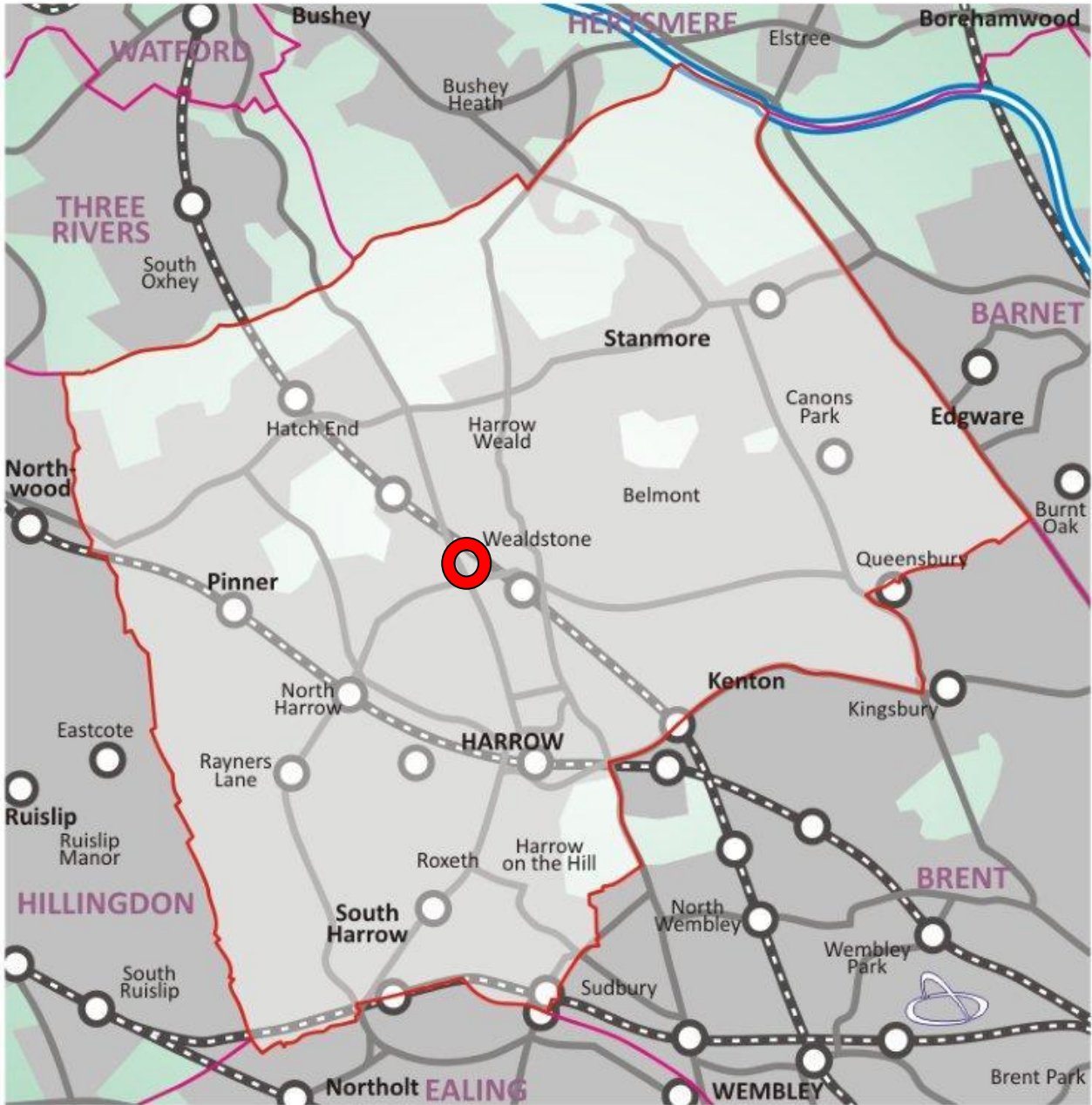
H Jones

INSPECTOR

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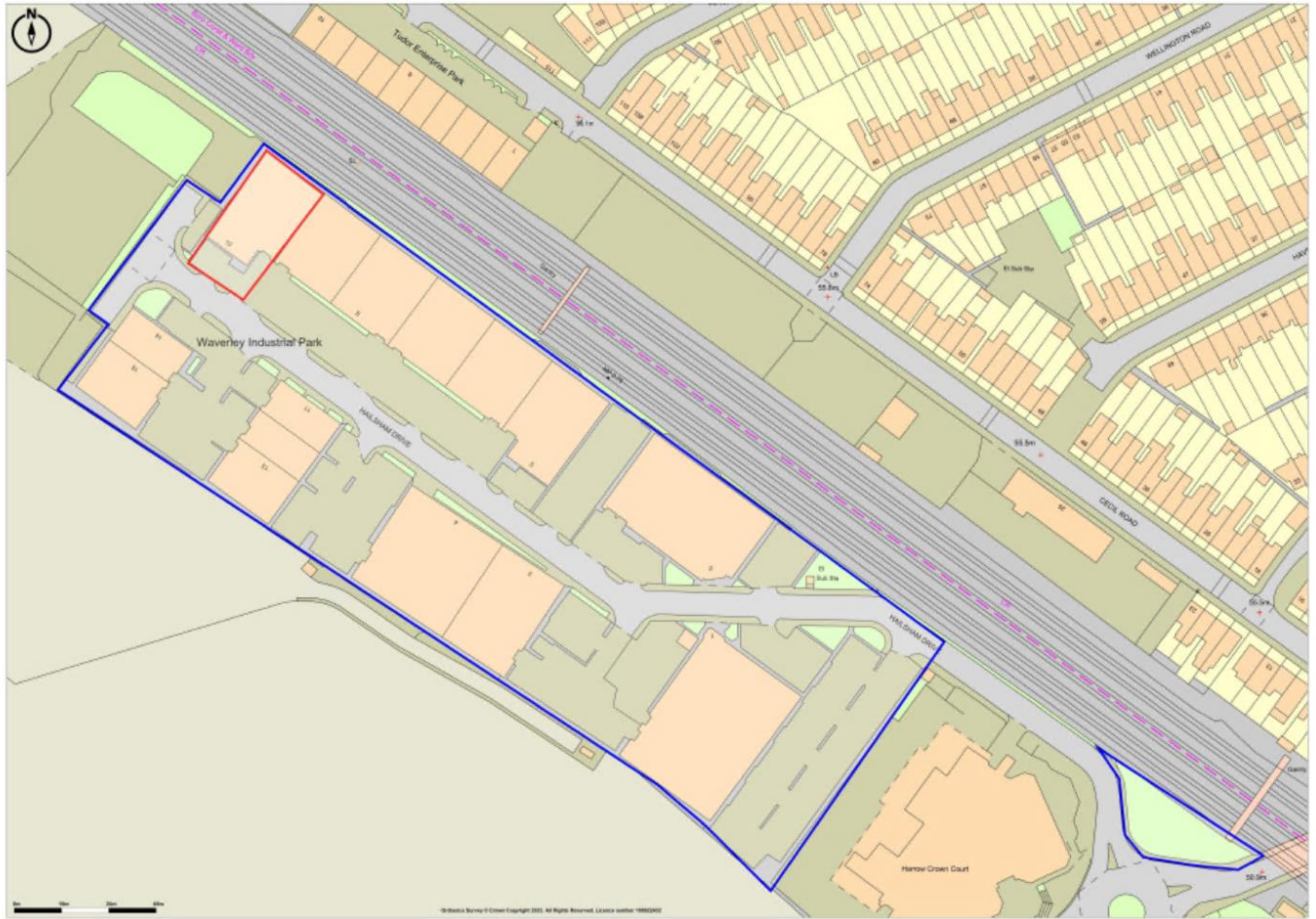
Agenda Item: 2/01

 = application site



Unit 10, Waverley Industrial Estate, Hailsham Drive, Harrow, HA1 4TR	P/0216/23
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Location Plan



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

19th April 2023

APPLICATION NUMBER: P/0216/23
VALID DATE: 31ST JANUARY 2023
LOCATION: UNIT 10, WAVERLEY INDUSTRIAL ESTATE,
HAILSHAM DRIVE, HARROW
WARD: MARLBOROUGH
POSTCODE: HA1 4TR
APPLICANT: -
AGENT: SAVILLS
CASE OFFICER: AKSHAY SISODIA
EXPIRY DATE: 24/04/2023 (EOT)

PROPOSAL

Change of use from B2 to flexible use of classes E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8.

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 RECOMMENDATION

The proposed development complies with all relevant land use policies by providing a flexible and suitable mixed-use site to support and sustain the existing industrial and employment use. The proposed development is also considered to be acceptable on grounds of character and design, it is considered to have an acceptable residential amenity impact, it is considered acceptable on grounds of highways safety, parking and servicing, and furthermore the site is not considered to be susceptible to harmful flooding and would not unduly exacerbate flood risk elsewhere. The applicant has provided a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such the development accords with the NPPF (2021), Policies D3, D11, D12, D13, D14, E2, E4, E6, SD 1, SI 12, SI 13, T3, T5, T6, T6.2 and T7 of the London Plan (2021), Policies CS1.B, CS1.N, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U and CS1.W of the Harrow Core Strategy (2012), Policies DM1, DM2, DM10, DM31, DM42, DM44 and DM45 of the Harrow Development Management Policies Plan (2013), and Policies AAP3, AAP4, AAP9, AAP14, AAP15 and AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

INFORMATION

This application is reported to Planning Committee due to the amount of floor space changing use, as per Part 1 (f) of the Scheme of Delegation 2018.

Statutory Return Type:	E(20) Change of Use
Council Interest:	None
Net additional Floorspace:	N/A
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

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

1.0 SITE DESCRIPTION

- 1.1 The application site comprises a vacant two storey purpose-built industrial building (Unit 10) with part brick and part metal cladded exterior on the north eastern side of Hailsham Drive. The total gross internal floor area of the building is 825m².
- 1.2 The site is situated within the Waverley Industrial Estate and which forms part of the designated Wealdstone Strategic Industrial Location. Hailsham Drive forms the main thoroughfare into the industrial estate.
- 1.3 The building has a lawful use of B2 (General Industrial). It is currently vacant but was previously occupied by Image Print (London) Ltd as a printers. Its use was granted (and controlled) by planning permission reference P/3233/10. This permitted a flexible use for classes B1 (now E), B2, and B8 uses in March 2011. Under Part 2 Class V of the GPDO the use of the unit could have changed to Class E or B2 under the terms of that permission up until March 2021. That opportunity has expired, hence the submission of this planning application.
- 1.4 The site is bounded to the north by railway tracks that serve the nearby Harrow & Wealdstone rail station and the neighbouring units within the estate incorporate a range of existing light industrial, industrial and commercial uses.
- 1.5 The site has a hardsurfaced front forecourt, with 7.no car parking spaces associated with the unit.
- 1.6 The host building is not listed and is not located within a designated Conservation Area.
- 1.7 The site is located within a Critical Drainage Area, but is not located within a high risk flood zone.

2.0 PROPOSAL

- 2.1 A change of use of the site from Class B2 (General Industrial) to a flexible use of Classes including E(g)(ii) (Research and development of products or processes) and/or E(g)(iii) (Industrial Processes - which can be carried out in a residential area without detriment to its amenity), and/or B2 (General Industrial) and/or B8 (Storage or Distribution).
- 2.2 No external or internal alterations are proposed as part of this application. The applicant is simply applying for permission for the principle of the change of use.
- 2.3 Existing parking, delivery and servicing arrangements are to remain unchanged from existing arrangements.

3.0 RELEVANT PLANNING HISTORY

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

Ref no.	Description	Status & date of decision
LBH/35017	24 INDUSTRIAL/WAREHOUSING UNITS WITH ANCILLARY OFFICES, PARKING AREAS AND ACCESS ROAD	Granted 07/04/1988
P/3233/10	Change of use to a flexible permission for either b1 (c) or b2 or b8 use	Granted: 17/02/2011
P/2746/21 (Unit 9)	Change of use from Class B8 to flexible use comprising Classes E(g), B2 and B8	Granted: 30/09/2021
P/2730/21 (Unit 8)	Change of use from storage and distribution (Use Class B8) to flexible use Class E(g) or Class B2 or Class B8	Granted: 30/09/2021
P/0216/23 (Unit 10)	Change of use from B2 to flexible use of classes E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8.	Pending Consideration

4.0 **CONSULTATION**

- 4.1 A total of 4 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation expired on 02/03/2023 and no objections were received.
- 4.2 A site notice was posted on 27/02/2023 and this expired on 20/03/2023.
- 4.3 Statutory Consultation
- 4.4 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee and Summary of Comments
<p><u>Policy Officer</u></p> <p>Raised no objection to the proposal and confirmed that all appropriate uses for the site are set out within Policy E4A(1-10) of the London Plan (2021). They note that E(g)(i) is for office space and is not an appropriate use within a designated industrial area unless it is ancillary to an industrial use.</p>

5.0 POLICIES

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 '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.'
- 5.3 The National Planning Policy Framework [NPPF 2021] is a material consideration in the determination of this application.
- 5.4 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]. The relevant policies are referenced within the report below and a summary within Informative 1

6.0 ASSESSMENT

6.1 The main issues are:

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

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D13, E2, E4, E6, SD1
- Harrow Core Strategy (2012): CS1.N, CS1.O, CS1.P
- Harrow Development Management Policies Local Plan (2013): DM31
- Harrow and Wealdstone Area Action Plan (2013): AAP3, AAP14, AAP15

6.2.2 Policy E2 of the London Plan relates to the provision of suitable business space. Part B of the policy notes that the development of Class B uses should ensure that the space is fit for purpose having regard to the type and use of the space.

6.2.3 Policy E4 of the London Plan relates to land for industry, logistics, and services to support London's economic function. Within Part A of the policy it is noted that a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained, taking into account strategic and local employment land reviews, industrial land audits and the potential for intensification, colocation and substitution.

This policy specifically notes (E4 A (8)) that industrial provision should take into account the varied operational requirements of flexible B1c/B2/B8 hybrid space to accommodate services that support the wider London economy and population. E4 A (10) notes that industrial provision should take into account research and development of industrial and related products or processes (falling within Use Class B1b). It should be noted that Use Class B1 was revoked from 01/09/2020 and was replaced by Class E(g) with B1(b) being replaced by E(g)(ii) – the research and development of products or processes and B1(c) being replaced by E(g)(iii) – any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

- 6.2.4 Policy E6 of the London Plan relates to the designation of Locally Significant Industrial Sites (LSIS) taking into account intensification, co-location and substitution. Part 2 notes that development plans should make clear the range of industrial and related uses that are acceptable in LSIS including, where appropriate hybrid or flexible B2/B8 uses.
- 6.2.5 Policy CS1.N of the Council's Core Strategy notes that through the Area Action Plan, consideration will be given to the consolidation of the Wealdstone Strategic Industrial Location.
- 6.2.6 Policy CS1.O notes that the Borough's stock of business and industrial premises will be monitored and managed to meet economic needs. Any release of surplus stock for other uses, having regard to the most up-to-date monitoring of the demand and supply balance will be considered in accordance with a sequential approach (further outlined within the policy).
- 6.2.7 Policy CS1.P relates to mixed use development. It is noted that mixed use development will be supported, where this secures employment generating development and diversification of Harrow's economy. The Development Management Policies DPD or the Area Action Plan, as appropriate, will set out criteria for the managed release of surplus employment land.
- 6.2.8 Policy DM31 of the Council's Development Management Policies document relates to 'Supporting Economic Activity and Development'. Part A of the policy states that proposals for the intensification, renewal and modernisation of existing industrial and business floorspace will be supported where the development complies with other relevant policy considerations and the new industrial or business floorspace allows for future flexibility, including future subdivision and / or amalgamation to provide for a range of accommodation, particularly for small businesses.
- 6.2.9 Policy AAP3 of the Harrow and Wealdstone Area Action Plan relates to development within the three Wealdstone Sub Areas (Wealdstone Central, Wealdstone West and Wealdstone East). Part A of Policy AAP3 notes that development within all three Wealdstone Sub Areas will be required to improve the environment and identity of the Wealdstone area as a location for business and industrial activity. The application site is located within the Wealdstone West Sub Area. Part E (a) of Policy AAP3 notes that within the Wealdstone West sub area proposals should also support Wealdstone's strategic employment function, and help nurture existing and

new uses, seeking creative non-residential re-use of industrial buildings and sites where possible.

- 6.2.10 Policy AAP14 of the Harrow and Wealdstone Area Action Plan relates to 'The Consolidation of the Wealdstone Strategic Industrial Location'. This policy specifies that economic development and uses, and any appropriate ancillary uses on sites within the consolidated Wealdstone Strategic Industrial Location will be supported where these do not conflict with The London Plan and criteria a-e of Policy AAP15 of the Area Action Plan.
- 6.2.11 Policy AAP15 of the Harrow and Wealdstone Area Action Plan relates to 'Supporting the Business Sector in Wealdstone' Part A of the Policy notes that proposals for economic development and uses, including appropriate supporting ancillary uses, will be permitted on existing designated business and industrial use land except where the proposal:
- a) Involves development or uses that should be located within a town centre;
 - b) Would adversely impact upon the amenity of surrounding uses or the character of the area;
 - c) Would prejudice the proper functioning of any neighbouring economic activity;
 - d) Is detrimental to highway safety considerations; and
 - e) Involves inadequate arrangements for servicing, parking and inclusive access
- 6.2.12 Officers raise no objection to the principle of the change of use from B2 to a flexible use of classes E(g)(ii) and/or E(g)(iii) and/or B2 and/or B8. All of the proposed uses would be industrial and employment generating uses which would not result in unacceptable harm on the vitality and viability of the unit and the Wealdstone Strategic Industrial Location within which the application site is located. Policy E4 of the London Plan clearly emphasises that industrial provision should take into account varied operational requirements of flexible E(g)(iii)/B2/B8 hybrid space, and the development of industrial and related products or processes (E(g)(ii)). The proposed hybrid use is expected to generate greater interest from small industrial occupiers, allowing for the unit to be more easily occupied. The proposed change of use would not conflict with the interests of Policy DM31 of the Council's Development Management Plan, the proposal would allow for a more flexible occupation of the premises in line with more modern needs, and as previously suggested, this flexible form of accommodation would be particularly enticing for small businesses. The proposed development would also be in accordance with the interests of Policy AAP3 of the Harrow and Wealdstone Area Action Plan with the development retaining the site's employment function and allowing the currently vacant building to be more easily occupied in an industrial format. Likewise, the proposed development would not be in conflict with Policies AAP14 and AAP15 of the Harrow and Wealdstone Area Action Plan with the proposed use according with relevant London Plan policy, and the relevant requirements of AAP15 A. Please refer to the pertinent sections of this committee report for an assessment on the development's compliance with requirements of AAP15 A (b-e).

- 6.2.13 It is worth recognising that planning permission was previously obtained on the site in February 2011 under application P/3233/10, for a flexible change of use of the site to Use Classes B1(c)/B2/B8, however that permission can no longer be implemented due to changes in legislation relating to use classes. The applicant is simply seeking to reapply, with the previous B1(c) component being updated to its appropriate current use of E(g)(iii), and the applicant is now introducing the option of changing the use to E(g)(ii) also, which is another appropriate industrial use. It should be added that planning permission has already been obtained at Units 8 and 9 for a very similar development with the only difference being that these units also have the option of being occupied as offices -Use Class E(g)(i). It should be noted that that the applicant initially sought permission for a flexible use including all of the uses in class E(g), however it was considered that E(g)(i) (Offices to carry out any operational or administrative functions) would not be an appropriate use of the site due to the resulting loss of industrial floorspace. The agent confirmed (within an email dated 20/03/2023) that they are happy to omit E(g)(i), the initial application description was amended in light of this. For the avoidance of doubt, a condition has been recommended restricting the use of the building to only those that have been agreed.
- 6.2.14 As per the Agent of Change principles outlined within Policy D13 B of the London Plan, development should be designed to ensure that established noise and other nuisances-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.
- 6.2.15 The site is located within an industrial area which is already subject to considerable levels of noise. Noise exposure from the proposed use(s) are likely to be comparable to pre-existing noise levels when the site was last occupied. Based on the context of the area, the continued operation of established noise generating uses within the area would not be compromised. Likewise surrounding noise generating uses are not considered to unduly restrict the operation of the application site.

6.3 Character, Appearance and Design

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Polices Local Plan (2013): DM1
- Harrow and Wealdstone Area Action Plan (2013): AAP3, AAP4

6.3.2 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.

- 6.3.3 Policy CS1.B of Harrow's Core Strategy notes that proposals that would harm the character of suburban areas and garden development will be resisted. All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design.
- 6.3.4 Policy DM1 of the Development Management Policies Local Plan states 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.
- 6.3.5 Policy AAP3 E (c) of the Harrow and Wealdstone Area Action Plan notes that development within the Wealdstone West Sub Area should provide a design which creates a sense of place but one that is clearly related to, and an extension of Wealdstone; AAP3 E (d) notes that development proposals should ensure that the design and character of both the leading land use and any enabling development conforms to the relevant policies of the Area Action Plan.
- 6.3.6 Policy AAP4 of the Area Action Plan notes that all development throughout the Heart of Harrow should use high quality, durable and serviceable materials to the external finishes of the building, conserve and enhance the significance of heritage assets, including their setting, and seek to integrate fully with, and be respectful of the existing street grain and character.
- 6.3.7 The proposed development is considered to be acceptable on character and design grounds, no external or internal alterations are proposed as part of the application, the applicant is simply seeking permission for the principle of the change of use. As set out within the Conservation Officer's comments, the proposed development would not impact upon the adjacent locally listed Underground Air Ministry Citadel to the south of the site.

6.4 Residential Amenity

- 6.4.1 The relevant policies are:
- National Planning Policy Framework (2021)
 - London Plan (2021) Policy: D3, D13, D14
 - Harrow Development Management Policies Local Plan (2013): DM1
- 6.4.2 Policy D3 D (7) of the London Plan notes that development proposals should deliver appropriate outlook, privacy and amenity, meanwhile Policy D3 D (9) notes that development proposals should help prevent or mitigate the impacts of noise and poor air quality.
- 6.4.3 Part C of Policy D13 of the London Plan notes that new noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses.

6.4.4 Policy D14 of the London Plan relates to Policy D14 of the London Plan relates to noise. It sets out that development proposals should manage noise by:

- 1) avoiding significant adverse noise impacts on health and quality of life
- 2) reflecting the Agent of Change principle as set out in Policy D13 Agent of Change
- 3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses
- 4) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity)
- 5) separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials – in preference to sole reliance on sound insulation
- 6) where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles
- 7) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

6.4.5 Policy DM1 of the Development Management Policies Local Plan notes 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".

6.4.6 As mentioned previously (paragraph 6.2.15), noise exposure from the proposed use(s) are likely to be comparable to pre-existing noise levels when the site was last occupied, taking this into account alongside the fact that the site is located within a noisy industrial area, any resulting noise intensification is not considered to result in significant harm upon the amenity of surrounding properties. Given the fact that no external alterations are proposed to the building, there would be no harmful neighbouring amenity impacts relating to loss of light, outlook and visual amenity.

6.4.7 The application does not indicate existing and proposed operation hours for the site, however given that the site is located within a Strategic Industrial Location and is not within immediate proximity of surrounding neighbouring properties, it is not considered appropriate to restrict proposed hours of operation. Part D of London Plan Policy E5 notes that development proposals within or adjacent to Strategic Industrial Locations should not compromise the integrity or effectiveness of these locations in accommodating industrial type activities and their ability to operate on a 24-hour basis. By leaving operation hours unrestricted, the Council are following requirements set out in London Plan Policy.

6.5 Traffic, Parking and Servicing

6.5.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan (2021) Policy T5, T6, T6.2, T7
- Harrow Core Strategy (2012): CS1.Q, CS1.R, CS1.S
- Harrow Development Management Policies Local Plan (2013): DM42, DM44 DM45
- Harrow and Wealdstone Area Action Plan (2013): AAP19

6.5.2 London Plan maximum car parking standards are outlined within Policies T6 and T6.2 of the London Plan. Policy T5 outlines minimum cycle parking standards.

6.5.3 Policy T7 of the London Plan relates to deliveries servicing and construction. Part G of this policy notes that development proposals should facilitate safe, clean and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street parking bays used only when this is not possible.

6.5.4 Policy DM42 of the Development Management Plan relates to the Council's parking standards. Criterion (F) of this Policy notes that proposals that would result in inappropriate on-site parking provision and those which would create significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclists will be resisted.

6.5.5 Policy DM44 of the Council's Development Management Plan relates to servicing. Within Part C, it is emphasised that proposals that will be detrimental to safety, traffic flow or the amenity of neighbouring occupiers will be resisted.

6.5.6 Policy DM45 relates to Waste Management. Part A of the policy notes that all proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic materials for composting.

6.5.7 The application site is served by 7.no on-site parking spaces and benefits from a servicing area to the front. As indicated within the applicant's submitted covering letter, car parking and serving arrangements for the proposed use(s) will remain the same as existing. On the basis that the proposed use(s) would remain industrial, and there is no net increase in floor space, existing arrangements for parking, deliveries and servicing are considered acceptable. As per the development granted for Units 8 (P/2730/21) and 9 (P/2746/21), a condition has been imposed to ensure that no goods, materials, plant or machinery is stored within the designated parking areas or within areas of land surrounding the site which feature soft landscaping.

6.6 Development and Flood Risk

6.6.1 The relevant policies are:

- National Planning Policy Framework (2021)
- Harrow Core Strategy 2012: CS1.U, CS1.W
- Harrow Development Management Policies Local Plan (2013): DM10
- London Plan Policy: SI 12, SI 13
- Harrow and Wealdstone Area Action Plan (2013): AAP9

6.6.2 Policy SI 12 C of the London Plan notes that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses.

6.6.3 Policy SI 13 relates to Sustainable Drainage and encourages the use of Sustainable Urban Drainage systems where appropriate.

6.6.4 Policy DM10 A of the Council's Development Management Policies document notes that proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water runoff.

6.6.5 Policy AAP9 E of the Harrow and Wealdstone Area Action Plan notes that proposals that fail to reduce surface water run-off, and/or fail to make appropriate provision for flood risk mitigation or that would increase the risk of flooding or water pollution, will be refused.

6.6.6 The site is located within a Critical Drainage Area, however the development relates only to a change of use of the premises with no external changes and no increase in development footprint on site, and is therefore not considered to result in any worsened flood risk and is not considered to exacerbate flood risk to the site's surroundings

6.7 Fire Safety

6.7.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan Policy: 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 The applicant has completed a Reasonable Exemption Statement to confirm that the proposed development will not adversely affect the appropriate fire safety measures of the site.

7.0 CONCLUSION AND REASONS FOR RECOMMENDING APPROVAL

- 7.1 The proposed development complies with all relevant land use policies by providing a flexible and suitable mixed-use site to support and sustain the existing industrial and employment use. The proposed development is also considered to be acceptable on grounds of character and design, it is considered to have an acceptable residential amenity impact, it is considered acceptable on grounds of highways safety, parking and servicing, and furthermore the site is not considered to be susceptible to harmful flooding and would not unduly exacerbate flood risk elsewhere. The applicant has provided a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site.
- 7.2 In light of all of the above, the proposed development would be in accordance with the NPPF (2021), Policies D3, D11, D12, D13, D14, E2, E4, E6, SD 1, SI 12, SI 13, T3, T5, T6, T6.2 and T7 of the London Plan (2021), Policies CS1.B, CS1.N, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U and CS1.W of the Harrow Core Strategy (2012), Policies DM1, DM2, DM10, DM31, DM42, DM44 and DM45 of the Harrow Development Management Policies Plan (2013), and Policies AAP3, AAP4, AAP14, AAP15 and AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

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 92 of the Town and Country Planning Act 1990.

2. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following documents and plans:

Covering Letter (Dated 23/01/2023), PROP01-10WIEH Rev. A, PROP02-10WIEH, PROP03-10WIEH Rev. A, Site Location Plan, Email from Agent (Dated 20/03/2023), Reasonable Exemption Statement.

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

3. Access Parking and Servicing Space

The unit's existing access, parking and servicing spaces, shall be permanently retained for such uses and shall not be used for any other purposes.

REASON: To ensure that adequate provision for parking and servicing is retained at the site in accordance with Policy T7 of the London Plan (2021), Policies DM42 and DM44 of the Harrow Development Management Policies Local Plan (2013), and Policy AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

4. No Storage within Parking Areas and Soft Landscaped Areas

No goods, materials, plant or machinery shall be stored within the unit's designated parking areas, or within surrounding areas that feature soft landscaping, without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and to ensure that the areas dedicated for parking and servicing and landscaping within the site are retained, in accordance with Policies D3 and T7 of the London Plan, Policies DM1, DM42 and DM44 of the Harrow Development Management Policies Local Plan (2013), and Policy AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

5. Restricted Use

The premises shall be used only as flexible E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8 uses and for no other purposes, unless an alternative use is agreed in writing by the Local Planning Authority.

REASON: To safeguard the character and functioning of the Waverley Industrial Estate and wider Wealdstone Strategic Industrial Location and to accord with Policies E2, E4 and E6 of The London Plan (2021), Policy DM31 of the Harrow Development Management Policies Plan (2013), Policies CS1.N CS1.O and CS1.P of the Harrow Core Strategy (2012) and Policies AAP3, AAP14 and AAP15 of the Harrow and Wealdstone Area Action Plan (2013).

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

London Plan 2021: D3, D11, D12, D13, D14, E2, E4, E6, SD 1, SI 12, SI 13, T3, T5, T6, T6.2, T7

The Harrow Core Strategy 2012: CS1.B, CS1.N, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U, CS1.W

Harrow Development Management Policies Local Plan 2013:

DM1, DM2, DM10, DM31, DM42, DM44, DM45

Harrow and Wealdstone Area Action Plan 2013: AAP3, AAP4, AAP9, AAP14, AAP15, AAP19

2. Considerate Contractor Code of Practice

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

3. 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 Portal website:

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

4. 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.

5. Grant without Pre-App Advice

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. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

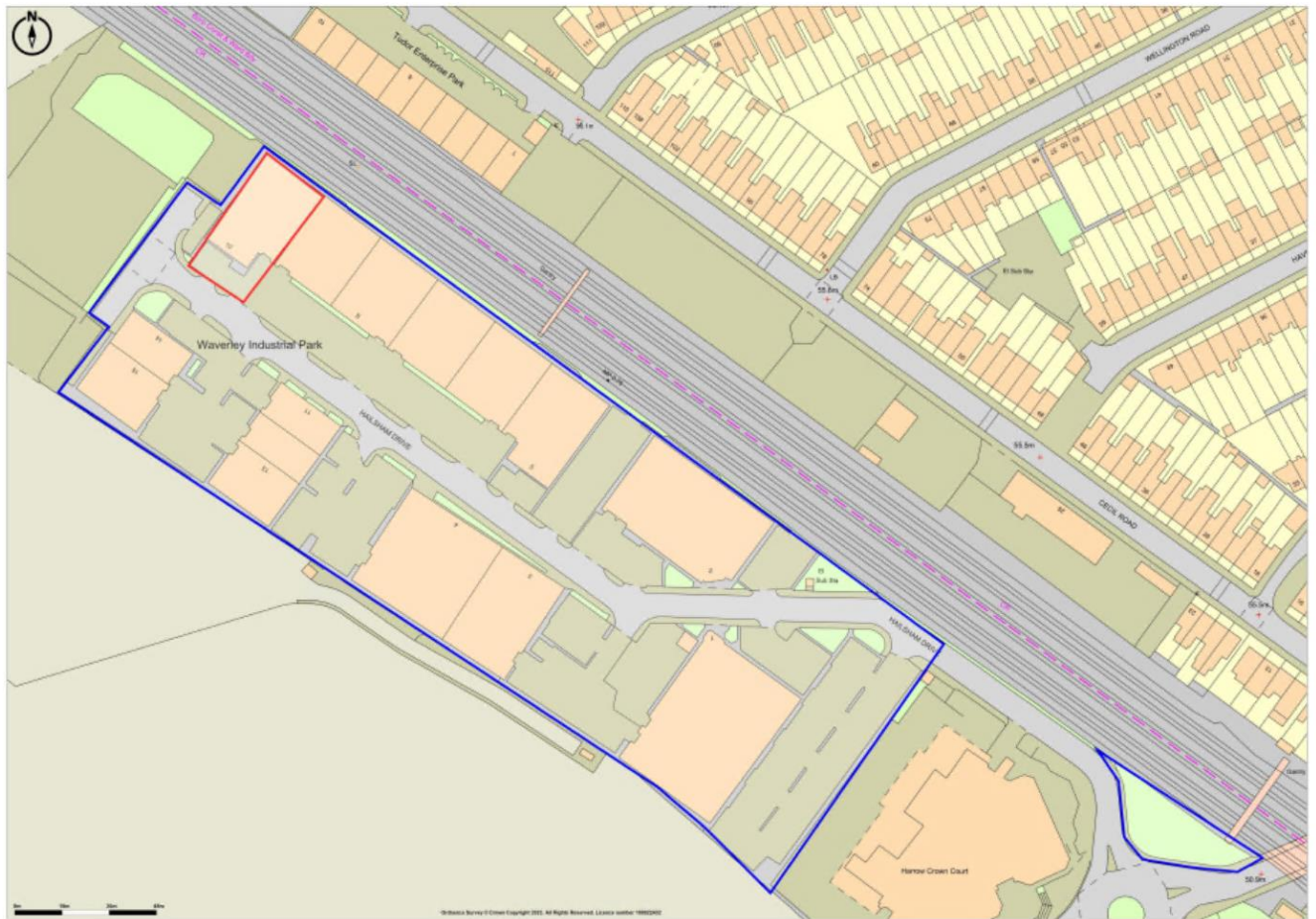
6. No External Changes.

The applicant is reminded that this planning permission does not grant any external mechanical plant, cooling ventilation equipment, or any other similar equipment. Any external works, including those for external plant and similar works will require planning permission.

Checked

 <p>Orla Murphy Head of Development Management</p> <p>6th April 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>6th April 2023</p>
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APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOS

Front:



Access Road:



View to South:



Side:

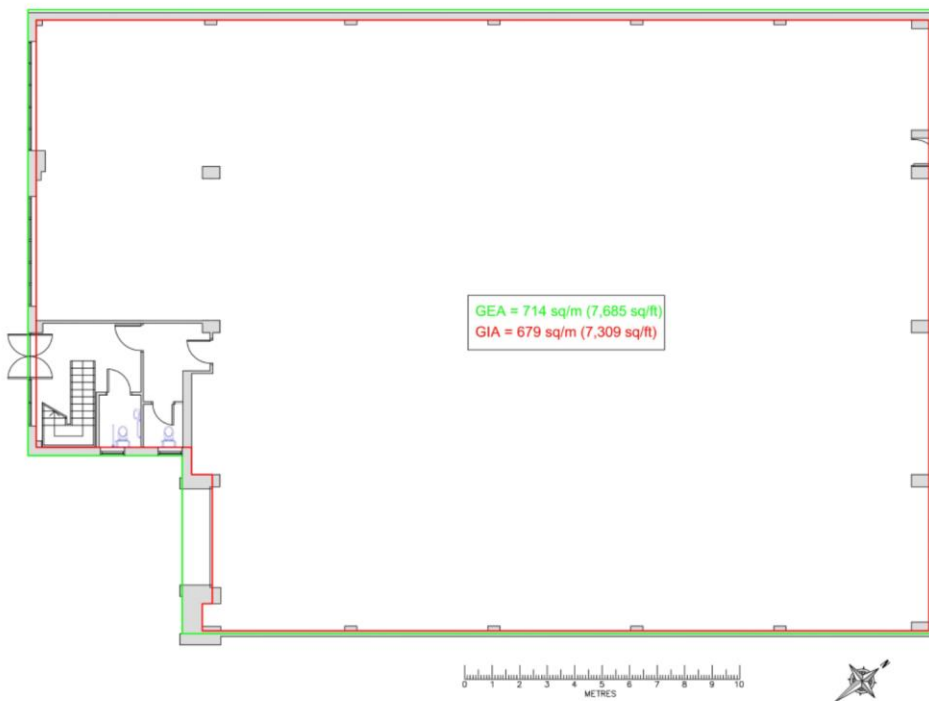


Side Path:

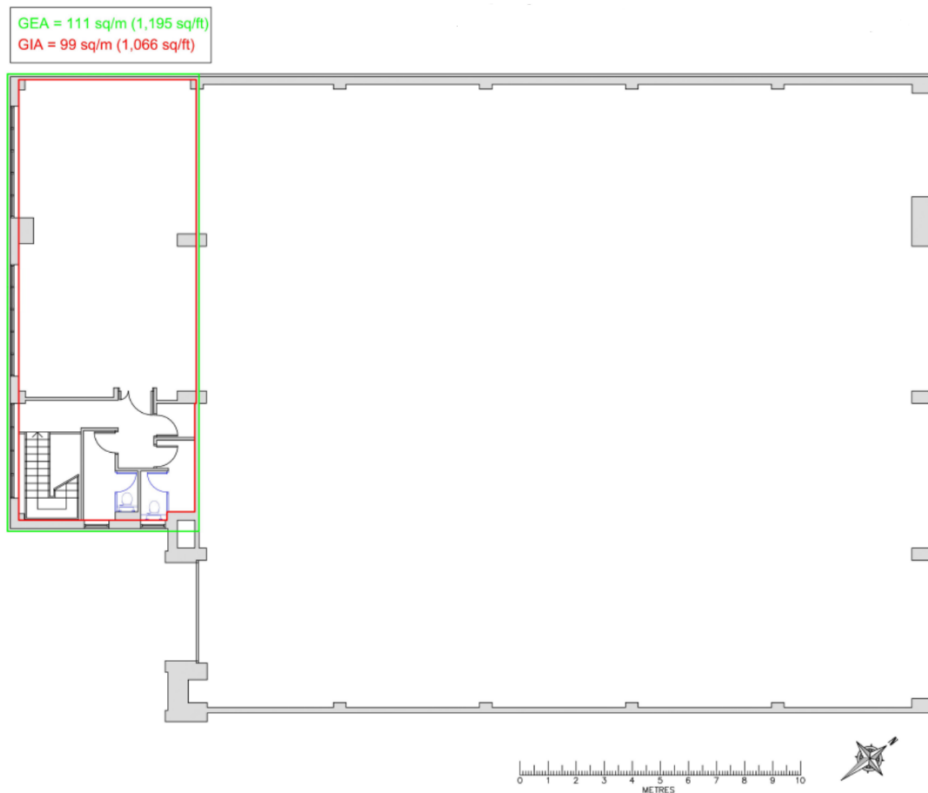


APPENDIX 4: PLANS

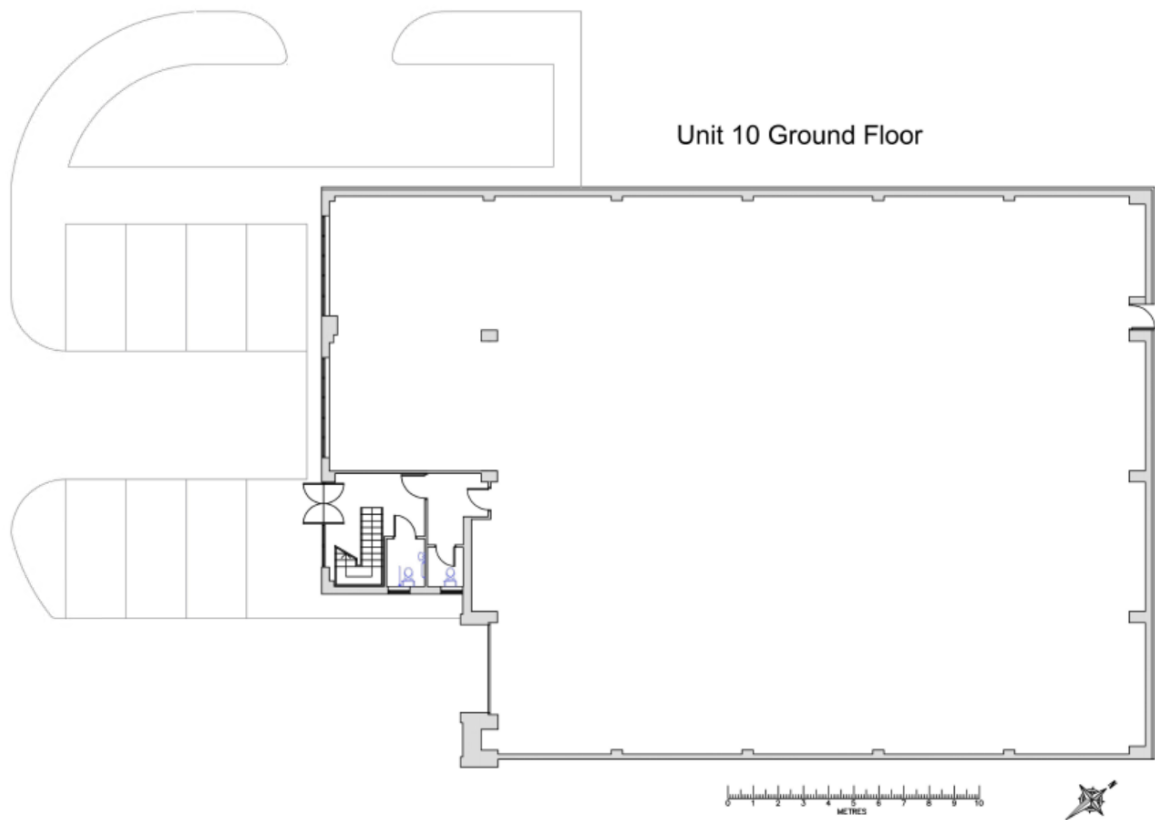
Existing and Proposed Ground Floor Plan:



Existing and Proposed First Floor Plan:



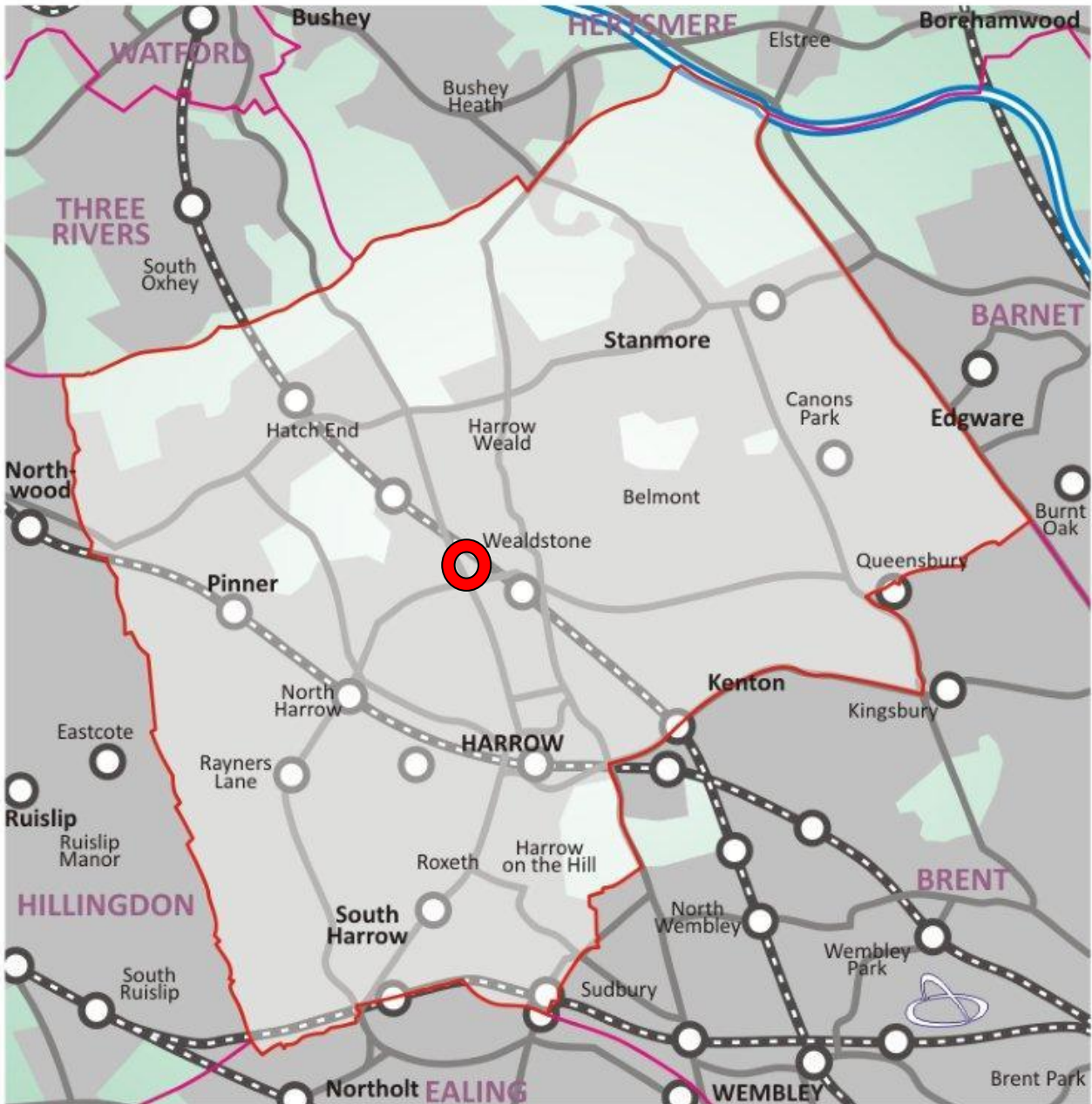
Existing and Proposed Site Layout



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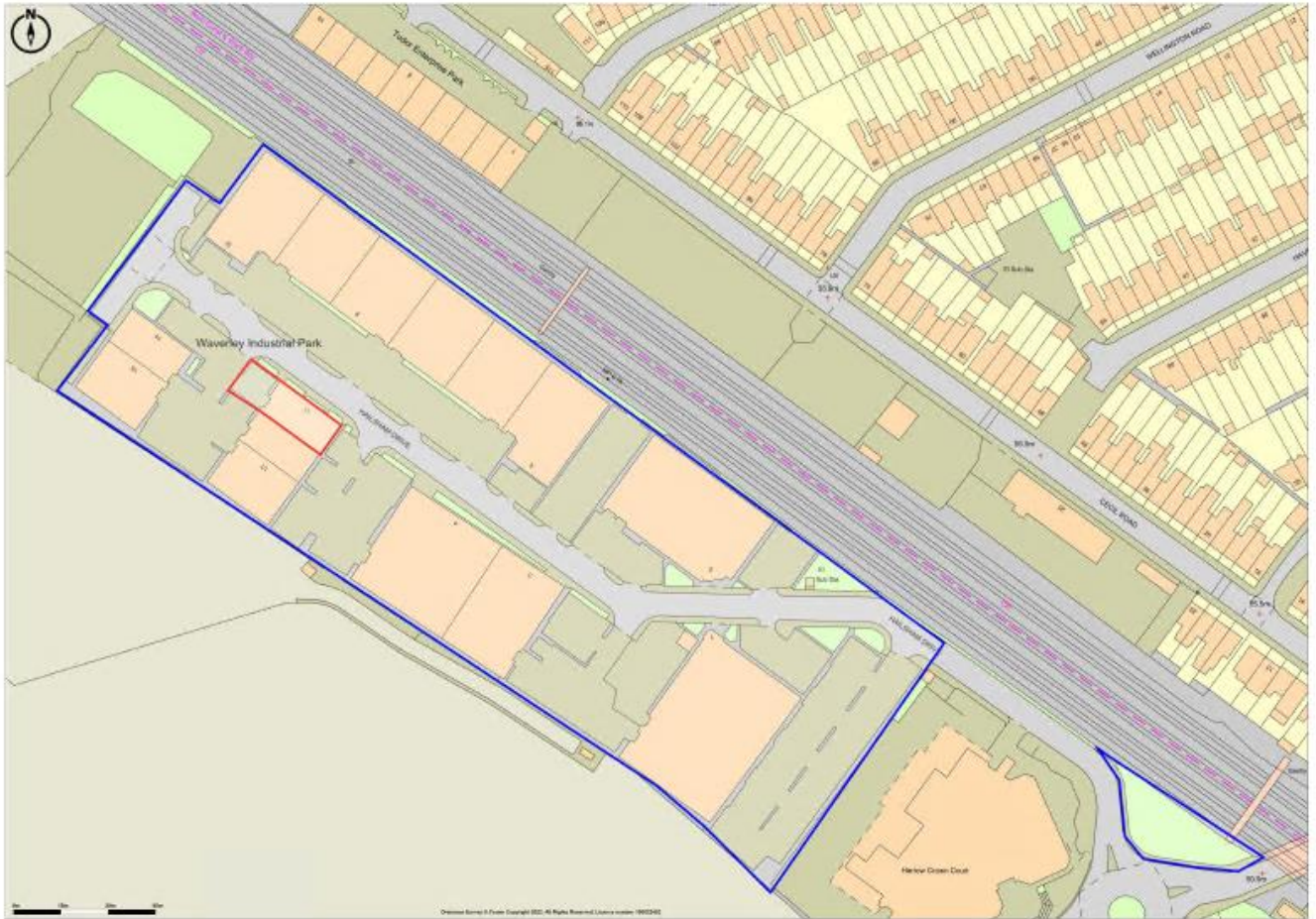
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 = application site



Unit 11, Waverley Industrial Estate, Hailsham Drive, Harrow, HA1 4TR	P/0240/23
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Location Plan



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

19th April 2023

APPLICATION NUMBER: P/0240/23
VALID DATE: 31ST JANUARY 2023
LOCATION: UNIT 11, WAVERLEY INDUSTRIAL ESTATE,
HAILSHAM DRIVE, HARROW

WARD: MARLBOROUGH
POSTCODE: HA1 4TR
APPLICANT: -
AGENT: SAVILLS
CASE OFFICER: AKSHAY SISODIA
EXPIRY DATE: 24/04/2023(EOT)

PROPOSAL

Change of use from B2 to flexible use of classes E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8.

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 RECOMMENDATION

The proposed development complies with all relevant land use policies by providing a flexible and suitable mixed-use site to support and sustain the existing industrial and employment use. The proposed development is also considered to be acceptable on grounds of character and design, it is considered to have an acceptable residential amenity impact, it is considered acceptable on grounds of highways safety, parking and servicing, and furthermore the site is not considered to be susceptible to harmful flooding and would not unduly exacerbate flood risk elsewhere. The applicant has provided a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such the development accords with the NPPF (2021), Policies D3, D11, D12, D13, D14, E2, E4, E6, SD 1, SI 12, SI 13, T3, T5, T6, T6.2 and T7 of the London Plan (2021), Policies CS1.B, CS1.N, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U and CS1.W of the Harrow Core Strategy (2012), Policies DM1, DM2, DM10, DM31, DM42, DM44 and DM45 of the Harrow Development Management Policies Plan (2013), and Policies AAP3, AAP4, AAP9, AAP14, AAP15 and AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

INFORMATION

This application is reported to Planning Committee due to the amount of floor space changing use, as per Part 1 (f) of the Scheme of Delegation 2018.

Statutory Return Type:	E(20) Change of Use
Council Interest:	None
Net additional Floorspace:	N/A
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

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

1.0 SITE DESCRIPTION

- 1.1 The application site comprises a vacant two storey purpose-built industrial building (Unit 11) with part brick and part metal cladded exterior on the south eastern side of Hailsham Drive. The total gross internal floor area of the building is 915m².
- 1.2 The site is situated within the Waverley Industrial Estate and which forms part of the designated Wealdstone Strategic Industrial Location. Hailsham Drive forms the main thoroughfare into the industrial estate.
- 1.3 The building has a lawful use of B2 (General Industrial). It is currently vacant but appears to have been previously occupied by an electrical wholesaler. Its use was granted (and controlled) by planning permission reference P/3233/10. This permitted a flexible use for classes B1 (now E), B2, and B8 uses in March 2011. Under Part 2 Class V of the GPDO the use of the unit could have changed to Class E or B2 under the terms of that permission up until March 2021. That opportunity has expired, hence the submission of this planning application.
- 1.4 The site is bounded to the north by railway tracks that serve the nearby Harrow & Wealdstone rail station and the neighbouring units within the estate incorporate a range of existing light industrial, industrial and commercial uses.
- 1.5 The site has a hardsurfaced front forecourt, with 4.no car parking spaces associated with the unit.
- 1.6 The host building is not listed and is not located within a designated Conservation Area.
- 1.7 The site is located within a Critical Drainage Area but is not located within a high risk flood zone.

2.0 PROPOSAL

- 2.1 A change of use of the site from Class B2 (General Industrial) to a flexible use of Classes including E(g)(ii) (Research and development of products or processes) and/or E(g)(iii) (Industrial Processes - which can be carried out in a residential area without detriment to its amenity), and/or B2 (General Industrial) and/or B8 (Storage or Distribution).
- 2.2 No external or internal alterations are proposed as part of this application. The application is solely for the change of use of the premises.
- 2.3 Existing parking, delivery and servicing arrangements are to remain unchanged from existing arrangements.

3.0 **RELEVANT PLANNING HISTORY**

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

Ref no.	Description	Status & date of decision
LBH/35017	24 INDUSTRIAL/WAREHOUSING UNITS WITH ANCILLARY OFFICES, PARKING AREAS AND ACCESS ROAD	Granted 07/04/1988
P/3233/10	Change of use to a flexible permission for either b1 (c) or b2 or b8 use	Granted: 17/02/2011
P/2746/21 (Unit 9)	Change of use from Class B8 to flexible use comprising Classes E(g), B2 and B8	Granted: 30/09/2021
P/2730/21 (Unit 8)	Change of use from storage and distribution (Use Class B8) to flexible use Class E(g) or Class B2 or Class B8	Granted: 30/09/2021
P/0216/23 (Unit 10)	Change of use from B2 to flexible use of classes E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8.	Pending Consideration

4.0 **CONSULTATION**

4.1 A total of 4 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation expired on 02/03/2023 and no objections were received.

4.2 A site notice was posted on 27/02/2023 and this expired on 20/03/2023.

4.3 **Statutory Consultation**

4.4 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee and Summary of Comments
<p><u>Policy Officer</u></p> <p>Raised no objection to the proposal and confirmed that all appropriate uses for the site are set out within Policy E4A (1-10) of the London Plan (2021). They note that E(g)(i) is for office space and is not an appropriate use within a designated industrial area unless it is ancillary to an industrial use.</p>

5.0 POLICIES

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 '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.'
- 5.3 The National Planning Policy Framework [NPPF 2021] is a material consideration in the determination of this application.
- 5.4 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]. The relevant policies are referenced within the report below and a summary within Informative 1

6.0 ASSESSMENT

6.1 The main issues are:

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

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D13, E2, E4, E6, SD1
- Harrow Core Strategy (2012): CS1.N, CS1.O, CS1.P
- Harrow Development Management Policies Local Plan (2013): DM31
- Harrow and Wealdstone Area Action Plan (2013): AAP3, AAP14, AAP15

6.2.2 Policy E2 of the London Plan relates to the provision of suitable business space. Part B of the policy notes that the development of Class B uses should ensure that the space is fit for purpose having regard to the type and use of the space.

6.2.3 Policy E4 of the London Plan relates to land for industry, logistics, and services to support London's economic function. Within Part A of the policy it is noted that a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained, taking into account strategic and local employment land reviews,

industrial land audits and the potential for intensification, colocation and substitution. This policy specifically notes (E4 A (8)) that industrial provision should take into account the varied operational requirements of flexible B1c/B2/B8 hybrid space to accommodate services that support the wider London economy and population. E4 A (10) notes that industrial provision should take into account research and development of industrial and related products or processes (falling within Use Class B1b). It should be noted that Use Class B1 was revoked from 01/09/2020 and was replaced by Class E(g) with B1(b) being replaced by E(g)(ii) – the research and development of products or processes and B1(c) being replaced by E(g)(iii) – any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

- 6.2.4 Policy E6 of the London Plan relates to the designation of Locally Significant Industrial Sites (LSIS) taking into account intensification, co-location and substitution. Part 2 notes that development plans should make clear the range of industrial and related uses that are acceptable in LSIS including, where appropriate hybrid or flexible B2/B8 uses.
- 6.2.5 Policy CS1.N of the Council's Core Strategy notes that through the Area Action Plan, consideration will be given to the consolidation of the Wealdstone Strategic Industrial Location.
- 6.2.6 Policy CS1.O notes that the Borough's stock of business and industrial premises will be monitored and managed to meet economic needs. Any release of surplus stock for other uses, having regard to the most up-to-date monitoring of the demand and supply balance will be considered in accordance with a sequential approach (further outlined within the policy).
- 6.2.7 Policy CS1.P relates to mixed use development. It is noted that mixed use development will be supported, where this secures employment generating development and diversification of Harrow's economy. The Development Management Policies DPD or the Area Action Plan, as appropriate, will set out criteria for the managed release of surplus employment land.
- 6.2.8 Policy DM31 of the Council's Development Management Policies document relates to 'Supporting Economic Activity and Development'. Part A of the policy states that proposals for the intensification, renewal and modernisation of existing industrial and business floorspace will be supported where the development complies with other relevant policy considerations and the new industrial or business floorspace allows for future flexibility, including future subdivision and / or amalgamation to provide for a range of accommodation, particularly for small businesses.
- 6.2.9 Policy AAP3 of the Harrow and Wealdstone Area Action Plan relates to development within the three Wealdstone Sub Areas (Wealdstone Central, Wealdstone West and Wealdstone East). Part A of Policy AAP3 notes that development within all three Wealdstone Sub Areas will be required to improve the environment and identity of the Wealdstone area as a location for business and industrial activity. The application site is located within the Wealdstone West Sub Area. Part E (a) of Policy AAP3 notes that within the Wealdstone West sub area proposals should also

support Wealdstone's strategic employment function, and help nurture existing and new uses, seeking creative non-residential re-use of industrial buildings and sites where possible.

- 6.2.10 Policy AAP14 of the Harrow and Wealdstone Area Action Plan relates to 'The Consolidation of the Wealdstone Strategic Industrial Location'. This policy specifies that economic development and uses, and any appropriate ancillary uses on sites within the consolidated Wealdstone Strategic Industrial Location will be supported where these do not conflict with The London Plan and criteria a-e of Policy AAP15 of the Area Action Plan.
- 6.2.11 Policy AAP15 of the Harrow and Wealdstone Area Action Plan relates to 'Supporting the Business Sector in Wealdstone' Part A of the Policy notes that proposals for economic development and uses, including appropriate supporting ancillary uses, will be permitted on existing designated business and industrial use land except where the proposal:
- a) Involves development or uses that should be located within a town centre;
 - b) Would adversely impact upon the amenity of surrounding uses or the character of the area;
 - c) Would prejudice the proper functioning of any neighbouring economic activity;
 - d) Is detrimental to highway safety considerations; and
 - e) Involves inadequate arrangements for servicing, parking and inclusive access
- 6.2.12 All the proposed uses would be industrial and employment generating uses which would not result in unacceptable harm on the vitality and viability of the unit and the Wealdstone Strategic Industrial Location within which the application site is located. Policy E4 of the London Plan clearly emphasises that industrial provision should take into account varied operational requirements of flexible E(g)(iii)/B2/B8 hybrid space, and the development of industrial and related products or processes (E(g)(ii)). The proposed hybrid use is expected to generate greater interest from small industrial occupiers, allowing for the unit to be more easily occupied. The proposed change of use would not conflict with the interests of Policy DM31 of the Council's Development Management Plan, the proposal would allow for a more flexible occupation of the premises in line with more modern needs, and as previously suggested, this flexible form of accommodation would be particularly enticing for small businesses. The proposed development would also be in accordance with the interests of Policy AAP3 of the Harrow and Wealdstone Area Action Plan with the development retaining the site's employment function and allowing the currently vacant building to be more easily occupied in an industrial format. Likewise, the proposed development would not be in conflict with Policies AAP14 and AAP15 of the Harrow and Wealdstone Area Action Plan with the proposed use according with relevant London Plan policy, and the relevant requirements of AAP15 A. Please refer to the pertinent sections of this committee report for an assessment on the development's compliance with requirements of AAP15 A (b-e).
- 6.2.13 It is worth recognising that planning permission was previously obtained on the site in February 2011 under application P/3233/10 for a flexible change of use of the site to Use Classes B1(c)/B2/B8, however that permission can no longer be implemented due to changes in legislation relating to use classes. The applicant is

simply seeking to reapply, with the previous B1(c) component being updated to its appropriate current use of E(g)(iii), and the applicant is now introducing the option of changing the use to E(g)(ii) also, which is another appropriate industrial use. It should be added that planning permission has already been obtained at Units 8 and 9 for a very similar development with the only difference being that these units also have the option of being occupied as offices - Use Class E(g)(i). It should be noted that the applicant initially sought permission for a flexible use including all of the uses in Class E(g), however it was considered that E(g)(i) (Offices to carry out any operational or administrative functions) would not be an appropriate use of the site due to the resulting loss of industrial floorspace. The agent confirmed (within an email dated 20/03/2023) that they are happy to omit E(g)(i), the initial application description was amended in light of this. For the avoidance of doubt, a condition has been recommended restricting the use of the building to only those that have been agreed.

- 6.2.14 As per the Agent of Change principles outlined within Policy D13 B of the London Plan, development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.
- 6.2.15 The site is located within an industrial area which is already subject to considerable levels of noise. Noise exposure from the proposed use(s) are likely to be comparable to pre-existing noise levels when the site was last occupied. Based on the context of the area, the continued operation of established noise generating uses within the area would not be compromised. Likewise surrounding noise generating uses are not considered to unduly restrict the operation of the application site.

6.3 Character, Appearance and Design

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Policies Local Plan (2013): DM1
- Harrow and Wealdstone Area Action Plan (2013): AAP3, AAP4

6.3.2 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.

- 6.3.3 Policy CS1.B of Harrow's Core Strategy notes that proposals that would harm the character of suburban areas and garden development will be resisted. All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design.
- 6.3.4 Policy DM1 of the Development Management Policies Local Plan states 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.
- 6.3.5 Policy AAP3 E (c) of the Harrow and Wealdstone Area Action Plan notes that development within the Wealdstone West Sub Area should provide a design which creates a sense of place but one that is clearly related to, and an extension of Wealdstone; AAP3 E (d) notes that development proposals should ensure that the design and character of both the leading land use and any enabling development conforms to the relevant policies of the Area Action Plan.
- 6.3.6 Policy AAP4 of the Area Action Plan notes that all development throughout the Heart of Harrow should use high quality, durable and serviceable materials to the external finishes of the building, conserve and enhance the significance of heritage assets, including their setting, and seek to integrate fully with, and be respectful of the existing street grain and character.
- 6.3.7 The proposed development is considered to be acceptable on character and design grounds, no external or internal alterations are proposed as part of the application, the applicant is simply seeking permission for the principle of the change of use.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan (2021) Policy: D3, D13, D14
- Harrow Development Management Policies Local Plan (2013): DM1

6.4.2 Policy D3 D (7) of the London Plan notes that development proposals should deliver appropriate outlook, privacy and amenity, meanwhile Policy D3 D (9) notes that development proposals should help prevent or mitigate the impacts of noise and poor air quality.

6.4.3 Part C of Policy D13 of the London Plan notes that new noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses.

6.4.4 Policy D14 of the London Plan relates to Policy D14 of the London Plan relates to noise. It sets out that development proposals should manage noise by:

- 1) avoiding significant adverse noise impacts on health and quality of life
- 2) reflecting the Agent of Change principle as set out in Policy D13 Agent of Change
- 3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses
- 4) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity)
- 5) separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials – in preference to sole reliance on sound insulation
- 6) where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles
- 7) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

6.4.5 Policy DM1 of the Development Management Policies Local Plan notes 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".

6.4.6 As mentioned previously (paragraph 6.2.15) noise exposure from the proposed use(s) are likely to be comparable to pre-existing noise levels when the site was last occupied, taking this into account alongside the fact that the site is located within a noisy industrial area, any resulting noise intensification is not considered to result in significant harm upon the amenity of surrounding properties. Given the fact that no external alterations are proposed to the building, there would be no harmful neighbouring amenity impacts relating to loss of light, outlook and visual amenity.

6.4.7 The application does not indicate existing and proposed operation hours for the site, however given that the site is located within a Strategic Industrial Location and is not within immediate proximity of surrounding neighbouring properties, it is not considered appropriate to restrict proposed hours of operation. Part D of London Plan Policy E5 notes that development proposals within or adjacent to Strategic Industrial Locations should not compromise the integrity or effectiveness of these locations in accommodating industrial type activities and their ability to operate on a 24-hour basis. By leaving operation hours unrestricted, the Council are following the requirements set out in London Plan Policy.

6.5 Traffic, Parking and Servicing

6.5.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan (2021) Policy T5, T6, T6.2, T7
- Harrow Core Strategy (2012): CS1.Q, CS1.R, CS1.S
- Harrow Development Management Policies Local Plan (2013): DM42, DM44 DM45
- Harrow and Wealdstone Area Action Plan (2013): AAP19

6.5.2 London Plan maximum car parking standards are outlined within Policies T6 and T6.2 of the London Plan. Policy T5 outlines minimum cycle parking standards.

6.5.3 Policy T7 of the London Plan relates to deliveries servicing and construction. Part G of this policy notes that development proposals should facilitate safe, clean and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street parking bays used only when this is not possible.

6.5.4 Policy DM42 of the Development Management Plan relates to the Council's parking standards. Criterion (F) of this Policy notes that proposals that would result in inappropriate on-site parking provision and those which would create significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclists will be resisted.

6.5.5 Policy DM44 of the Council's Development Management Plan relates to servicing. Within Part C, it is emphasised that proposals that will be detrimental to safety, traffic flow or the amenity of neighbouring occupiers will be resisted.

6.5.6 Policy DM45 relates to Waste Management. Part A of the policy notes that all proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic materials for composting.

6.5.7 The application site is served by 4.no on-site parking spaces and benefits from a servicing area to the rear. As indicated within the applicant's submitted covering letter, car parking and serving arrangements for the proposed use(s) will remain the same as existing. On the basis that the proposed use(s) would remain industrial, and there is no net increase in floor space, existing arrangements for parking, deliveries and servicing are considered acceptable. As per the development granted for Units 8 (P/2730/21) and 9 (P/2746/21), a condition has been imposed to ensure that no goods, materials, plant or machinery is stored within the designated parking areas or within areas of land surrounding the site which feature soft landscaping.

6.6 Development and Flood Risk

6.6.1 The relevant policies are:

- National Planning Policy Framework (2021)
- Harrow Core Strategy 2012: CS1.U, CS1.W
- Harrow Development Management Policies Local Plan (2013): DM10
- London Plan Policy: SI 12, SI 13
- Harrow and Wealdstone Area Action Plan (2013): AAP9

6.6.2 Policy SI 12 C of the London Plan notes that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses.

6.6.3 Policy SI 13 relates to Sustainable Drainage and encourages the use of Sustainable Urban Drainage systems where appropriate.

6.6.4 Policy DM10 A of the Council's Development Management Policies document notes that proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water runoff.

6.6.5 Policy AAP9 E of the Harrow and Wealdstone Area Action Plan notes that proposals that fail to reduce surface water run-off, and/or fail to make appropriate provision for flood risk mitigation or that would increase the risk of flooding or water pollution, will be refused.

6.6.6 The site is located within a Critical Drainage Area, however the development relates only to a change of use of the premises with no external changes and no increase in development footprint on site, and is therefore not considered to result in any worsened flood risk and is not considered to exacerbate flood risk to the site's surroundings

6.7 Fire Safety

6.7.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan Policy: 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 The applicant has completed a Reasonable Exemption Statement to confirm that the proposed development will not adversely affect the appropriate fire safety measures of the site.

7.0 CONCLUSION AND REASONS FOR RECOMMENDING APPROVAL

- 7.1 The proposed development complies with all relevant land use policies by providing a flexible and suitable mixed-use site to support and sustain the existing industrial and employment use. The proposed development is also considered to be acceptable on grounds of character and design, it is considered to have an acceptable residential amenity impact, it is considered acceptable on grounds of highways safety, parking and servicing, and furthermore the site is not considered to be susceptible to harmful flooding and would not unduly exacerbate flood risk elsewhere. The applicant has provided a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site.
- 7.2 In light of all of the above, the proposed development would be in accordance with the NPPF (2021), Policies D3, D11, D12, D13, D14, E2, E4, E6, SD 1, SI 12, SI 13, T3, T5, T6, T6.2 and T7 of the London Plan (2021), Policies CS1.B, CS1.N, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U and CS1.W of the Harrow Core Strategy (2012), Policies DM1, DM2, DM10, DM31, DM42, DM44 and DM45 of the Harrow Development Management Policies Plan (2013), and Policies AAP3, AAP4, AAP14, AAP15 and AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

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 92 of the Town and Country Planning Act 1990.

2. **Approved Plans and Documents**

The development hereby permitted shall be carried out in accordance with the following documents and plans:

Covering Letter (Dated 23/01/2023), EX01-GF-11WP, EX02-1F-11WP, EX03-SL-11WP, Site Location Plan, Email from Agent (Dated 20/03/2023), Reasonable Exemption Statement.

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

3. **Access Parking and Servicing Space**

The unit's existing access, parking and servicing spaces, shall be permanently retained for such uses and shall not be used for any other purposes.

REASON: To ensure that adequate provision for parking and servicing is retained at the site in accordance with Policy T7 of the London Plan (2021), Policies DM42 and DM44 of the Harrow Development Management Policies Local Plan (2013), and Policy AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

4. **No Storage within Parking Areas and Soft Landscaped Areas**

No goods, materials, plant or machinery shall be stored within the unit's designated parking areas, or within surrounding areas that feature soft landscaping, without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and to ensure that the areas dedicated for parking and servicing and landscaping within the site are retained, in accordance with Policies D3 and T7 of the London Plan, Policies DM1, DM42 and DM44 of the Harrow Development Management Policies Local Plan (2013), and Policy AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

5. Restricted Use

The premises shall be used only as flexible E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8 uses and for no other purposes, unless an alternative use is agreed in writing by the Local Planning Authority.

REASON: To safeguard the character and functioning of the Waverley Industrial Estate and wider Wealdstone Strategic Industrial Location and to accord with Policies E2, E4 and E6 of The London Plan (2021), Policy DM31 of the Harrow Development Management Policies Plan (2013), Policies CS1.N CS1.O and CS1.P of the Harrow Core Strategy (2012) and Policies AAP3, AAP14 and AAP15 of the Harrow and Wealdstone Area Action Plan (2013).

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

London Plan 2021: D3, D11, D12, D13, D14, E2, E4, E6, SD 1, SI 12, SI 13, T3, T5, T6, T6.2, T7

The Harrow Core Strategy 2012: CS1.B, CS1.N, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U, CS1.W

Harrow Development Management Policies Local Plan 2013:

DM1, DM2, DM10, DM31, DM42, DM44, DM45

Harrow and Wealdstone Area Action Plan 2013: AAP3, AAP4, AAP9, AAP14, AAP15, AAP19

2. Considerate Contractor Code of Practice

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

3. 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 Portal website:

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

4. 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.

5. Grant without Pre-App Advice

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. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

6. No External Changes.

The applicant is reminded that this planning permission does not grant any external mechanical plant, cooling ventilation equipment, or any other similar equipment. Any external works, including those for external plant and similar works will require planning permission.

Checked

 Orla Murphy Head of Development Management 6 th April 2023	 Viv Evans Chief Planning Officer 6 th April 2023
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APPENDIX 3: SITE PHOTOS

Front:



Access Road:



Side:



Rear:

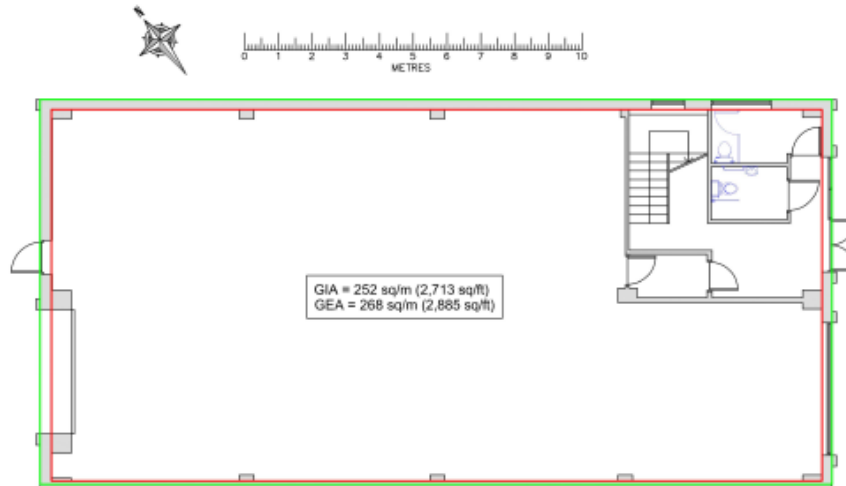


Rear:



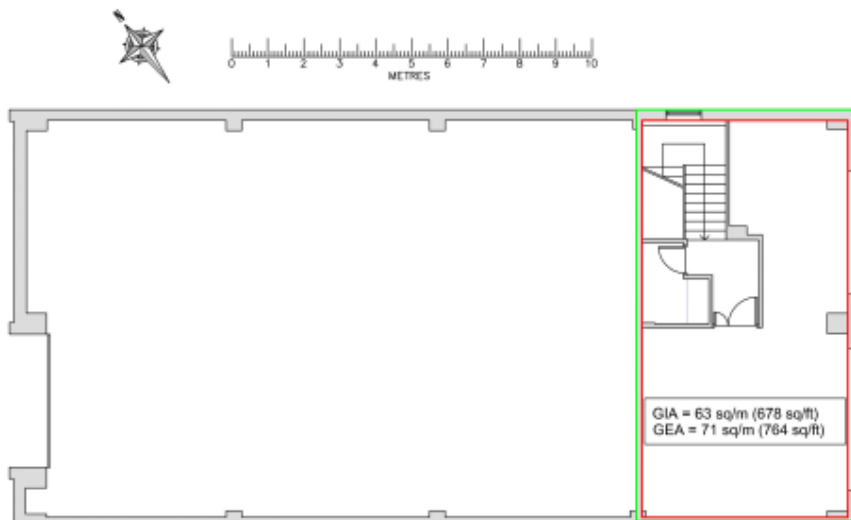
APPENDIX 4: PLANS

Existing and Proposed Ground Floor Plan:



Unit 11 Ground Floor

Existing and Proposed First Floor Plan:

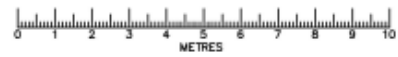


Unit 11 First Floor

Existing and Proposed Site Layout:



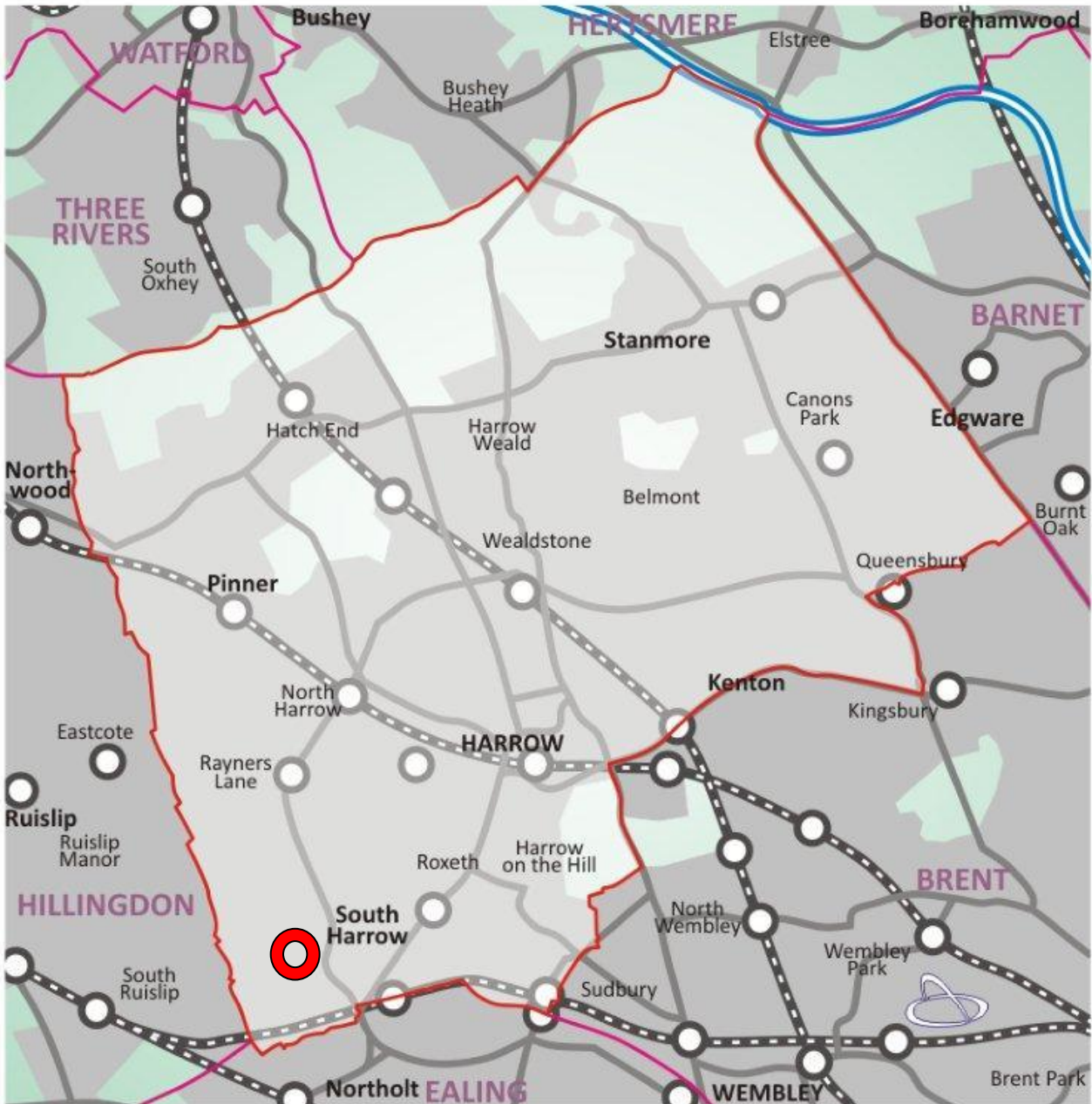
Unit 11 Ground Floor



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 = application site



**Rooks Heath College, Eastcote Lane, South Harrow, HA2 P/1907/22
9AH**

Location Plan



Site Location Plan @ 1:1250



Scale in metres

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

19th April 2023

APPLICATION NUMBER: P/1907/22
VALID DATE: 24TH MAY 2022
LOCATION: ROOKS HEATH COLLEGE, EASTCOTE LANE
WARD: ROXBOURNE
POSTCODE: HA2 9AH
APPLICANT: MR SCOTT COOK
AGENT: ACADEMY ESTATE CONSULTANTS
CASE OFFICER: AKSHAY SISODIA
EXPIRY DATE: 24/04/2023 (EOT)

PROPOSAL

Redevelopment to provide two storey teaching block (Use class F1a) (demolition of existing teaching block), associated alterations to staff car parking, provision of cycle parking.

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 RECOMMENDATION

The proposal would result in an improvement in the school's educational facilities whilst ensuring that the proposed building would not detract from the character and appearance of the application site, street scene and area in a wider context, and would have an acceptable impact upon the residential amenity of neighbouring properties. The replacement building would be appropriately accessible for both able-bodied and disabled users. The development's provision of car and cycle parking is acceptable, and compliance with the submitted travel plan ensures that there would be sustainable travel by students, staff and visitors to the school. The development is not considered to be susceptible to harmful flooding and is not considered to exacerbate flood risk elsewhere. Insufficient detail has been provided on the development's compliance with Secured by Design and fire safety requirements, additional detail on this can be requested and secured via conditions, a condition has also been applied requiring the applicant to submit a Construction Logistics Plan given the scale of the development and demolition works required. The Council's Transport Officer has requested Swept Path Analysis drawings to demonstrate that proposed replacement car parking spaces can be safely accessed, this has been requested and will be provided as part of an addendum. In light of the above, subject to conditions and the provision of swept path drawings, the proposed development would be in accordance with the National Planning Policy Framework (2021), Policies GG1, GG2, GG3, D3, D4, D5,

D11, D12, D13, D14, S1, S3, SI 12, SI 13, T1, T2, T3, T4, T5, T6, T7 of the London Plan (2021), Policies CS1.B, CS1.E, CS1.T, CS1.U, CS1.W, CS1.Z, of the Harrow Core Strategy, Policies DM1, DM2, DM9, DM10, DM12, DM14, DM22, DM42, DM43, DM44, DM46 of the Harrow Development Management Policies Local Plan.

INFORMATION

This application is reported to Planning Committee as it relates to development on land owned by the Council and therefore falls within proviso C (i) of the Scheme of Delegation.

Statutory Return Type:	(E)18.Minor Development, all other
Council Interest:	Council is freeholder
Net additional Floorspace:	Approximately 796m ²
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

The applicant has failed to provide any detail on the proposed development's resilience to crime. For the avoidance of doubt, a condition has been imposed requiring the applicant to submit evidence of certification of Secure by Design accreditation prior to the proposed building being occupied.

1.0 SITE DESCRIPTION

- 1.1 The application relates to Rooks Heath School and Sixth Form located towards the north eastern side of Eastcote Lane. The school is a public mixed-gender secondary school and provides education to children between the ages of 11-18.
- 1.2 The site is comprised of a number of teaching buildings (ranging from 1 to 2 storeys in height - the main school building has usable loft space with this appearing 3 storeys in height) and has car parking to the front and to the rear of the site. There are two hardsurfaced play spaces to the rear of the site.
- 1.3 To the west, the application site is flanked by a parade of commercial properties along Eastcote Lane with residential units above, residential properties along Bodmin Close are to the rear of this, and residential properties along Hamilton Crescent are further to the rear.
- 1.4 To the east the application site is flanked by residential properties along Eastcote Lane and Heathland Primary School further rear of this.
- 1.5 There are numerous residential properties immediately to the north of the site along both Merlins Avenue and Minehead Road.
- 1.6 The main access to the site is via Eastcote Lane, however there is a secondary access to the rear of the site off Merlins Avenue. Both entrances are gated.
- 1.7 There are no statutory or locally listed buildings within the confines of the site, and the site is not located within a Conservation Area.
- 1.8 The application site located within a Critical Drainage Area, and sits partly within Flood Zones 3a and 3b, however this only applies to small patches of land to the front and very rear of the site.

2.0 PROPOSAL

- 2.1 The removal of a modular portacabin style two storey 9 classroom block with associated offices, WCs and circulation space which is sited to the west of the main school building. The installation of a replacement two storey teaching building accommodating 8.no class rooms, associated offices, WCs, a plant room and circulation space, to rear of the site within the area currently allocated to car parking. The building would be served by two stair cores and a lift. The building is to be of masonry construction with facing brickwork and render finishes, and it would incorporate a flat roof form with a slight variation in height.
- 2.2 The development would result in the loss of 20 car parking spaces within the rear car park, 19 existing parking spaces would remain to the rear of the site and a further 2.no car parking spaces are to be created to the rear of the site (totalling 21 to the rear). A total of 16 replacement car parking spaces are to be provided beside the area that is to be created following the demolition of the existing building, meaning that the development would result in a net loss of 2.no car parking spaces. 20 temporary car parking spaces are to be provided within the external playing cage to

the north western corner of the site during the site works, the playing space within the area is to be reinstated once the existing surplus building is demolished. There are 37 car parking spaces to the front of the site that would remain, and there are a further 14 spaces within a car park that the school shares with Heathland School.

- 2.3 New sheltered and secure cycle parking is to be provided as part of the development. This consists of; 20 visitor/staff cycle parking spaces to the front of the site (with a 50/50 split), 2x 40 student cycle parking spaces within the area of the demolished building 20 staff cycle parking spaces further north of this, and a further 40 student cycle parking spaces slightly to the north east of this. There would be a total of 120 student cycle parking spaces, 30 staff cycle parking spaces, and 10 visitor cycle parking spaces with a grand total of 160 proposed cycle parking spaces.
- 2.4 The school is proposing to put in place initiatives to reduce single occupancy car use to and from the school and encourage more sustainable modes of transport. These initiatives are outlined within the submitted School Travel Plan. This Travel Plan is not solely linked to the planning application, it will be an on-going element of the operation of the school going forward.

2.5 REVISIONS TO THIS APPLICATION

2.6 The following revisions have been made to this application:

- The applicant was not initially proposing to provide replacement car parking and proposed cycle parking. The scheme was amended to provide replacement car parking to avoid adverse impacts relating to overspill parking to surrounding roads. Cycle parking was provided in order to allow for more sustainable travel for students, staff and visitors.
- The applicant has provided a Parking Assessment
- The Council has provided a School Travel Plan
- Details on proposed cycle parking shelters were provided
- The application description was altered to reference changes to car parking arrangements and the provision of cycle parking.

3.0 **RELEVANT PLANNING HISTORY**

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

Ref no.	Description	Status & date of decision
HAR/5672	ERECT LAVATORY ACCOMMODATION	Granted 13/11/1951
HAR/5672/A	CONTINUED USE LAVATORY ACCOMMODATION	Withdrawn 01/01/1965
WEST/45836/92/FUL	TWO STOREY BLOCK TO PROVIDE CLASSROOM ACCOMMODATION WITH COVERED LINK	Granted 01/02/1993
WEST/44568/92/FUL	APPLICATION UNDER REG.4 T & C PLANNING GENERAL REGS.1976 :INFILL EXTENSION & ALTERATIONS TO GROUND FLOOR BLOCK B	Granted 26/05/1992
WEST/42/93/FUL	LAYING OUT OF 3 TENNIS COURTS WITH 3.6M HIGH BALL SCREEN FENCING AND RELOCATION OF 17 CAR PARKING SPACES	Granted 24/05/1993
WEST/26/94/LA3	NEW FIRE ESCAPE AND TWO GLAZED WINDOW BOXES ON LABORATORY BUILDING	Granted 19/04/1994
WEST/482/94/LA3	ENCLOSURE OF TWO COVERED WALKWAYS, NEW WALL AND RAILINGS AND DISABLED ACCESS FACILITIES.	Granted 10/10/1994
WEST/430/98/LA3	PROVISION OF FIRE ESCAPE	Granted 09/09/1998
WEST/50/00/FUL	SINGLE STOREY REAR EXTENSION TO PROVIDE TOILET FACILITIES.	Granted 08/03/2000
P/1930/03/DFU	ENTRANCE PORCH AND REPLACEMENT GATES.	Granted 17/11/2003
P/1921/04/DLA	CHANGE OF USE: CARETAKER'S DWELLING (CLASS C3) TO POLICE OFFICE (CLASS B1) & ALTERATIONS TO	Granted 29/09/2004

	ELEVATIONS INCLUDING AIR CONDITIONING UNITS AND EXTRACT FLUES	
P/2545/04/DCO	RETENTION OF ALTERATIONS TO ELEVATIONS INCLUDING AIR CONDITIONING UNITS AND EXTRACT FLUES	Granted 14/12/2004
P/1589/05/CLA	PART SINGLE/PART TWO STOREY BUILDING WITH GLAZED LINK AT EASTCOTE LANE FRONTAGE OF SITE	Granted: 16/08/2005
P/4052/07	SINGLE AND TWO-STOREY EXTENSION FRONTING EASTCOTE LANE AND EXTERNAL ALTERATIONS TO PROVIDE POST 16 (SIXTH FORM) EDUCATIONAL FACILITIES	Granted 28/01/2008
P/1678/08DFU	SINGLE STOREY UNIT ADJACENT TO FRONT SITE BOUNDARY FOR TEMPORARY TWO-YEAR PERIOD AND TWO-STOREY UNIT ADJACENT TO EASTERLY SITE BOUNDARY FOR TEMPORARY FIVE-YEAR PERIOD	Granted 24/07/2008
P/0385/09	DETAILS OF MATERIALS PURSUANT TO CONDITION 2 OF P/4052/07/DFU RELATING TO A SINGLE AND TWO STOREY EXTENSION FRONTING EASTCOTE LANE AND EXTERNAL ALTERATIONS TO PROVIDE SIXTH FORM EDUCATIONAL FACILITIES GRANTED 28.01.2008	Approved 17/04/2009
P/1287/09	TWO STOREY INFILL EXTENSION (FIRST FLOOR AND MEZZANINE) TO PROVIDE NEW THREE STOREY LIFT SHAFT AND REPLACEMENT OF WINDOWS TO REAR (EAST) ELEVATION	Granted 09/09/2009
P/2158/09	TWO TEMPORARY SINGLE STOREY MODULAR BUILDINGS (TOTAL INTERNAL FLOOR AREA OF 297 CUBIC METRES)	Granted 06/11/2009
P/2489/09	NEW CANOPY TO MAIN ENTRANCE ON FRONT ELEVATION; EXTERNAL	Granted 16/03/2010

	ALTERATIONS; REPLACEMENT AND NEW 2M HIGH SECURITY FENCING WITH GATES ALONG ACCESSWAY, CAR PARK, PLAY AREAS AND SITE BOUNDARY; SOFT LANDSCAPING; WIDENING OF VEHICLE ACCESS TO EASTCOTE LANE AND ALTERATIONS TO PEDESTRIAN ENTRANCE; RAISED FOOTPATH AND HARDSURFACING; ILLUMINATED BOLLARDS AND LIGHTING; MODIFICATIONS TO CAR PARK LAYOUT; NEW REFUSE STORAGE AREA, BIKE STORAGE AND PARKING AT THE ENTRANCE; REMOVAL OF SHEDS	
P/0118/10	SUBMISSION OF DETAILS PURSUANT TO CONDITION 2 (WATER DISPOSAL AND ATTENUATION/STORAGE WORKS) OF PLANNING PERMISSION P/2158/09 DATED 06/11/2009 FOR TWO TEMPORARY SINGLE STOREY MODULAR BUILDINGS (TOTAL INTERNAL FLOOR AREA OF 297 CUBIC METRES)	Approved 31/03/2010
P/2821/12	VARIATION OF CONDITION 1 OF PLANNING PERMISSION P/2158/09 DATED 06-NOV-2009 TO ALLOW THE RETENTION FOR AN ADDITIONAL THREE YEARS OF TWO TEMPORARY SINGLE-STOREY MODULAR BUILDINGS	Granted 17/12/2012
P/2822/12	VARIATION OF CONDITION 3 OF PLANNING PERMISSION P/1678/08 DATED 24-JUL-2008 TO ALLOW THE RETENTION FOR AN ADDITIONAL THREE YEARS OF A TWO-STOREY TEMPORARY BUILDING ADJACENT TO THE EASTERLY SITE BOUNDARY	Granted 17/12/2012
P/5154/19	Change of use from Police Office (Class B1A) to a dwellinghouse (1 x 3 Bed) (Class C3)	Granted 06/02/2020

P/1752/20	Details pursuant to Conditions 3 (Secured Sheltered Cycle Storage) and 4 (Secure by Design Certificate) attached to planning permission P/5154/19 dated 6.2.20 for Change of use from Police Office (Class B1A) to a dwellinghouse (1 x 3 Bed) (Class C3)	Approved 15/07/2020
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4.0 CONSULTATION

- 4.1 A total of 119 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 A site notice was posted on 20/06/2022.
- 4.3 The overall public consultation period expired on 20th June 2022 and no objections were received.
- 4.4 Statutory and non-statutory consultation
- 4.5 A summary of the consultation responses received are set out in the Table below.

Consultee and Summary of Comments
<p>Highways Authority– Request that the applicant provide a Parking Assessment and School Travel Plan and initially had concern that the development’s resulting loss of car parking for staff would result in an unacceptable overspill to surrounding roads. Request for the school to provide cycle parking in line with London Plan minimum standards. Following amendments to the scheme and the provision of replacement car parking and proposed cycle parking provision, the officer confirmed that they were satisfied with the proposal. They have however requested swept path drawings to indicate proposed parking spaces can be safely accessed. In addition, they have also requested a Construction Logistics Plan.</p> <p>Travel Planner –All requested changes to the travel plan have been made.</p>

5.0 POLICIES

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 '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.'
- 5.3 The Government has issued the National Planning Policy Framework [NPPF 2021] which 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.
- 5.4 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]. The relevant policies are referenced within the report below and a summary within Informative 1

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of the Development
- Character, Appearance and Design
- Residential Amenity
- Accessibility
- Traffic and Parking
- Development and Flood Risk
- Sustainability
- Fire Safety

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): S1, S3
- Harrow Core Strategy 2012: CS1.Z
- Harrow Development Management Policies Local Plan (2013): DM46

6.2.2 Policy S1 C of the London Plan notes that development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported.

6.2.3 Policy S3 of the London Plan relates to 'Education and childcare facilities'. Part B of the policy notes that development proposals for education and child care facilities should:

- 1) Locate facilities in areas of identified need.
- 2) locate facilities in accessible locations, with good public transport accessibility and access by walking and cycling
- 3) locate entrances and playgrounds away from busy roads, with traffic calming at entrances
- 4) link to existing footpath and cycle networks to create healthy routes to schools, and other education and childcare facilities, to enable all children to travel actively to school (walk, cycle or travel by public transport)
- 5) maximise the extended or multiple use of educational facilities for community or recreational use, through appropriate design measures
- 6) encourage the shared use of services between schools, colleges, universities, sports providers, and community facilities, and between early years and health and social care providers
- 7) ensure that new developments are accessible and inclusive for a range of users, including disabled people, by adopting an inclusive design approach
- 8) ensure that facilities incorporate suitable, accessible outdoor space
- 9) locate facilities next to parks or green spaces, where possible

6.2.4 Part C of Policy S3 of the London Plan notes that development proposals should ensure that there is no net loss of education or childcare facilities, unless it can be demonstrated that there is no ongoing or future need.

6.2.5 Policy CS1.Z of Harrow's Core Strategy relates to 'Required Infrastructure'. It notes that proposals for new development will be required to demonstrate adequate capacity exists or can be secured both on and off site to serve the development. The development or expansion of physical or social infrastructure will be permitted where it is needed to serve existing or proposed development, or required to meet projected future requirements. The loss of community facilities will be resisted unless adequate arrangements are in place for their replacement or the enhancement of other existing facilities.

6.2.6 Policy DM46 of the Council's Development Management Policies Local Plan relates to 'New Community, Sport and Education Facilities' Part B of the Policy notes that proposals for the provision of new community, sport, and educational facilities will be supported where:

- a) they are located within the community that they are intended to serve;
- b) subject to (a) they are safe and located in an area of good public transport accessibility or in town centres; and
- c) there would be no adverse impact on residential amenity (see Policy DM1) or highway safety.

6.2.7 The proposed development is not considered to conflict with the interests of the above planning policy. The development involves the removal of an existing modular teaching block and the erection of a replacement building elsewhere on site. The proposed building would provide an improvement in facilities with all of the class rooms having an internal floor area of 63m², this would vastly improve teaching conditions, with some of the classrooms within the existing building being far smaller. Whilst officers note that the proposed replacement building has one less classroom than the existing building, this is considered on balance to be acceptable

given that the overall size of the classrooms would proportionally be improved. It is worth adding that the proposed building would have a greater Gross Internal Floor Area than the existing building. The proposed building would also be vastly superior in terms of its aesthetics, offering a far more attractive environment for students to learn. The need for the building is considered to be justified.

6.2.8 The proposed development would serve the existing student base, the proposal is not being used to justify an expansion in the number of pupils that the school accommodates. The proposed building is located within the confines of an existing school, as such its public transport accessibility is not of significant importance, nevertheless, the development is promoting sustainable and healthy means of transport through the provision of cycle parking and through the various measures outlined within the Travel Plan. The proposed development is not considered to impact upon the safety of students, teachers, visitors, pedestrians and vehicles, furthermore it is not considered to unduly prejudice the residential amenity of neighbouring occupants, further assessment will be provided on this within the pertinent sections of this Committee Report.

6.2.9 In light of all of the above, officers raise no objection to the principle of development.

6.3 Character, Appearance and Design

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3, D4
- Harrow Core Strategy 2012: CS1.B
- Harrow Development Management Policies Local Plan (2013):DM1, DM22,

6.3.2 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.

6.3.3 Policy D4 of the London Plan outlines how Local Planning Authorities should scrutinise development proposals to ensure that they deliver a good design, and outlines what information should be provided in achieving this.

6.3.4 Policy CS1.B of Harrow's Core Strategy notes that proposals that would harm the character of suburban areas and garden development will be resisted. All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design.

- 6.3.5 Policy DM1 of the Development Management Policies Local Plan states 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.
- 6.3.6 Policy DM22 of the Development Management Policies Local Plan provides design guidance on trees and hard and soft landscaping for proposals. Part B of this policy provides an assessment framework on appropriate forms of hard and soft landscaping.
- 6.3.7 The proposed development is considered to be acceptable on character and design grounds. The existing building to be demolished is of very poor architectural merit as such there is no objection to its removal. The demolition of the building would generate much needed open space to the side of the main building, with this particular area currently appearing cramped and confined. The height, scale and massing of the proposed building would be comparable to that of other buildings within the site, it would not appear as an alien addition in context with surrounding buildings. The form and appearance of the proposed building would not be overly complex and would be appropriate for a school building, the use of a facing brick and render is consistent with other finishes applied to buildings within the school complex. The proposed building would be visible from the street scene along Merlins Avenue, however based on the fact that the height of this building would not be excessive, and it would be sited a considerable distance from this road (approximately 18.6 metres) it is not considered to appear as unduly prominent and visually intrusive when viewed along the street scene.
- 6.3.8 The proposed staff/visitor cycle shelter located to the front of the site would be visible from the street scene along Eastcote Lane but is not considered to be excessive in terms of its height and footprint, and as such it is not considered to unduly impact upon visual amenity afforded along the street scene. The other staff cycle shelter may be marginally visible from the street scene, however any harm would be de minimus. The proposed cycle shelters allocated to students would not be visible from the street scene, as such no harm would be caused to this.
- 6.3.9 The existing hardstanding currently in place below the existing building being demolished is to be retained. Whilst officers would have ideally liked to see this area allocated for soft landscaping, given that this area is limited in size, it has to provide replacement parking and cycle parking, and has a limited visibility from the site's surroundings, this is considered on balance to be acceptable.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Development Management Policies Local Plan (2013): DM1

- 6.4.2 Policy DM1 of the Development Management Policies Local Plan 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".
- 6.4.3 The proposed development is not considered to unduly impact upon light, outlook and visual amenity afforded to any neighbouring properties. Whilst officers note that the proposed replacement building would be visible from the rear gardens and rear facing habitable room windows of certain residential properties along Merlins Avenue, Minehead Road and Hamilton Crescent, by reason of the building's significant separation distance from these neighbouring properties, the proposed building is not considered to result in undue harm in respect to surrounding neighbouring properties. There would be a separation gap of approximately of approximately 22.1m between the proposed building and the boundary of the closest neighbouring property along Merlins Avenue, the gap would be approximately 22.3m between the building and the boundary of the closest neighbouring property along Minehead Road, and finally the gap would be approximately 37.25m between the building and the closest neighbouring property along Hamilton Crescent. The separation distances would be sufficient enough to avoid harmful impacts relating to overlooking through the proposed building's windows (both perceived and actual).
- 6.4.4 The staff and visitor cycle shelter located to the front of the site would be too distant from the private amenity areas and habitable room windows of surrounding neighbours to result in undue harm. Whilst officers note that the other staff cycle shelter would directly abut the western boundary of the site parallel to the rear gardens of No. 34 and 32 (to a lesser extent) Hamilton Crescent, there would be a slight separation gap between the shelter and the rear gardens of these neighbouring properties furthermore it should be added that No. 34 Hamilton Crescent features a rear outbuilding abutting its rear boundary, meaning that the cycle shelter would have minimal impact on this property. This cycle shelter is indicated to have a height of only 2.2 metres meaning that it would not protrude significantly above any neighbouring boundary treatment, it should be added that there is tall vegetation along this boundary which would significantly restrict views of the cycle shelter from these neighbouring properties. The cycle shelters serving students would be too distant from surrounding neighbouring properties to result in undue harm.

6.5 Accessibility

6.5.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D5
- Harrow Development Management Policies Local Plan (2013): DM2

6.5.2 London Plan policy D5 notes that development proposals should achieve the highest standards of accessible and inclusive design. They should:

- 1) be designed taking into account London's diverse population
- 2) provide high quality people focused spaces that are designed to facilitate social interaction and inclusion
- 3) be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment
- 4) be able to be entered, used and exited safely, easily and with dignity for all
- 5) be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

6.5.3 Policy DM2 of the Development Management Policies Local Plan notes that the location, design and layout of development, and any associated improvements to public realm, transport and other infrastructure, will be required to contribute to the creation of lifetime neighbourhoods. In particular:

- b) non-residential development and change of use proposals must be accessible to all.

6.5.4 The proposed development is not considered to be in conflict with the above planning policy, as indicated within the submitted Design and Access Statement the building would be accessible to both able bodied and disabled users with it having level access and featuring a lift in addition to two stair cores.

6.6 Traffic, Parking and Refuse

6.6.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): T5, T6
- Harrow Core Strategy 2012: CS1.Q, CS1.R, CS1.S
- Harrow Development Management Policies Local Plan (2013): DM42, DM43 DM44

6.6.2 London Plan maximum car parking standards are outlined within Policy T6 of the London Plan. Policy T5 outlines minimum cycle parking standards.

6.6.3 Policy T7 of the London Plan relates to deliveries servicing and construction. Part G of this policy notes that development proposals should facilitate safe, clean and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street parking bays used only when this is not possible.

- 6.6.4 Policy DM42 of the Development Management Plan relates to the Council's parking standards. Criterion (F) of this Policy notes that proposals that would result in inappropriate on-site parking provision and those which would create significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclists will be resisted.
- 6.6.5 Policy DM43 of the DMP relates to Transport Assessments and Travel Plans. Part A of the policy notes that proposals for major development will be required to submit a Transport Assessment for objective review by the Council. The Transport Assessment should quantify the impacts of the proposal upon public transport, the highway network, the cycle network, and upon conditions for pedestrians. Part B of the policy notes that proposals for major development will be required to satisfactorily mitigate the impacts identified in the Transport Assessment and any others arising from the Council's assessment of it. Mitigation measures will be required to contribute to the desirability of achieving modal shift away from private car use and should include the preparation and implementation of Travel Plans. Part C notes that proposals that fail to satisfactorily mitigate the transport impacts of development will be resisted. Whilst the proposal is not a major development, given that it relates to the development of a school which is already expected to make a shift towards healthier and more sustainable modes of transport outside of this application, Policy DM43 is relevant.
- 6.6.6 Policy DM44 of the Council's Development Management Plan relates to servicing. Within Part C, it is emphasised that proposals that will be detrimental to safety, traffic flow or the amenity of neighbouring occupiers will be resisted.
- 6.6.7 There has been extensive communication between the applicant and the Council's Highways Authority, who in spite of their initial concerns in regards to overspill car parking to surrounding roads has confirmed that they do not raise objection to the development following amendments made to proposed car parking and through the provision of cycle parking. The proposal would only result in a net loss of 2 no car parking spaces, the development's provision of a high quantum of cycle parking and other initiatives for sustainable travel outlined within the School Travel Plan are considered to make up for the loss. In order to make sure that the proposed replacement parking spaces can all be accessed, the Council's Transport Officer has requested swept path drawings. These have been requested and will be included and will be reported in the addendum to this Committee Report. Furthermore, given that the proposal requires extensive demolition and construction works, officers have suggested a condition requiring the applicant to provide a Construction Logistics Plan. The application site currently provides 20 existing cycle parking spaces on site, the applicant is proposing an additional 160 cycle parking spaces. The London Plan minimum cycle parking standards set out that schools will be required to provide a minimum of 1 no long stay space for 8 full time staff and 1 no long stay spaces for every 8 students. 1 no short stay space is expected for every 100 students, The Council's Transport Officer has reviewed the total number of cycle parking spaces provided for the development and has raised no objection.

6.6.8 The applicant has submitted a School Travel Plan alongside their application which has been closely scrutinised by the Council's Travel Planner and has been designed in line with their requests and recommended commitments. Based on the fact that the Travel Plan has been designed stringently in accordance with comments provided by the Council's Travel Planner, it is considered to be acceptable. As previously set out within this Committee Report, this Travel Plan is not solely linked to the planning application, it will be an on-going element of the operation of the school going forward.

6.7 Development and Flood Risk

6.7.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan (2021): SI 12, SI 13
- Harrow Core Strategy (2012): CS1.U, CS1.W
- Harrow Development Management Policies Local Plan (2013): DM9, DM10

6.7.2 The proposal would result in an increase in development footprint on the site and would therefore have an impact in terms of increased surface water flood risk. The applicant is not proposing to build on areas of the site that are located within Floods 3a and 3b, and the proposed building is located well away from these areas. The proposed replacement building is however located within a Critical Drainage Area, as such Sustainable urban drainage [SUDs] is encouraged. An informative is therefore attached to this effect. An informative has also been included with regard to surface and foul water connections and has advised the applicant to contact Council's Drainage Engineers to provide a drainage plan.

6.8 Sustainability

6.8.1 The relevant policies are:

- National Planning Policy Framework (2021)
- Harrow Core Strategy 2012: CS1.T
- Harrow Development Management Policies Local Plan (2013): DM12, DM14

6.8.2 Policy DM 12 of the Harrow Development Management Policies Local Plan seeks to ensure that the design and layout of development proposals are sustainable. It states that development will need to "utilise natural systems such as passive solar design and, wherever possible incorporate high performing energy retention materials"... Proposals should make provision for natural ventilation and shading to prevent internal overheating and incorporate techniques that enhance biodiversity". Policy DM14 highlights that development proposals should incorporate renewable energy technology where feasible.

6.8.3 For minor development proposals, the development plan at this point does not set out energy and sustainability targets greater than those required by Building Regulations. As these standards would be secured through other legislation, the proposal is not considered to conflict with sustainability policies in the development plan.

6.9 Fire Safety

6.9.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan (2021): D12

6.9.2 Policy D12 of the London Plan notes that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. The applicant has provided no detail on the development's compliance with fire safety standards as part of their submission, consequently, a condition has been applied requiring the applicant to demonstrate the development's compliance with relevant fire safety standards.

7.0 CONCLUSION AND REASONS FOR RECOMMENDING APPROVAL

7.1 The proposal would result in an improvement in the school's educational facilities whilst ensuring that the proposed building would not detract from the character and appearance of the application site, street scene and area in a wider context, and would have an acceptable impact upon the residential amenity of neighbouring properties. The replacement building would be appropriately accessible for both able-bodied and disabled users. The development's provision of car and cycle parking is acceptable, and compliance with the submitted travel plan ensures that there would be sustainable travel by students, staff and visitors to the school. The development is not considered to be susceptible to harmful flooding and is not considered to exacerbate flood risk elsewhere. Insufficient detail has been provided on the development's compliance with Secured by Design and fire safety requirements, additional detail on this can be requested and secured via conditions, a condition has also been applied requiring the applicant to submit a Construction Logistics Plan given the scale of the development and demolition works required. The Council's Transport Officer has requested swept path drawings to demonstrate that proposed replacement car parking spaces can be safely accessed, this has been requested and will be provided as part of an addendum.

7.2 Subject to conditions and the provision of swept path drawings, the proposed development would be in accordance with the National Planning Policy Framework (2021), Policies GG1, GG2, GG3, D3, D4, D5, D11, D12, D13, D14, S1, S3, SI 12, SI 13, T1, T2, T3, T4, T5, T6, T7 of the London Plan (2021), Policies CS1.B, CS1.E, CS1.T, CS1.U, CS1.W, CS1.Z, of the Harrow Core Strategy, Policies DM1, DM2, DM9, DM10, DM12, DM14, DM22, DM42, DM43, DM44, DM46 of the Harrow Development Management Policies Local Plan.

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 92 of the Town and Country Planning Act 1990.

2. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following documents and plans: Design and Access Statement, 0655-011 (Existing Floor Plans and Elevations), 0655-012 (Proposed Floor Plans and Elevations), 0655-013 Rev B (Car Parking Strategy), Parking Assessment Dated March 2023 (Report Ref. 2204780-02A), School Travel Plan Dated March 2023 (Report Ref. 2204780-01B), BDS Cycle Shelter – 20 Space Shelter & Bike Stands (Produced by Bikedock Solutions), BDS Shelter – 40 Space Enclosure & Bike Stands (Produced by Bikedock Solutions), Email from Agent (Dated 06/03/2023).

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

3. Materials

The external surfaces of the new building hereby approved shall be constructed in accordance with the details provided within the submitted Design and Access Statement and Drawing No. 0655-012 (Proposed Floor Plans and Elevations). The external surfaces of the proposed cycle shelters shall be constructed in accordance with details provided within the following specification documents: BDS Cycle Shelter – 20 Space Shelter & Bike Stands (Produced by Bikedock Solutions) and BDS Shelter – 40 Space Enclosure & Bike Stands (Produced by Bikedock Solutions). Any variation to the approved materials within these documents shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of the relevant part of the development. The development shall be completed in accordance with the approved details and thereafter be retained.

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

No window(s)/door(s), other than those shown on the approved plans shall be installed in the flank elevation(s) of the new building 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. Construction Logistics Plan

No development shall take place, including any works of demolition, until a detailed demolition and construction logistics plan has first been submitted to the Local Planning Authority and agreed in writing. The plan shall detail the arrangements for:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in construction the development;
- d) the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- e) wheel washing facilities; and
- f) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- g) measures for the control and reduction of dust
- h) measures for the control and reduction of noise and vibration
- i) How traffic would be managed to minimise disruption
- j) Air quality management measures

The demolition and construction of the development shall be carried out in accordance with the plan so agreed.

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. To ensure 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. This condition is a PRE-COMMENCEMENT condition as the proposed measures must be in place prior to commencement of works.

6. Parking Arrangements

Prior to the construction of the new building, the temporary car parking spaces detailed on Drawing No. 0655-013 Rev B (Car Parking Strategy) shall be made available. The proposed building shall not be first occupied until the existing teaching building identified to be demolished has been removed and the proposed car and cycle parking to be sited in place of this has been fully installed.

REASON: To ensure that there is sufficient on-site parking throughout all stages of the development.

7. Cycle Storage

Other than when in use, cycles shall be stored at all times within the designated cycle stores detailed on Drawing No. 0655-013 Rev B (Car Parking Strategy)

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

8. Fire Safety

The new building hereby permitted shall not be first occupied until a Fire Safety Statement has been 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).

9. Secure by Design

Evidence of certification of Secure by Design Accreditation for the development shall be submitted to the Local Planning Authority in writing for approval before any part of the new building is occupied or used. The development shall only be completed and operated in accordance with any approval.

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

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

London Plan 2021: GG1, GG2, GG3, D3, D4, D5, D11, D12, D13, D14, S1, S3, SI 12, SI 13, T1, T2, T3, T4, T5, T6, T7

The Harrow Core Strategy 2012: CS1.B, CS1.E, CS1.T, CS1.U, CS1.W, CS1.Z

Harrow Development Management Policies Local Plan 2013:

DM1, DM2, DM9, DM10, DM12, DM14, DM22, DM42, DM43, DM44, DM46

2. Considerate Contractor Code of Practice

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

3. 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 Portal website:

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

4. 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.

5. Grant without Pre-App Advice

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. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

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. Sustainable Drainage Systems

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical

guidance, as well as the London Plan. Specifically, the NPPF (2019) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information

8. Thames Water

The applicant can contact Thames Water developer services by email: developer.services@thameswater.co.uk or by phone: 0800 009 3921 or on Thames Water website www.developerservices.co.uk for drainage connections consent.

Checked

 <p>Orla Murphy Head of Development Management</p> <p>6th April 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>6th April 2023</p>
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APPENDIX 2: SITE PLAN



Site Location Plan @ 1:1250



Scale in metres

APPENDIX 3: SITE PHOTOS

Existing Building to be Removed:



Existing Building to be Removed:



Existing Building to be Removed:



Existing Building to be Removed:



View of Rear Car Park:



View of Rear Car Park:



View of Rear Car Park:



View of Rear Car Park:



View of Rear Car Park:



View of Rear Car Park:



View of Rear Car Park:



View of Rear Car Park:



View to Merlins Avenue Rear to the Rear of the Site:



View Along Merlins Avenue:

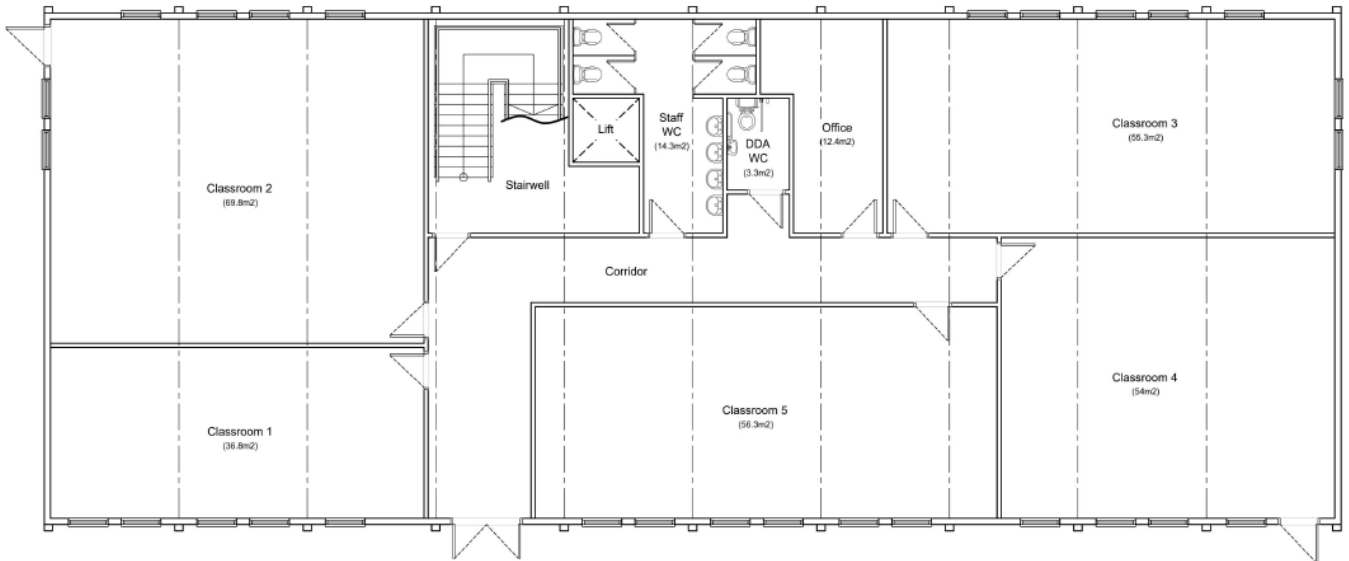


View of Front Car Park:

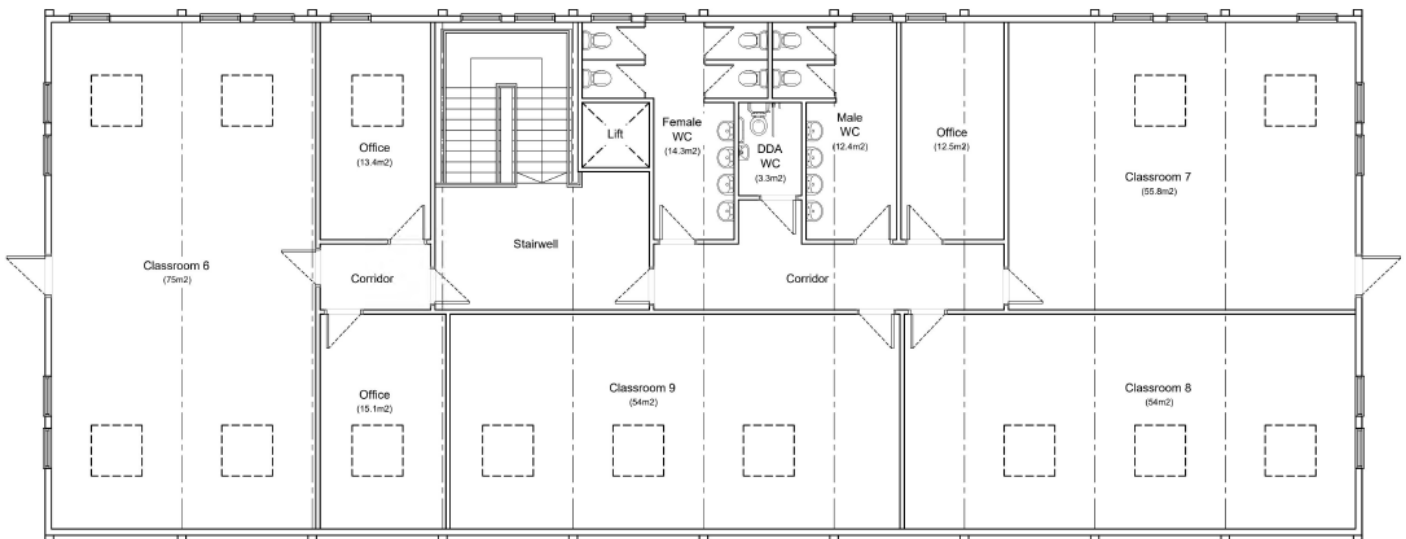


APPENDIX 4: PLANS AND ELEVATIONS

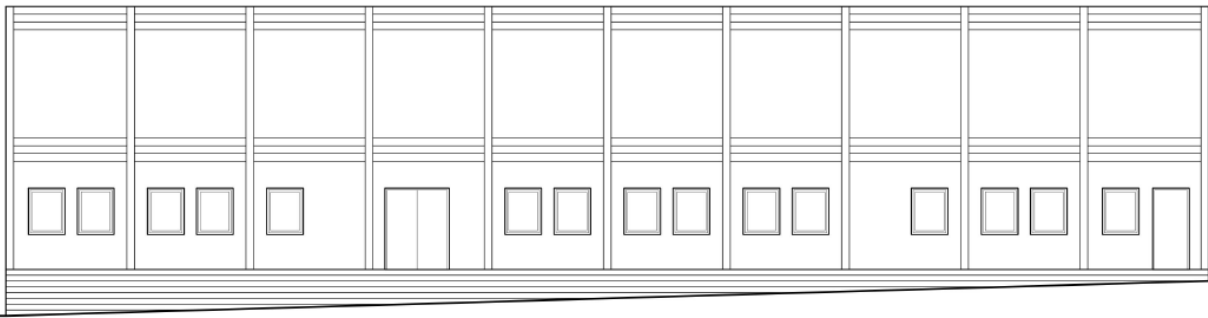
Existing Ground Floor Plan:



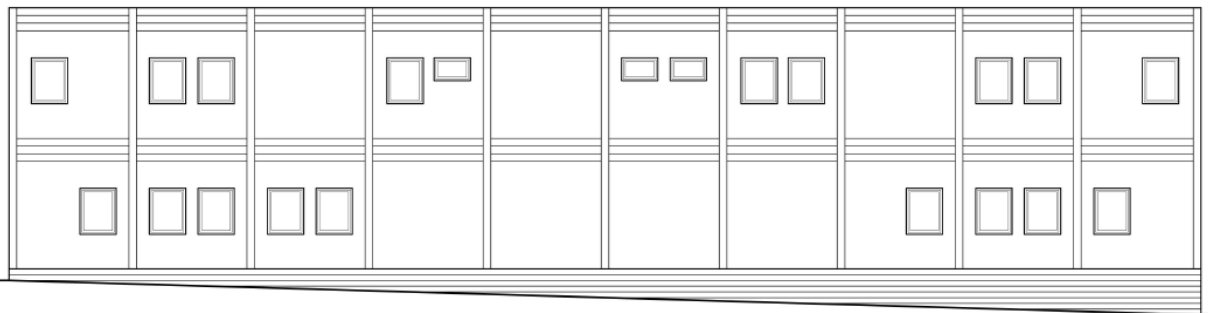
Existing First Floor Plan:



Existing Front and Rear Elevations:

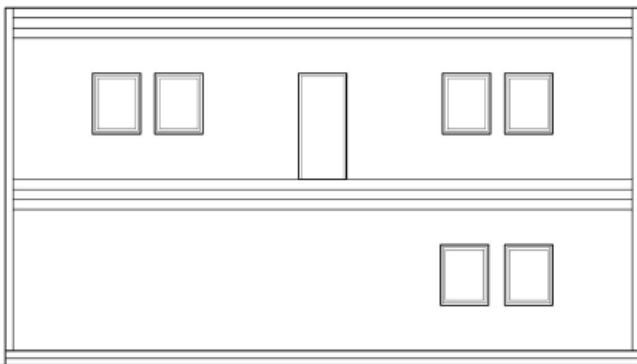


Existing front elevation @ 1:100

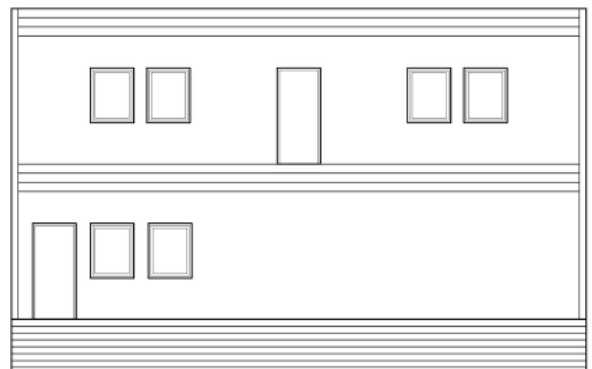


Existing rear elevation

Existing Side Elevations:



Existing side elevation

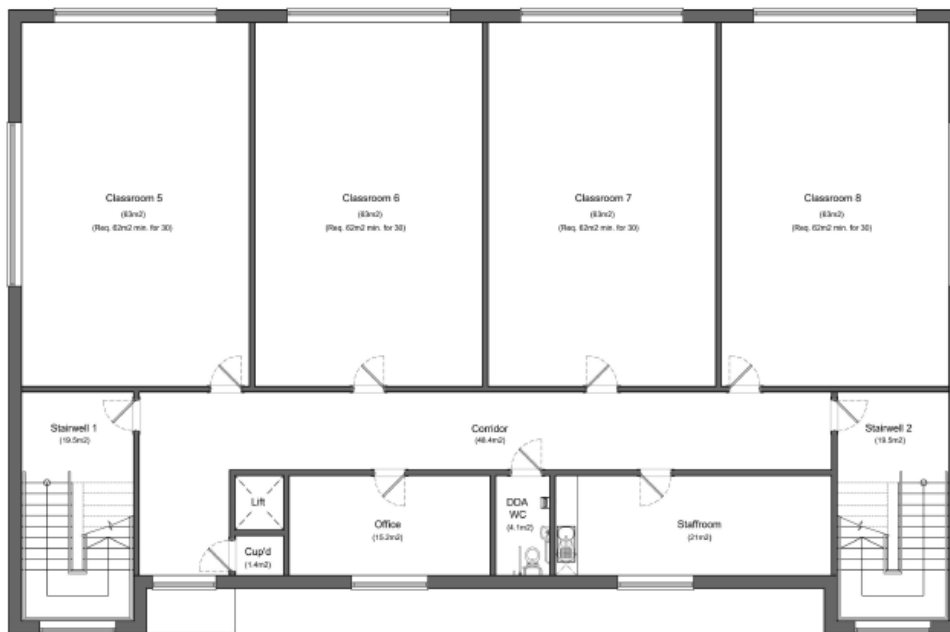


Existing side elevation

Proposed Ground Floor Plan:



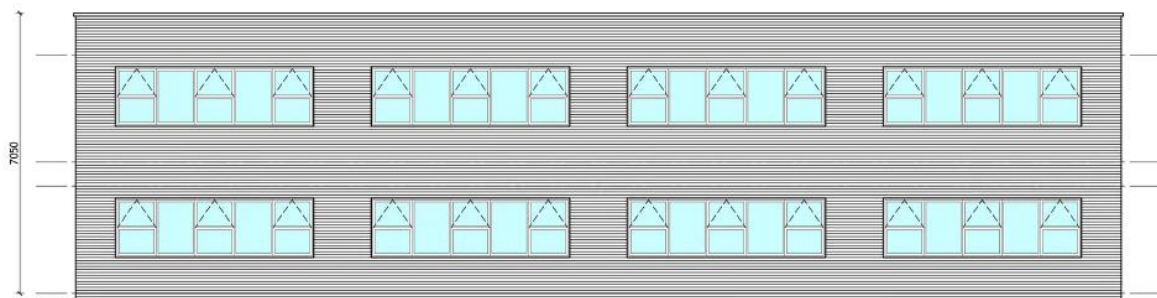
Proposed First Floor Plan:



Proposed Front and Rear Elevations:

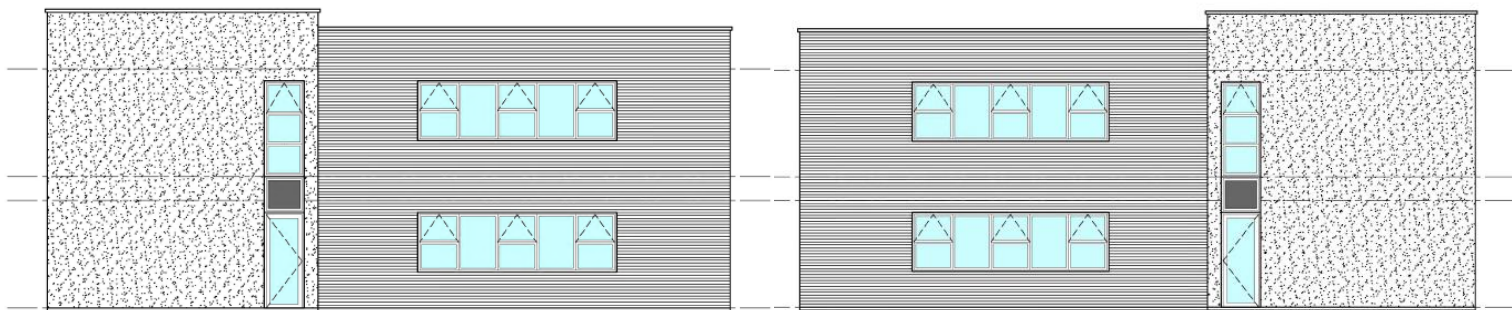


Proposed front elevation @ 1:100



Proposed rear elevation

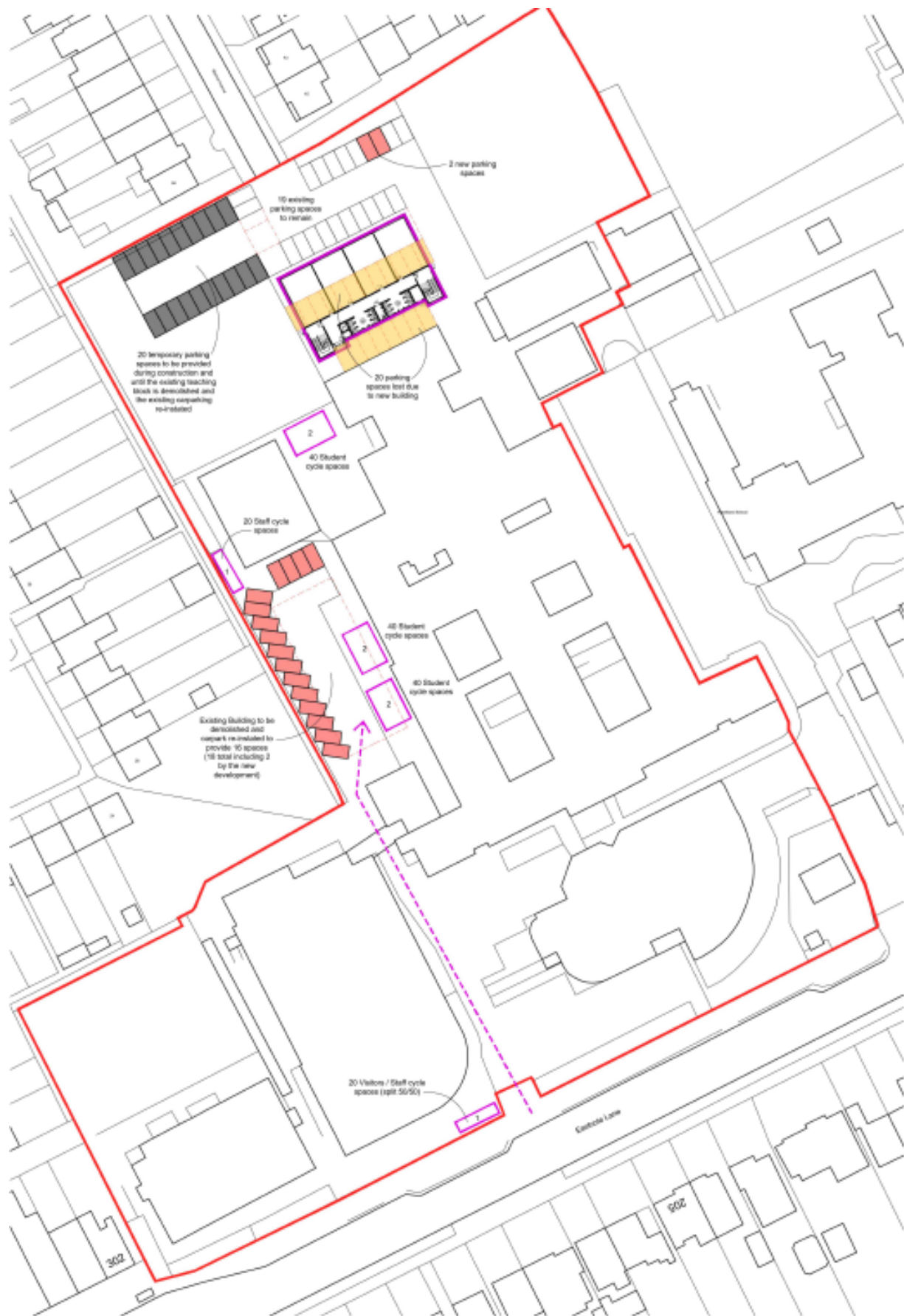
Proposed Side Elevations:



Proposed side elevation

Proposed side elevation

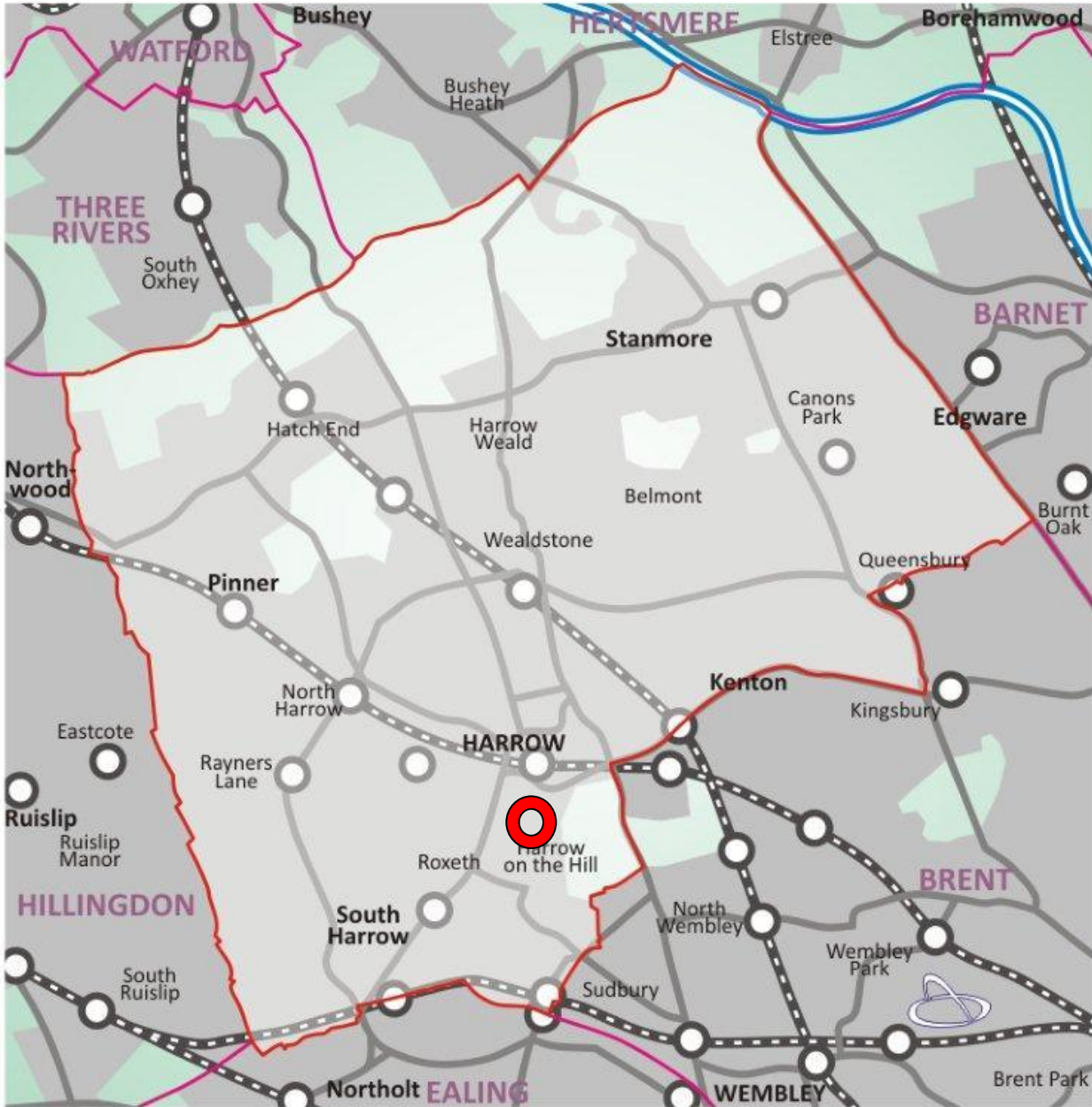
Proposed Site Plan:



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 = application site



Vaughan Library, High Street, Harrow, HA1 3HT	P/0613/23
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

19th April 2023

APPLICATION NUMBER: P/0613/23
VALIDATION DATE: 10/03/2023
LOCATION: VAUGHAN LIBRARY, HIGH STREET, HARROW,
WARD: HARROW ON THE HILL
POSTCODE: HA1 3HT
APPLICANT: HARROW SCHOOL
AGENT: MARCUS BEALE ARCHITECTS
CASE OFFICER: LUCY HAILE
EXPIRY DATE: 16/03/2023

PROPOSAL

Listed Building Consent: access control to entrance door including shootbolt in the main entrance threshold and cctv and keypad within the entrance porch and green button door release inside the building with drilling for cable route

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 Listed Building Consent subject to subject to the Conditions listed in Appendix 1 of this report.

REASON FOR THE RECOMMENDATIONS

The proposal would cause minor harm to the special interest of the grade II* listed building whilst improving security for the school providing a public benefit.

Accordingly, having regard to 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 there are no grounds on which to object to this application.

INFORMATION

This application is reported to Planning Committee as the building is grade II* listed and this application is not accompanied by a linked planning application.

Statutory Return Type: Listed Building Consent
Council Interest: None.
Net additional Floorspace: Nil

GLA Community Infrastructure Levy (CIL) Contribution (provisional)(£60p/sqm): N/A
Local CIL requirement (Provisional) (£110p/sqm): 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.

1.0 SITE DESCRIPTION

- 1.1 The application site comprises the grade II* listed Vaughan Library designed by George Gilbert Scott which dates to 1861-1863 and faces the High Street. The building is rectilinear in plan set over four levels and is entered principally on the third floor through the prominent central porch facing west onto the High Street. It is located on the brow of the Hill between the grade II* listed Harrow School Chapel and the grade II listed Harrow School Headmaster's house, set back from the road behind a small garden. It is located opposite the grade II* listed Speech Rooms, the grade II* listed Harrow School War Memorial and grade I listed Old Schools. All form part of the Harrow School Conservation Area.
- 1.2 The Vaughan Library was Sir George Gilbert Scott's second commission for Harrow School. The building is set back from the road across a formal garden. The elevation style is high Victorian polychromatic Gothic. The building was completed shortly before the competition for the Midland Grand Hotel at St Pancras Station London and can be regarded as a prototype for Scott's winning entry given the similarities in style, materials and detailing.
- 1.3 Behind the porch within the building is the main library. Internally, alterations include upgrades to the heating system which has seen the floor level raised to allow for services below creating an additional entrance step adjacent the entrance foot-well.
- 1.4 Harrow School note that, despite not being available to the general public its location and frontage presents an inviting place for people to attempt to gain access, particularly in the summer when doors are left open for ventilation.
- 1.5 The main entrance is down a pathway that crosses a landscaped frontage from the High Street.
- 1.6 The entrance is a pair of large oak doors at the rear of a porch. There is a wicket door within one of the large oak doors to generally used to provide entry into and exist from the library.

2.0 PROPOSAL

- 2.1 Listed Building Consent is sought for:
- access control to entrance door including:
 - shootbolt in the main entrance in the threshold which will engage into the bottom of the wicket door with metal threshold that will cover the housing meaning only the hole for the shootbolt will be visible. Wiring will be hidden

- by the threshold plate. The bolt keep will be fitted to the underside of the wicket door. A small hole will be drilled to allow the bolt to engage. And
- key pad will be mounted in the blind arch on the north side of the porch. Cabling will be drilled through for the cabling.
 - cctv within the entrance porch at high level on the brickwork with camera 75mm diameter.
 - Fixings into mortar joints
 - green button door release inside the building adjacent existing fire alarm break glass.
 - drilling for cable route through a mortar joint to a discreetly located external cable that then runs back into the building.

3.0 RELEVANT PLANNING HISTORY

3.1 WEST/730/96/FUL Glazed screen and doors to entrance porch Refused 18/03/1997

Reason for refusal: The glazed screen and door are considered to be visually detrimental to the Listed Building and the Conservation Area.

4.0 CONSULTATION

4.1 The following groups have been consulted and any response is due by 31st March 2023 but to date no response has been received:

- Council for British Archaeology
- Society for the Protection of Ancient Buildings
- Ancient Monuments Society
- Victorian Society
- Georgian Group
- Twentieth Century Society
- London and Middlesex Archaeology Society
- Harrow Hill Trust
- Pebwatch
- Harrow Heritage Trust

4.2 A site notice was also displayed. This expired on 6th April, 2023.

4.3 No responses were received.

4.4 Statutory and Non Statutory Consultation

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

Historic England

Comments dated 27th March 2023

'Historic England has no objection to the application on heritage grounds.

Your Authority should take these representations in account and determine the application in accordance with national and local planning. We have drafted the necessary letter of authorisation for your Authority to determine the application as you see fit and have referred this to the National Planning Casework Unit (NPCU) (copy attached). You will be able to issue a formal decision once the NPCU have returned the letter of authorisation to you, unless the Secretary of State directs the application to be referred to them’.

The National Planning Casework Unit returned the letter of authorisation raising no objection on behalf of the Secretary of State on 3rd April 2023.

5 **POLICIES**

Relevant policy and guidance

- 5.1 The acceptability of the proposed works must be assessed against the need to preserve the special interest of the listed building, having particular regard to the Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, National Planning Policy Framework (July 2021) paragraphs 195, 197, 199, 200, 202, 205, London Plan (March 2021) policy HC1, Harrow Core Strategy (February 2012), Development Management Policy (May 2013) DM 7 part E, and guidance contained within the Planning Practice Guidance for Conserving and Enhancing the Historic Environment (updated 06/03/2014), and Historic England Advice Note 2: 'Making Changes to Heritage Assets' which was adopted on 25th February 2016.
- 5.2 Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses’.
- 5.3 Paragraph 197 of the NPPF states 'local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets...the desirability of new development making a positive contribution to local character and distinctiveness'. Paragraph 199 of the NPPF states ‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’. Paragraph 200 states: ‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require

clear and convincing justification'. Paragraph 202 states: 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'. Paragraph 205 states: 'Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted'.

- 5.4 London Plan policy HC1 C states 'Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process'. Development Management Policies Local Plan policy DM 7 part B, b states 'the impact of proposals affecting heritage assets will be assessed having regard to: b relevant issues of design, appearance and character, including proportion, scale, height, massing, historic fabric, use, features, location, relationship with adjacent assets, setting, layout, plan form' and DM7 part E which states: 'In addition to (A) and (B) above, when considering proposals affecting listed buildings and their setting, the Council will: a. pay special attention to the building's character and any features of special architectural or historic interest which it possesses, and the role of the building's setting in these regards'.

6.0 ASSESSMENT

6.1 The main issues are:

- Special Interest of the Listed Building

6.2 Special Interest of the Listed Building

- 6.2.1 The application site comprises the grade II* listed Vaughan Library. The proposal is for access control to entrance door including shootbolt in the main entrance threshold and cctv and key pad within the entrance porch and green button door release inside the building with drilling for cable route. The significance of the site is outlined above in the 'site description' section and including the list entry which states: '1861-3 by Sir George Gilbert Scott. Polychromatic Gothic. Red brick, dressed with blue-grey brick and ashlar. Rectangular plan with west central porch

and east central canted bay. Built on slope with classrooms below, facing east. Stained glass by J C Bell, 1883 and 1885'.

6.3 Appraisal

6.3.1 The existing front entrance presents a security issue to the school as the building is a private building accessible only to the staff and students of Harrow School but its forecourt is an inviting space that some members of the public feel they have the right to enter despite the railings and gate along the High Street and signage deployed by the school on the footpath.

6.3.2 The matter has been subject to pre-application advice. This proposed enclosing the porch to enable controlled entry to the library. This would have caused quite a level of harm to the special interest of the listed building. This amended proposal would introduce a level of less than substantial harm but this would be minimised by only requiring minor interventions by way of the installation of access control to the entrance door including:

- 1) a shootbolt in the main entrance threshold,
- 2) cctv and key pad within the entrance porch and
- 3) green button door release inside the building
- 4) drilling for cable route.

6.3.3 The new materials, introduction of new fixings and drilling would be the harmful effects. However, there is already an existing hole in the brickwork for cables that side. Otherwise, works are minor and whilst adding some clutter and light intervention, there is a public benefit and clear and convincing justification of additional security for the listed building. The works are largely reversible. Alternative more harmful proposals have been discounted. Therefore, the above outlined policies and guidance have been complied with.

6.3.4 This is confirmed by Historic England who responded to state no objections.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposed development would improve the security of the building and any harm to its special interest would be minimal and outweighed by public benefits. The proposed development would therefore accord with Policy HC 1 of the London Plan (2021), Policy CS1 of the Harrow Core Strategy 2012 and policies DM7 of the Harrow Development Management Policies Local Plan (2013).

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 18 of the Planning (Listed Buildings and Conservation Areas) 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:

614.33 / 007; 614.33 / 010 A; 614.33/ 006; 614.33/005 A; 614.33/000; Design and Heritage Impact Statement REV 2;

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

3. Protect features

Suitable precautions shall be taken to secure and protect interior features against accidental loss or damage during the building work hereby granted, and no such features may be disturbed or removed, temporarily or permanently, except as indicated on the approved drawings or with the prior approval, in writing of the local planning authority.

REASON: To protect the special architectural or historic interest of the listed building.

4. Making good

All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any conditions(s) attached to this consent.

REASON: To protect the special architectural or historic interest of the listed building.

5. Unknown evidence

If previously unknown evidence is discovered about historic character which would be affected by the works hereby granted, an appropriate record, together with recommendations for dealing with it in the context of the scheme, shall be approved in writing by the local planning authority before any of the permitted

works are begun. The works shall be completed in accordance with the approved details and shall be retained as such thereafter.

REASON: To protect the special architectural or historic interest of the listed building.

Informatives

1. Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2021)

The London Plan (2021):

HC1,

Harrow Core Strategy (2012):

CS1

Harrow Development Management Policies Local Plan (2013):

DM7

2. COMPLIANCE WITH LISTED BUILDING CONDITIONS

IMPORTANT: Compliance With Listed Building Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of listed building consent if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.



- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- Beginning development in breach of a listed building condition will invalidate your listed building consent.

3. Remove Yellow Site Notice

A yellow Site Notice relating to this planning application describing the development and alerting interested parties of the development has been placed in the vicinity of the application site. You should now REMOVE this Site Notice.

Checked

 Orla Murphy Head of Development Management 6 th April 2023	 Viv Evans Chief Planning Officer 6 th April 2023
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APPENDIX 3: SITE PHOTOGRAPHS









Metal threshold strip at rear of the stone step





The cctv camera will be mounted at high level on the brickwork. The camera body is 75 mm dia.



cctv camera location

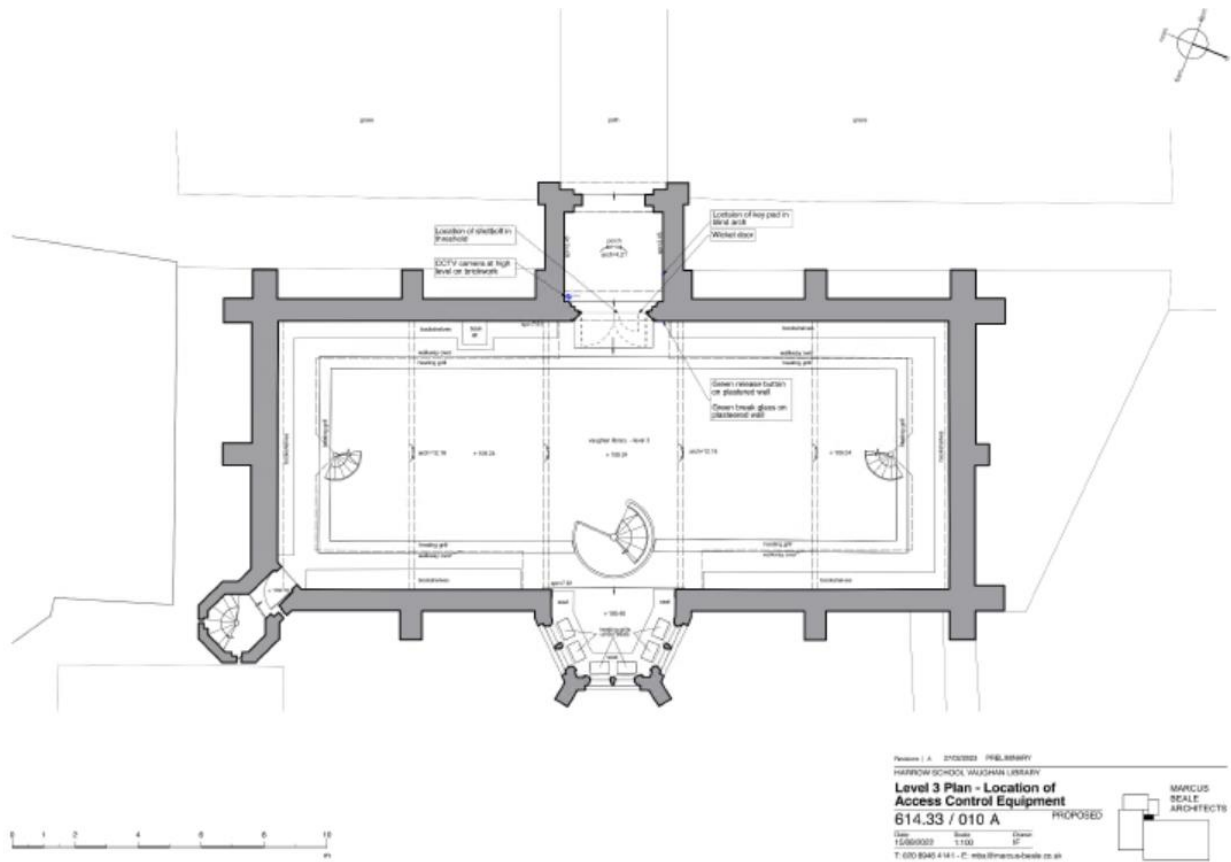
> Fixings will be made into mortar joints.

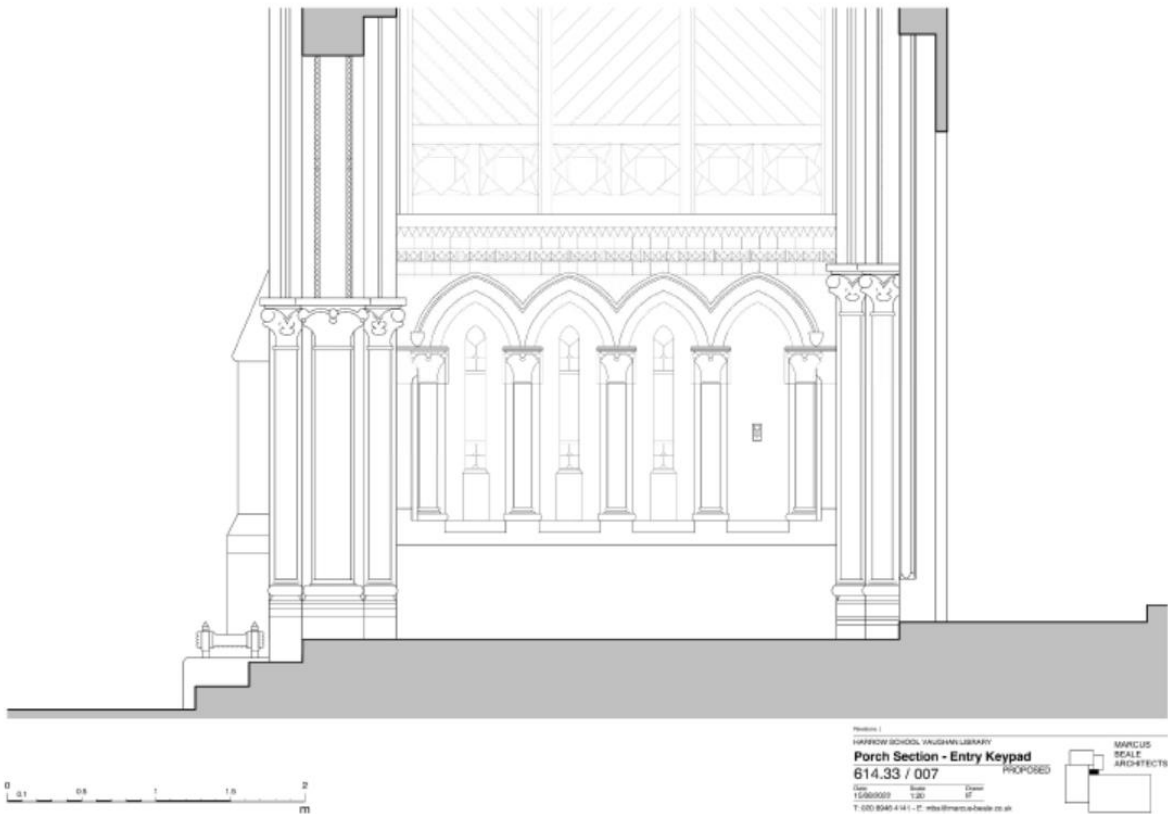


Motorola Arcton M5 mini
dome camera is proposed

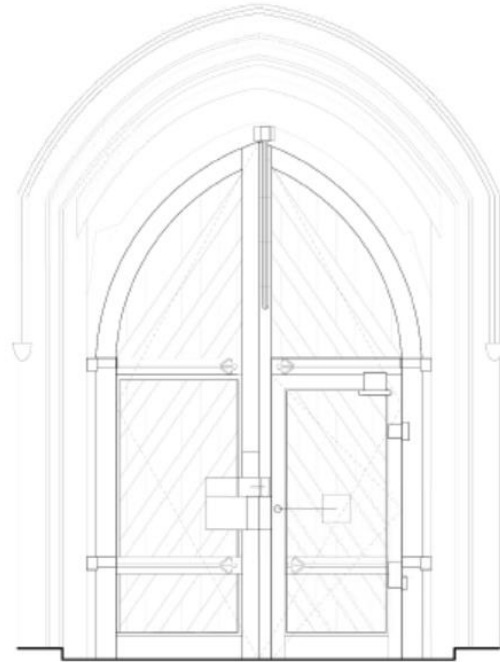


APPENDIX 4: PLANS AND ELEVATIONS





Revision 1
 VAUGHAN SCHOOL, VAUGHAN LIBRARY
Porch Section - Entry Keypad
 614.33 / 007 PROPOSED
 Date: 15/09/2022 Scale: 1:20 Drawn: ST
 T: 020 8940 4141 - E: info@marcus-scale.co.uk
 MARCUS SCALE ARCHITECTS



Project 1
 HARROW SCHOOL, HUGHMAN LIBRARY
Entrance Door
614.33 / 006 EXISTING
 Date: 15/06/2023 Scale: 1:50 Sheet: 07
 T: 020 8940 4141 - E: mba@marcus-architects.co.uk



Project 1 - A - 01/03/2023 HUG LIBRARY
 HARROW SCHOOL, HUGHMAN LIBRARY
West Elevation
614.33 / 005 A EXISTING & PROPOSED
 Date: 15/06/2023 Scale: 1:100 Sheet: 07
 T: 020 8940 4141 - E: mba@marcus-architects.co.uk

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