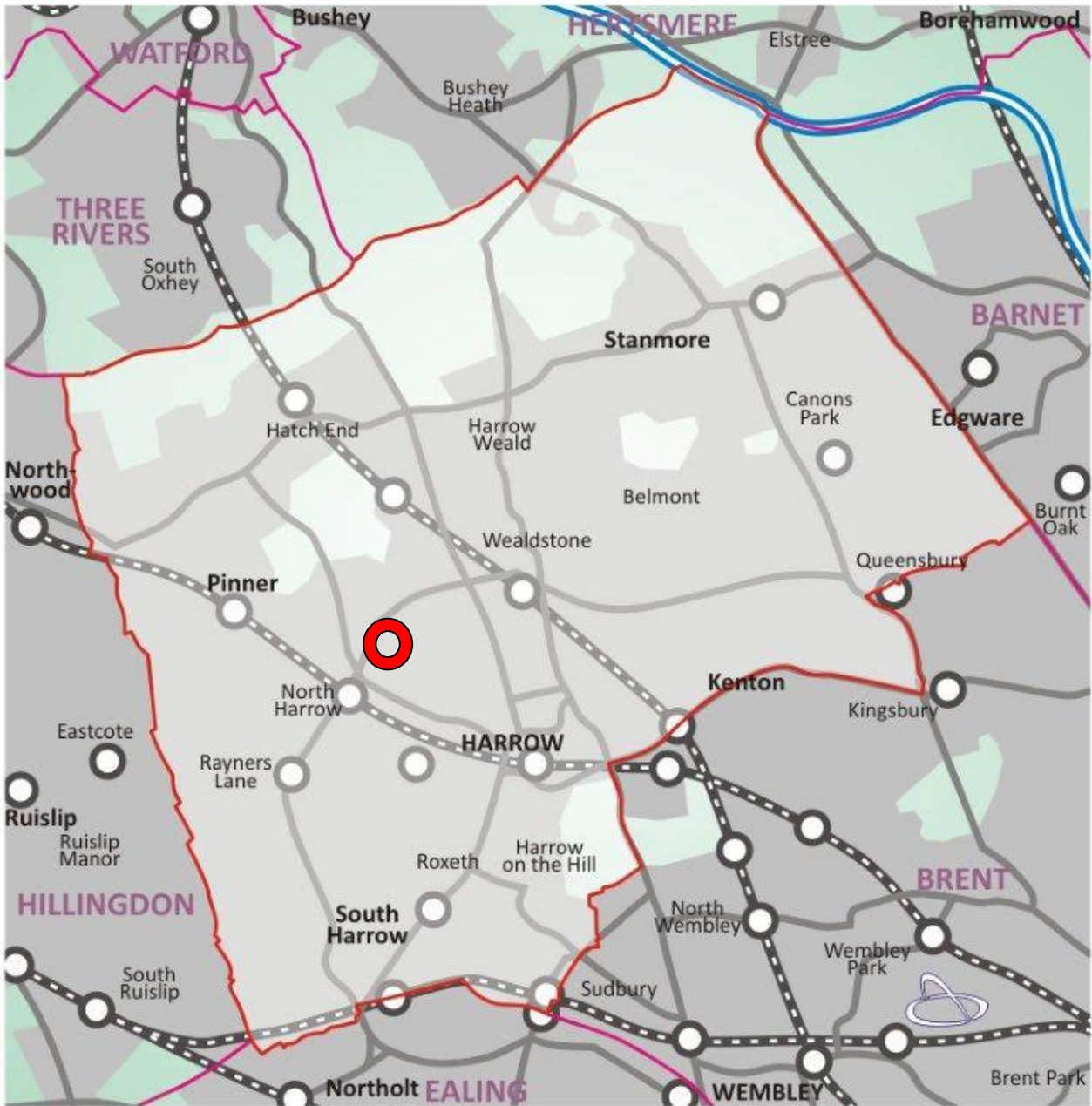


 = application site



34 Kingsfield Avenue, Harrow, HA2 6AT	P/0720/23
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Location Plan



1 LOCATION PLAN
Scale 1:1250

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

19th July 2023

APPLICATION NUMBER: P/0720/23
VALIDATION DATE: 29/03/2023
LOCATION: 34 KINGSFIELD AVENUE, HARROW
WARD: HEADSTONE
POSTCODE: HA2 6AT
APPLICANT: MR VISHANG SHAH
AGENT: ANUJ BHATT
CASE OFFICER: KIMRY SCHLACTER
EXTENDED EXPIRY DATE: 31/05/2023

PROPOSAL

Change of use from dwelling-house (C3) to respite care home (C2); single storey front extension incorporating front porch; single and two storey side extension; single storey rear extension, rear dormer (demolition of garage); outbuilding in rear garden; new vehicle access.

The Planning Committee is asked to consider the following recommendation:

RECOMMENDATION A

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

REASON FOR THE RECOMMENDATIONS

The change of use to a C2 facility would meet an identified need in the Borough, is sited in a sustainable location, and would provide a good quality of accommodation for future occupiers. The proposed extensions have an acceptable design and external appearance and would not unduly impact on neighbouring amenities, and, given the level of occupancy and the nature of use of the site, would not result in an undue level of noise or disturbance. Given its location and the proposed intensity of use, the proposal would not result in significant impacts on the local highways. Accordingly, the development would accord with development plan policies and is recommended for approval.

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

INFORMATION

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

Statutory Return Type:	Change of Use
Council Interest:	None
Net additional Floorspace:	83.55sqm
GLA Community Infrastructure Levy (CIL) Contribution:	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policy D11 of the London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition 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 is a two-storey semi-detached dwellinghouse located on the northern side of Kingsfield Avenue.
- 1.2 The attached semi is no. 32 (to the west). This property benefits from a larger single storey rear extension. To the east is no. 36, a semi-detached property which does not benefit from extensions at the rear but does have a garage and sheds at the side along the boundary with the subject site.
- 1.3 The application site is not listed, is not located within a Conservation Area but is located within a Critical Drainage Area.
- 1.4 The application site is located within an area with a Public Transport Accessibility Level (PTAL) of 3 and is located 12 min away by foot from the nearest train station (North Harrow) and 8 min walk to the nearest bus stop. Local shops and service are located near the train station (North Harrow centre).

2.0 PROPOSAL

- 2.1 It is proposed to construct a single storey extension to the front (incorporating a porch), single and two storey side to rear extensions, and a rear dormer, with the existing garage to be demolished. An outbuilding would be constructed in the rear garden.
- 2.2 The proposal would also involve a change of use from C3 to C2, as a respite care home for up to 4 children, with a maximum of 5 staff.
- 2.3 2 existing car parking spaces in the forecourt would be retained, with a reformed vehicle access to better accommodate the parking. Cycle parking would also be provided in the rear of the site. The vehicular access would be retained.
- 2.4 Refuse storage would be sited in the rear garden.
- 2.5 Amended documents have been submitted to change the design of the roof alterations and include the proposed outbuilding as part of the development; as well as additional information on the operations of the proposed use.

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status and date of decision
P/2981/19	Conversion of dwelling into two flats (2 X 2 bed); two storey side extension; single storey rear extension; front porch; proposed vehicle crossover; parking; separate amenity space; bin store (demolition of attached garage and stores)	Granted: 27/08/2019
P/2687/22	Certificate of lawful development (proposed): Alterations to roof to form	Granted: 14/09/2022

	end gable and rear dormer; installation of new window in gable end	
P/0712/23	Outbuilding at rear for use incidental to main dwelling	Granted: 03/05/2023

4.0 **CONSULTATION**

- 4.1 A total of 4 consultation letters were sent to neighbouring properties regarding this application. A site notice was also displayed. The overall expiry date of the first consultation was 3 May 2023.
- 4.2 A total of 3 responses were received.
- 4.3 After the receipt of amended details, a 14-day re-consultation was carried out, expiring on 03 July 2023. A total of 1 additional comments were received (being add-on comments to previous responses.)
- 4.4 A summary of the responses received along with the Officer comments are set out below:

- Proposal does not take account of ethos of family homes on this street; do not want flats or any type of development other than single family dwellinghouses on this street. Object to commercial property on the street.
- The area will become non-residential.
Officer comment: See Section 6.3
- There is no pressing need for respite care in Harrow; another care home was recently closed.
Officer comment: The operations of other facilities are not a material planning consideration and whether or why another facility has closed, or if it is comparable to the proposed facility, is not known. In terms of need, please see consultation response from Harrow's Assistant Director - Specialist Learning Disabilities Care, Mental health, CYAD Services and Provider Services
- Concern regarding overlooking by care home staff or residents.
Officer comment: See Section 6.4
- Would increase traffic and parking congestion, including ambulances and visitors. This would lead to decreased road safety.
- Increased pollution from combustion engines.
- Local residents should not have to see or hear regular/constant noise from ambulances / taxis which would affect their focus, concentration and general mental well-being.
Officer comment: See Section 6.5
- Baths drain into a soakaway instead of a proper drain.
- Proposal would adversely impact drainage to soil, sewage and water.
Officer comment: See Section 6.6

- Is likely motivated by business reasons.
Officer comment: *This is not a material planning consideration.*
- Existing premises appears to be an HMO but is not registered.
Officer comment: *The applicant has confirmed the property is not in use as an HMO. In addition, were the site in use and an HMO, this would not negate the acceptability of the planning proposal and implementation of it would remedy any potential breach of planning.*
- Object to noise pollution during construction.
Officer comment: *Noise nuisance during construction would fall under the purview of the Environmental health team. Any noise complaints should be referred to this service.*

4.5 Statutory and Non-Statutory Consultation

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

Planning Policy

- No objections provided the proposal adequately addresses the care needs of vulnerable children.

Assistant Director - Specialist Learning Disabilities Care, Mental health, CYAD Services and Provider Services

- There is always a need for specialist care accommodation for our vulnerable children but all development needs to fit into our agreed market position statement and in line with our commissioning intentions.

Harrow Strategic Commissioning Manager (Learning Disabilities, Autism and Adult Mental Health)

- Thank you for forwarding the planning application, which is not that unusual, as many companies/providers convert properties.
- Care4ocus Homes have other properties/services in Harrow and their latest CQC rating was good. If they succeed with their planning application, they will be required to register the new service at Kingsfield Avenue and our QA and Contracts Team will also carry out visits and due diligence.
- Matters relating to quality of care for the children will be addressed through the processes in place; and no young people will be placed in the property by Harrow until all the necessary registrations and checks have been done.
- Harrow Council Commissioning or Social Care will not endorse the provider's claim that there is a need/demand for a specialist care facility for children and young people, as we can't be seen to support the

commissioning a new building or service in advance of the due process and diligence being completed. The conversion of the property will have to be approved on the merits of the fabrication and the change of use alone.

LBH Highways

Observations:

- The site is located in North Harrow; the site has a Public Transport Accessibility Level (PTAL) of 3 (good). The nearest underground station is North Harrow Underground station, approximately 0.5 miles to the South and bus services are accessible locally, therefore the site is considered to be at a sustainable location. Pedestrian access to the local area is provided by a footway. The services and facilities within Harrow Town centre are located via a short journey from site.

Access and Parking:

- At present there is an existing crossover serving the property from the public highway. The proposed site plan (Drawing no: AA-2301-KA-PL-0004) shows the existing vehicle crossover to be reinstated as footpath and a new proposed vehicle crossover. The length of new proposed crossover is shown as 5400mm which exceeds the permitted maximum of 4500mm as per Harrow specification. A separate application is required for adjustment to the crossover to Highways.
- The loss of the garage will have minimum impact as parking is available on the hardstanding driveway within the site.

Cycle Storage:

- The proposal has provision for 2no. cycle spaces via a cycle storage unit observed within the rear garden of the submitted plans. The proposal meets the standard set out in The London Plan 2021 – chapter 10 transport – Table 10.2 – Minimum cycle parking standards for a C2 Class building.

Trip Generation:

- The nature of the proposed development is unlikely to result in a material increase in additional vehicle trips to and from site. No significant or severe impact on the transport network is identified.

Conclusion:

- Harrow Highway Authority has considered the proposal and does not wish to restrict the granting of planning permission. The proposal is unlikely to result in a severe or harmful impact for the surrounding highway network, therefore, Highways have no objection.

Comments to revised plans:

The revised proposed crossover meets the Harrow's specification, but will require formal approval by the vehicle crossing team.

<p><u>Drainage</u></p> <ul style="list-style-type: none"> • No objection subject to conditions <ul style="list-style-type: none"> ○ The applicant should submit drainage layout drawing showing two separate surface & foul water connections and outfall details. Combined drainage system are not acceptable. If a soakaway is provided, full construction details of the soakaway with its location, size, storage volume and calculations should also be provided. ○ Please request the applicant to submit a cross section of permeable paving construction with full details and their maintenance plan for our approval <p>Officer Comment: <i>Informatives will be added to this effect</i></p>
<p><u>Waste Management Policy Officer</u></p> <ul style="list-style-type: none"> • No comments received
<p><u>Thames Water</u></p> <ul style="list-style-type: none"> • No comments received
<p><u>EHO Team Leader</u></p> <ul style="list-style-type: none"> • No comments received
<p><u>Landscape Architect</u></p> <ul style="list-style-type: none"> • No comments received

5 **POLICIES**

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

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

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

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

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

6.0 ASSESSMENT

6.1 The main issues are:

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

6.2 Principle of Development

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- London Plan Policies H8, H12
- Harrow Development Management Policies (2013): DM29

6.2.2 Policy H8 of the London Plan relates to the loss of existing housing, with Part A noting that the loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floor space.

6.2.3 Policy H12 of the London Plan relates to supported and specialist accommodation. It is noted that “the delivery, retention and refurbishment of supported and specialised housing which meets an identified need should be supported. The form this takes will vary, and it 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, including disabled Londoners (see Policy D7 Accessible housing) within a wider inclusive community setting.” This type of accommodation could include accommodation for young people with support needs.

6.2.4 Policy DM29 of the DMP relates to Sheltered Housing, Care Homes and Extra Care Housing. Part A of the policy notes that “the Council will support proposals on previously-developed land for sheltered housing, care homes and extra care housing (across all tenures) for older people and those who may be vulnerable, provided that the proposal is accessible by public transport with good access to local amenities including shops and community facilities”.

6.2.5 The proposal is for the change of use of the property to C2 (respite care home) for children, as well as external alterations. Concerns have been raised with regard to a commercial use being introduced into a residential neighbourhood. However, as the proposed use is a residential one, and not a commercial use, it is considered that the proposed use would be suitable and appropriate for the site.

6.2.6 Although the property would no longer be in C3 use, the proposed C2 use is still a residential use, and so there would be no loss of housing. The proposal would therefore not conflict with Policy H8 of the London Plan. It should be added that the internal configuration of the building retains that of a conventional dwellinghouse

and can be easily converted back into a conventional dwellinghouse if and when the uses cease.

- 6.2.7 The site will provide respite care for children with complex care needs, for temporary stays away from their usual setting, typically up to 4 weeks.
- 6.2.8 Depending on the needs of the residents at the time, 2-4 carers would be on site at a time. The maximum number of staff on site would therefore be 5, comprising up to 4 carers and 1 resident manager. Care would be provided 24-hours a day, and a sample staff rota was provided by the applicant.
- 6.2.9 The provision of a new residential care home for children with Special Educational Needs and Disabilities (SEND) is encouraged under Policy H12 A (2), (4) and (5) of the London Plan and Policy DM29.A of the DMP subject to the site being accessible by public transport with good access to local amenities including shops and community facilities. In this case, the site has a good PTAL (Public Transportation Accessibility Level) rating and is sited within 12 minutes' walk of a London Underground station and the North Harrow local town centre, as well as being within an 8-minutes' walk of local bus stops. The site is therefore considered to have a good level of sustainability. The proposed facilities would serve a community in need, and Harrow's Assistant Director for specialist Youth Services has confirmed is a need for this type of service in the borough. There are no objections from the Council's planning policy team.
- 6.2.10 In light of all of the above, the proposed change of use is supported.

6.3 Character of the Area and Design

- 6.3.1 The relevant policies are:
- The National Planning Policy Framework (2021)
 - London Plan Policies D3, D5, H12
 - Policy CS1.B of Harrow's Core Strategy (2012)
 - Harrow Development Management Policies (2013): DM1, DM29
 - Supplementary Planning Document Residential Design Guide (2010)

Change of Use

- 6.3.2 The change of use is considered to be acceptable on character and design grounds, as it still forms a type of residential development. The occupancy numbers for both staff and children are not too significant and would be comparable to that of a large or extended family living within the building. Whilst officers note that the area is predominantly characterised by single family dwellinghouses, given the above, the change of use is not considered to result in a significant change to the general setting of the area.

External Alterations

- 6.3.3 The proposal includes extensions to the dwelling at the front, side and rear, as well as a dormer and outbuilding. The single storey front extension including porch would comply with the Residential Design Guide SPD. The proposal initially included an alteration to create a gabled roof end in combination with the two-storey side extension. This would not have been considered unacceptable due to bulk and poor

design, and it was subsequently amended to include a fully hipped roof in combination with the two-storey side extension. The side extension is subservient and set back from the front to prevent a terracing effect. It would also be set 1.1m away from the side boundary, retaining good access to the rear garden.

- 6.3.4 The proposed rear dormer is appropriately sized and would retain good visual containment within the roof slope.
- 6.3.5 The single storey rear extension would have a height consistent with the standards set out in the Residential Design Guide SPD. However, it would exceed the standard depth. As such, it must be considered on the basis of site specific circumstances. In this case, the deeper part of the extension would be set against the existing deeper rear extension of the attached no. 32 and would not project past it. The proposed extension would step to then be less deep in proximity to the other adjacent neighbour no. 36 and would be set 1.1m away from this boundary. The extension would therefore appear proportionate to the dwelling and its contextual surroundings and would maintain space with the side boundary. It would therefore be acceptable.
- 6.3.6 The proposed outbuilding would be identical in size and location to the one recently approved under ref: P/0712/23 and so would be acceptable in terms of size and appearance. It would be sited adjacent no. 23's outbuilding. The use would be different to that of ref: P/0712/23. The proposed use is as a sensory room for the children. The applicant has provided detailed information on the type of activity that would be carried out, which would have therapeutic benefit for the children. The proposed use would remain incidental to the main dwelling, and would be comparable to a play room typically seen in outbuildings of families with children. It would therefore be acceptable.
- 6.3.7 The changes to the front forecourt would include the re-locating of the access, a new access ramp and retention of existing parking, which would have no impact on the appearance of the property, and the introduction of soft landscaping, which would be beneficial to the character and appearance of the dwelling and the area.
- 6.3.8 The proposal would site bin storage in the rear of the property, which would protect the appearance of the streetscene; and staff would move bins to the front on collection days. The details submitted for the bin storage enclosures is a considered acceptable and appropriate for the suburban context.
- 6.3.9 On the basis of the above, the proposed development is considered to be acceptable in terms of the character and appearance of the dwelling and the area. A condition is recommended to ensure the external materials used in the construction of the proposed extensions matches that of the existing house.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D14, D5, H12
- Harrow Development Management Policies (2013): DM1, DM29
- Supplementary Planning Document Residential Design Guide (2010)

Change of Use – Neighbouring Occupiers

- 6.4.2 The proposed extensions would result in a 4/5-bedroom house, able to accommodate up to 4 children, with 2-5 staff. The occupancy of the site, when the maximum number of children are present would therefore be 6-9. For comparison, as a C3 dwellinghouse, the maximum occupancy of the extended building would be 6-8. It should be noted that it would be expected for the occupancy to vary at different times and would not necessarily be at maximum capacity at all times. Given the maximum occupancy numbers for both staff and children are not too significant and would be comparable to that of a large or extended family living within the building, the development is not considered to be significantly more intensive in terms of noise and disturbance than the existing use. Similarly, the siting of noise sensitive C3 dwellinghouses within the surrounds of the site does not compromise the use and operation of the building as a Residential Care Home.
- 6.4.3 It should be added that the applicant would be able to use the dwellinghouse in a C3(b) use without the need for planning permission in any case. C3(b) covers up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems. The new use is slightly less intensive than what can be achieved under permitted development.
- 6.4.4 In order to prevent excessive occupation of the building, officers have applied conditions to restrict proposed occupancy for both children and staff to those indicated within the submitted supporting documents. A condition has also been applied limiting the use of building to use as a Residential Care Home and no other C2 uses which may be inappropriate within the suburban residential setting.

External Alterations – Neighbouring Occupiers

- 6.4.5 The proposed front extension and changes to the forecourt would not impact upon the residential amenities of neighbouring properties. Similarly, the rear dormer, which would be contained within the existing roof slope, would not result in significant changes in terms of amenity impacts.
- 6.4.6 The single storey rear extension would have a height consistent with the standards set out in the Residential Design Guide SPD. However, as noted above, it would exceed the standard depth. As the deeper part of the extension would be set against the existing deeper rear extension of the attached no. 32 and would not project past it, it would not impact the amenities of this neighbouring property. The proposed extension would be stepped in to then be less deep in proximity to the other adjacent neighbour no. 36 and would be set 1.1m away from this boundary. Given the reduced depth along this side and the separation distance from the shared boundary, this would not be considered to result in adverse impacts on the amenities of this neighbouring occupier.
- 6.4.7 The two-storey side extension would not project past the existing rear or front building lines and would be set 1.1m from the boundary with no. 36. One window would be included on the ground floor of the facing flank, which would serve the clinic, but given as this faces onto a side path along the flank of no. 36 and not onto any amenity areas, it is considered this would not compromise the amenities of the neighbouring property. Given these factors, it would not be considered to result in undue impacts upon no. 36.

- 6.4.8 A concern regarding overlooking by staff or residents to neighbouring properties has been raised. The proposed development would not differ from typical household extensions in terms of numbers or placement of windows, and so would not result in any difference in overlooking compared to a C3 dwellinghouse in terms of overlooking by residents/occupiers.
- 6.4.9 The proposed outbuilding would be identical in size and location to the one recently approved under ref: P/0712/23 and so would be acceptable in terms of visual and overshadowing impacts. The use would be different to that of ref; P/0712/23. The proposed use is as a sensory room for the children. As noted above, the use would not be considered to be significantly different from that of a playroom typically seen in outbuildings of families with children. Given this and given the number of proposed occupiers of the site, the level of noise and activity would not be considered to differ materially from that of a family with multiple children. To ensure the amenity of the neighbouring occupiers is maintained in future, conditions have been attached ensuring the outbuilding is used for incidental purposes to the main dwelling, and for the use of the occupiers of the home.
- 6.4.10 In addition, conditions ensuring that windows are not placed in the flank elevation facing no. 36 (eastern flank) or that the roof of the rear extension is not used as a balcony to ensure the privacy of neighbouring occupiers is maintained. Subject to the recommended conditions, the development would therefore accord with development plan policies in respect of amenity.

Future Occupiers – Internal Configuration and Quality of Accommodation

- 6.4.11 The future occupiers of the site would be children with complex needs, who would stay for short periods of time. As such, some specialised accommodations are made on site. This includes a lift to the first floor, accessible ramp at the entrance, and an on-site clinic room.
- 6.4.12 The proposal would also provide reasonably spacious communal area including a kitchen and dining area, with a good layout and direct access to the rear garden. The bedroom would all be in excess of the Nationally Described Space Standards (7.5sqm minimum) Each bedroom would have an en-suite bathroom and closet space. and they are reasonably sized. The proposal otherwise meets a good level of quality of accommodation and accessibility. Children would also have access to outdoor space and the sensory room in the outbuilding at rear. It is furthermore noted that the facilities and quality of care provided would be overseen by the existing regulatory bodies to ensure the safety and well-being of the children.
- 6.4.13 One of the bedrooms would be on the ground floor and so would require defensive planting to the front to protect the privacy and quality of living for that occupier. This has been shown on the submitted plans. A condition ensuring this is implemented has been attached.
- 6.4.14 Given the above, it is considered that the proposal would accord with London Plan policies D5 and H12 and the DMP policy DM29 in terms of the accessibility and quality of accommodation provided.

Summary

6.4.15 In summary, subject to the conditions noted above the proposal would be satisfactory in terms of amenity and quality of living standards for both neighbouring and future occupiers.

6.5 Traffic, Parking and Servicing

6.5.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): T5, T6, T6.1
- Harrow's Core Strategy (2012): CS1.R/S
- Harrow Development Management Policies (2013): DM1, DM29, DM42, DM44, DM45

6.5.2 Policies DM1 and DM42 of the DMP give advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.

6.5.3 This proposal is within a Public Transportation Accessibility Level (PTAL) 3 location, meaning access to public transportation is good. The nearest bus stops is an 8-minute walk away, and North Harrow Underground station is a 12 minute walk away. The local North Harrow town centre within a 10 minute walk.

6.5.4 In applying London Plan maximum residential parking standards, a maximum of 0.75 car parking spaces per bed spaces would be allowed. Given that the bed spaces in this case would be allocated to children under 18, the parking would be utilised by staff. The applicant has clarified that due to the nature of the care provided on site, i.e. short term breaks from regular care settings, the number of visitors to the site would be very low. Given the site's sustainable location and provision of cycle parking, staff would be able to take advantage of public transportation and cycling options. The retention of the existing 2. no car parking spaces to the forecourt is therefore considered acceptable.

6.5.5 The proposed reformed vehicle access meets the width requirement of the Council and would be acceptable in terms of planning requirements. The depth of the driveway retained after the implementation of defensive planting and the access ramp would be sufficient to allow parking. It is noted this will require further, separate permission from the Highways department and an informative is attached to this effect.

6.5.6 As per London Plan minimum cycle parking requirements, C2 cares homes/secure accommodation are required to provide 1.no long stay space per 5 full-time employees, and 1.no short stay space per 20 bedrooms. The development provides secure and sheltered cycle parking in the rear of the site, which would accommodate 2 no. cycles, which it would be anticipated would be used primarily by staff. Given the side access to the rear garden and the relatively small scale and low level of occupation of the site, it is anticipated that visitor cycles could reasonably be accommodated in the rear garden as well and managed by on-site staff. The submitted details for the storage enclosures would not be unsuitable for a single household, but as this may be used by two staff members, the dimensions of the enclosure are tight and would make it difficult to manoeuvre two cycles around each

other when getting in and out of the storage. The proposal would therefore be considered satisfactory with regard to cycle parking provision, subject to a condition requiring revised details and for the cycle parking to be implemented prior to the occupation of the site.

- 6.5.7 Given the above factors, in particular the sustainable location and relatively low level of occupancy, as well as the confirmation from the Highways officer that the proposal would be acceptable in terms of highways impacts, it is considered that the proposal would not result in significant increases in impacts on the local highway network. In addition, this would not result in a material increase in pollution from cars compared to existing multi-car households in the vicinity.
- 6.5.8 Concerns have been raised regarding frequent use of ambulances, and the noise and disturbance they would cause. As confirmed by the applicant, given the nature and type of care provided, ambulances would not normally be required, except in emergency situations. Visitors, as noted above, would be relatively limited in numbers, as would the number of residents. It is therefore considered that the activity generated by taxis and ambulances would not be likely to be significantly higher than that of a C3 dwelling with a family member/s experiencing health difficulties on the premises.
- 6.5.9 Based on the above, it is considered that the proposal would not cause significant impacts on the highways and would therefore be acceptable.

6.6 Flood Risk and Drainage

6.6.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): SI 13
- Harrow Development Management Policies (2013): DM10

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

6.6.3 The site is located within a Critical Drainage Area but not within any Flood Zones. The development would result in an addition to the development footprint on site and would therefore have an impact in terms of increased surface water flood risk. Permeable paving is considered necessary and appropriate to mitigate the impact of the development, and a condition is duly attached to this permission.

6.6.4 The Drainage Authority have requested a condition for surface and foul water connection details. However, given the scope and scale of the development, it is considered that imposing such a condition would be unduly onerous. However, an informative advising the developer of the requirements for any new drainage connections has been included.

6.6.5 A concern has been raised that baths would drain into a soakaway rather than a conventional drain, however this is incorrect – internal wastewater would be disposed of in a conventional manner, while external surface run-off (from rain, etc.) would be dealt with via permeable paving and a soakaway, which should improve

the rate of surface water run-off in the forecourt from the existing situation. Further concern has been raised that the development would adversely impact drainage to soil, sewage and water. In addition to the improvement to the forecourt, it should be noted that the proposal would not result in a significantly different level of maximum occupation from that of a C3 single family dwelling, and thus the foul and wastewater discharge would not be significantly different from that of a large family.

6.6.6 Subject to a condition for permeable paving details, it is considered that the proposal would be acceptable in terms of surface water run-off and flood risk.

6.7 Fire Safety

6.7.1 The relevant policies are:

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

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 appropriate details of how the fire safety measures will be altered with the proposed development. The proposal thereby complied with Policy D12.

7.0 CONCLUSION AND REASONS FOR RECOMMENDING APPROVAL

7.1 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation and on the basis that the proposed development provides an acceptable and policy compliant residential scheme for future occupiers and does not unduly impact on the character of the area or the amenities of the residential occupiers of the adjoining or nearby properties, subject to the attached conditions. The proposed development would therefore accord with the National Planning Policy Framework (NPPF, 2021) Policies D3, D5, D11, D12, D14, H8, H12, SI 12, SI 13, T5, T6, T6.1 of the London Plan (2021), Policy CS1 of the Harrow Core Strategy (2012) and policies DM1, DM9, DM10, DM29, DM42, DM44, DM45 of the Harrow Development Management Policies Local Plan (2013), along with the relevant supplementary guidance.

APPENDIX 1: Conditions and Informatives

Conditions

1. Timing

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

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

2. Approved Drawing and Documents

Save where varied by other planning conditions comprising this planning permission or unless otherwise agreed in writing by the local planning authority the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and document Schedule of application documents:

Reasonable Exemption Statement; Document titled "34 Kingsfield Avenue, HA2 6AT"; Letter dated 4th may 2023 (updated 16 June, 2023 to correct errors); Untitled document re: additional information; Sensory Room Information; AA-PL-RC-A009-001 Rev P1; AA-PL-RC-A009-0002 Rev P1; AA-PL-RC-A009-0003 Rev P1; AA-PL-RC-A009-004 Rev P1; AA-PL-RC-A009-005 Rev P2; AA-PL-RC-A009-006 Rev P3; AA-PL-RC-A009-007 Rev P2; AA-PL-RC-A009-008 Rev P2; AA-PL-RC-A009-009 Rev P2; Email from AA8 Design confirming children numbers (dated 27/6/2023).

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

3. Materials

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

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

4. Permeable Paving

Notwithstanding the approved details, the proposal shall not progress past damp proof course level until full details including cross-sections of the permeable paving and details relating to the long-term maintenance and management of the on-site drainage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as so agreed and retained thereafter.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development.

5. Cycle Parking

Notwithstanding the approved details, the proposal shall not progress past damp proof course level until revised details of the proposed cycle storage are submitted to and approved in writing by, the Local Planning Authority. The details shall provide for secure and sheltered cycle storage of suitable dimensions and arrangement to allow function and practical use by two or more users.

The approved details shall be implemented on site prior to the occupation of the development, and retained as such thereafter.

REASON: To ensure the satisfactory provision of safe and satisfactory cycle storage facilities for all the users of the site and in the interests of highway safety and sustainable transport.

6. Forecourt Landscaping and Defensive Planting

Notwithstanding the approved details, the proposal shall not progress past damp proof course level until details of the proposed soft landscaping to the forecourt and defensive planting for Bedroom 1 are submitted to, and approved in writing by, the Local Planning Authority. The planting shall be implemented on site prior to the first occupation of the development, and the development shall be retained in accordance with the approved details.

REASON: To safeguard the amenity and privacy of future occupiers, and to protect the character and appearance of the area.

7. Future Glazing (eastern flank)

No window(s)/door(s), other than those shown on the approved plans shall be installed in the eastern flank elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

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

8. No Balcony

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

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

9. Refuse Storage

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

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

10. Occupancy

The new Residential Care Home hereby permitted shall not be occupied by more than 4.no children and 5.no members of staff at any given time.

REASON: To safeguard the amenity of neighbouring residents, the character of the locality and in the interests of highway safety in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

11. Permitted Use

The site shall only be used as a Residential Care Home and not for any other uses falling within Use Class (C2), or for any other purposes, unless an alternative use is agreed in writing by the local planning authority.

REASON: To safeguard the amenity of neighbouring residents, the character of the locality and in the interests of highway safety in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

12. Outbuilding

The detached outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the C2 residential use of the occupiers of the 34 Kingsfield Avenue, Harrow, HA2 6AT and shall at no point be used as primary living accommodation or any other similar use.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

13. Hours of use – outbuilding

The detached outbuilding hereby permitted shall not be occupied at any time outside of the following hours:-

8am-8pm Monday – Sunday

REASON: To safeguard the amenity of neighbouring residents.

14. Amplified sound restriction

No music or any other amplified sound caused as a result of this permission shall be audible at the boundary of any residential premises either attached to, or in the vicinity of, the premises to which this permission refers.

REASON: To safeguard the amenity of neighbouring residents.

Informatives

1. Policies

The following policies are relevant to this decision:

- **National Planning Policy Framework (2021)**
- **The London Plan (2021):**
D3, D5, D11, D12, D14, H8, H12, SI 13, T5, T6, T6.1
- **Harrow Core Strategy (2012):** CS1
- **Harrow Development Management Policies Local Plan (2013):**
DM1, DM9, DM10, DM29, DM42, DM44, DM45
- **Supplementary Planning Documents:**
Supplementary Planning Document Residential Design Guide (2010)

2. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. This decision has been taken in accordance with paragraphs 39-42 of The National Planning Policy Framework. 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.

3. Considerate Contractor Code of Practice

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

4. Party Wall Act

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering. Also available for download from the CLG website:

Tel: 0870 1226 236 Fax: 0870 1226 237
Textphone: 0870 1207 405
E-mail: communities@twoten.com

5. Liability for Damage to Highway

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

6. Surface and foul water connections

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

7. Fire Safety

INFORM67 - Fire Safety Statement. The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.

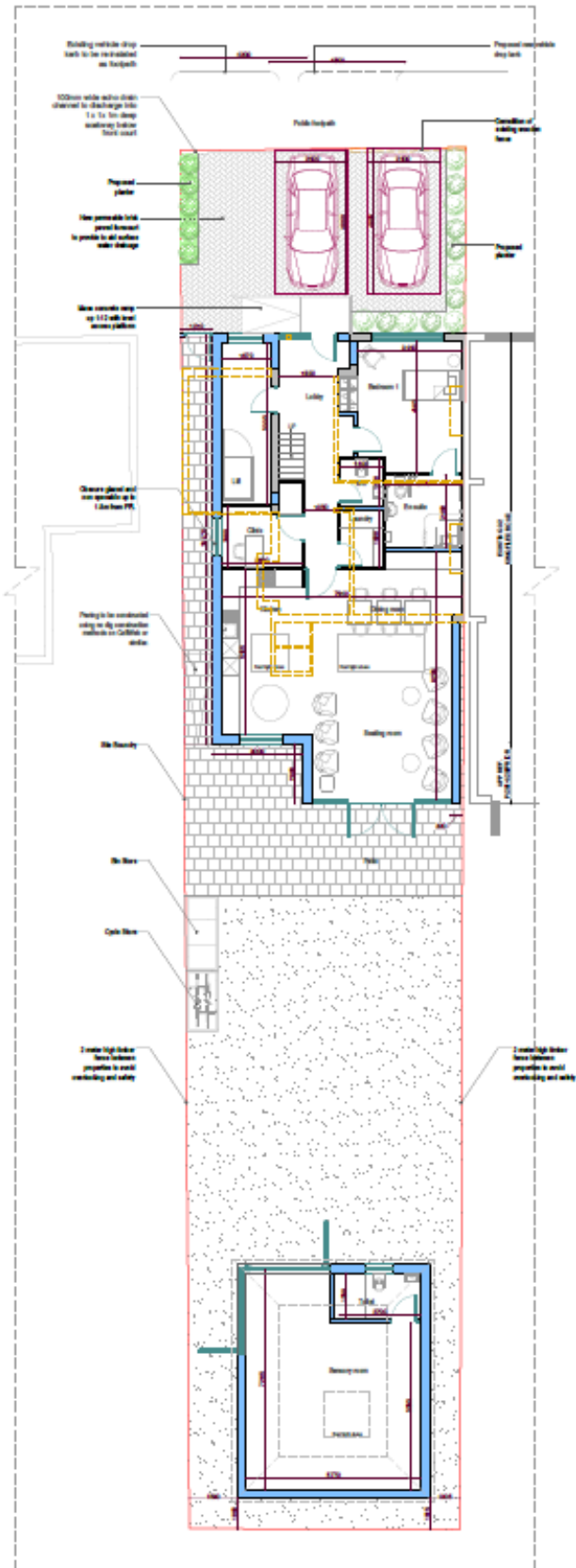
8. Vehicle Crossover

The applicant is advised that, notwithstanding the planning permission herein granted, the proposed vehicle crossing will require separate permission and approval from the Harrow Highway Authority.

CHECKED

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



Proposed site plan

APPENDIX 3: SITE PHOTOGRAPHS



Proposal site on right, with no. 32 on the left



No 36, with proposal site in the background



Rear garden



Rear elevation, with no. 32 to the right



Rear of no. 32



Rear of no. 36

APPENDIX 4: PLANS AND ELEVATIONS



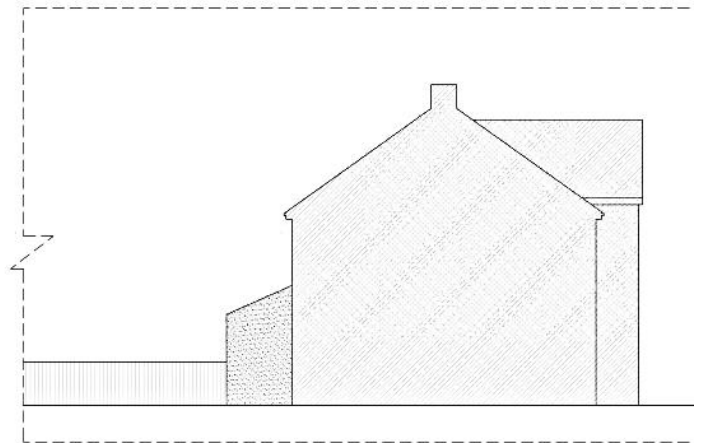
1 EXISTING FRONT ELEVATION



3 EXISTING SIDE ELEVATION

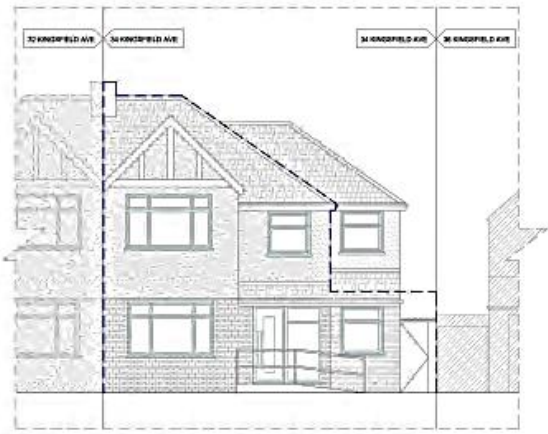


2 EXISTING REAR ELEVATION



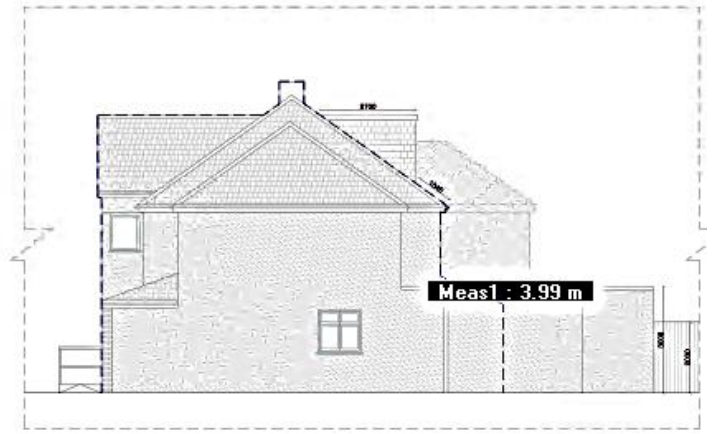
4 EXISTING SIDE ELEVATION

Existing Elevations



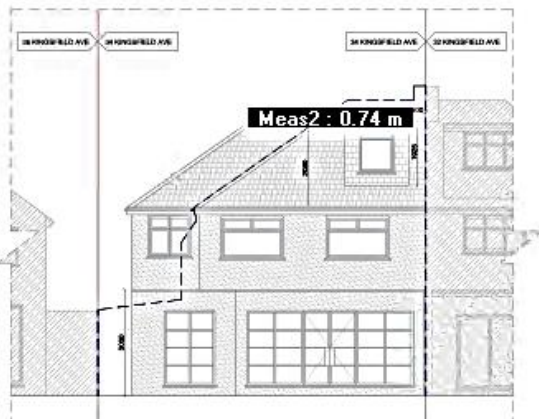
1 PROPOSED FRONT ELEVATION

- HIP TO GABLE EXTENSION OMITTED



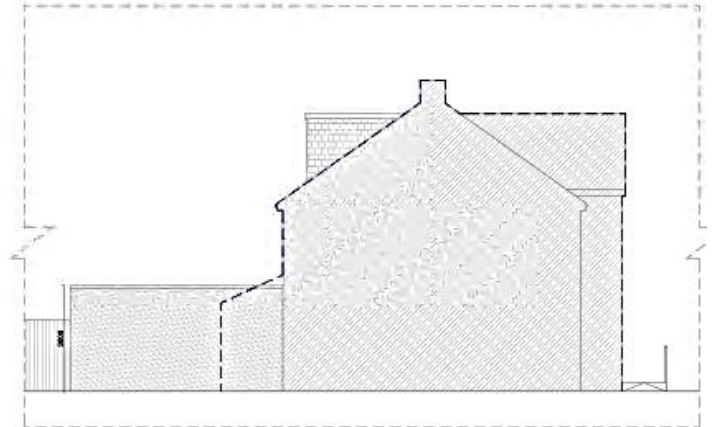
3 PROPOSED SIDE ELEVATION

- HIP TO GABLE EXTENSION OMITTED



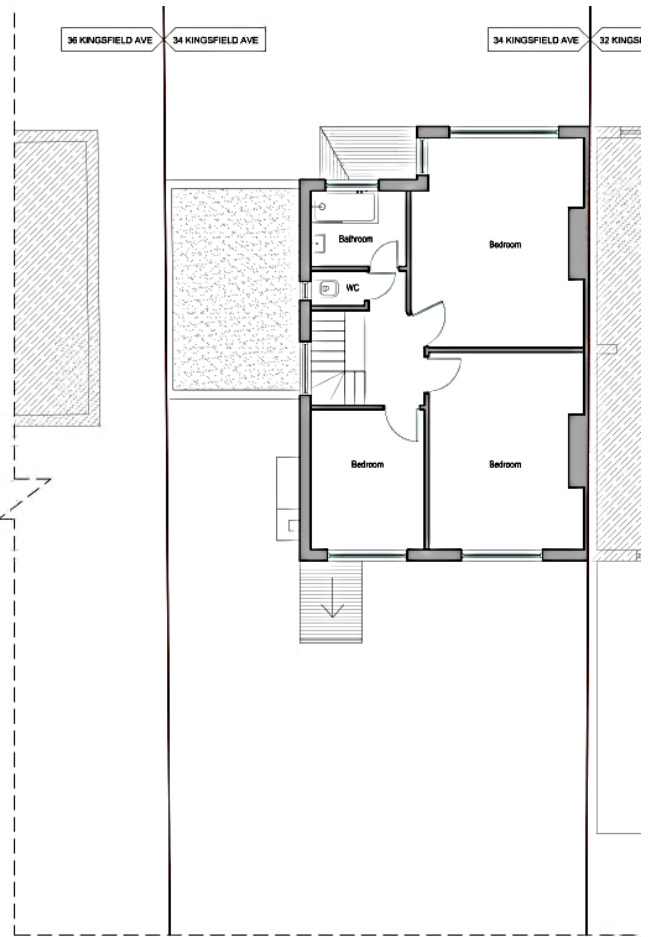
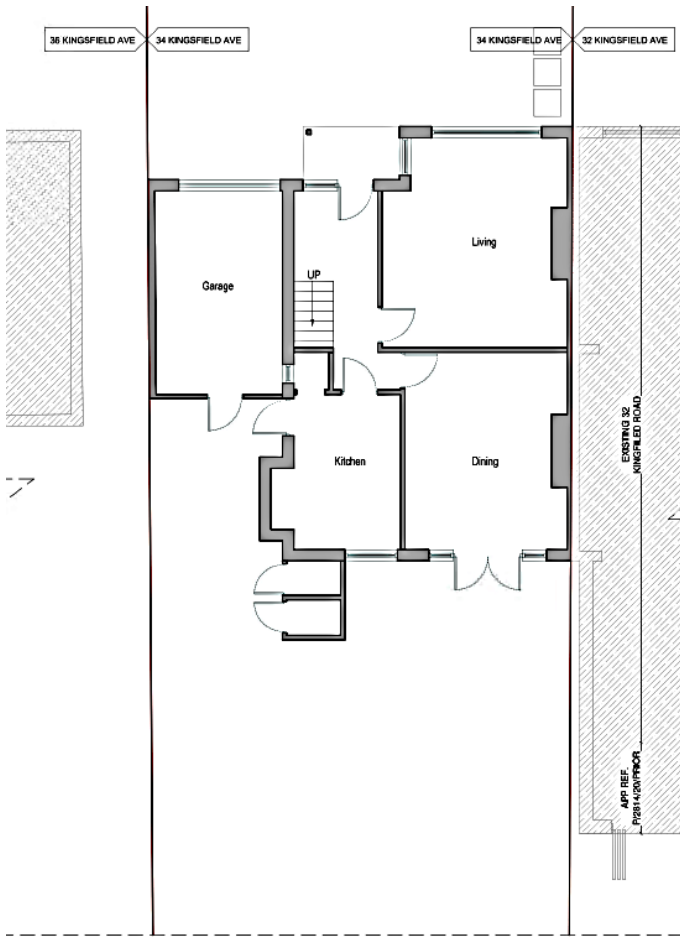
2 PROPOSED REAR ELEVATION

- HIP TO GABLE EXTENSION OMITTED
- ONLY 1 REAR DORMER PROPOSED INSTEAD OF 2



4 PROPOSED SIDE ELEVATION

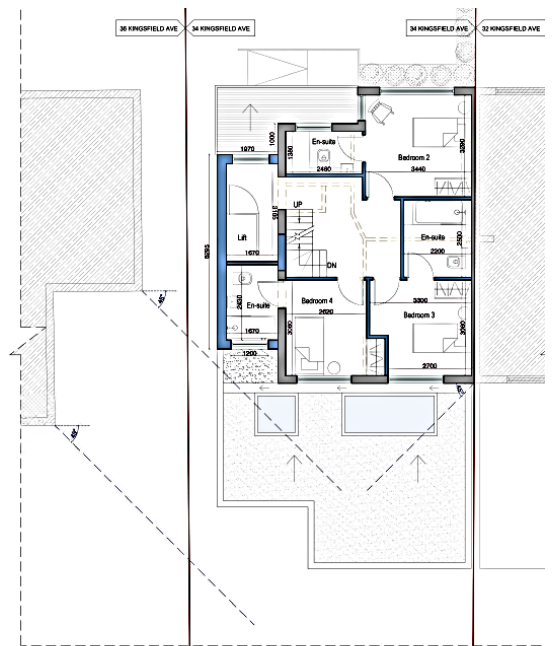
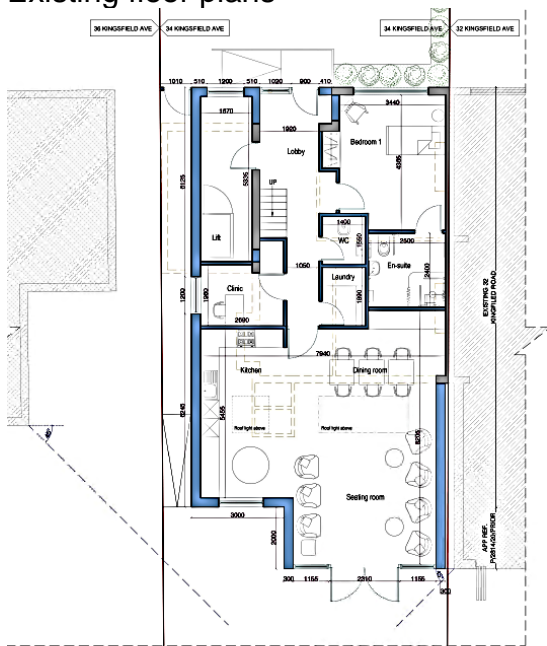
Proposed Elevations



1 EXISTING GROUND FLOOR PLAN

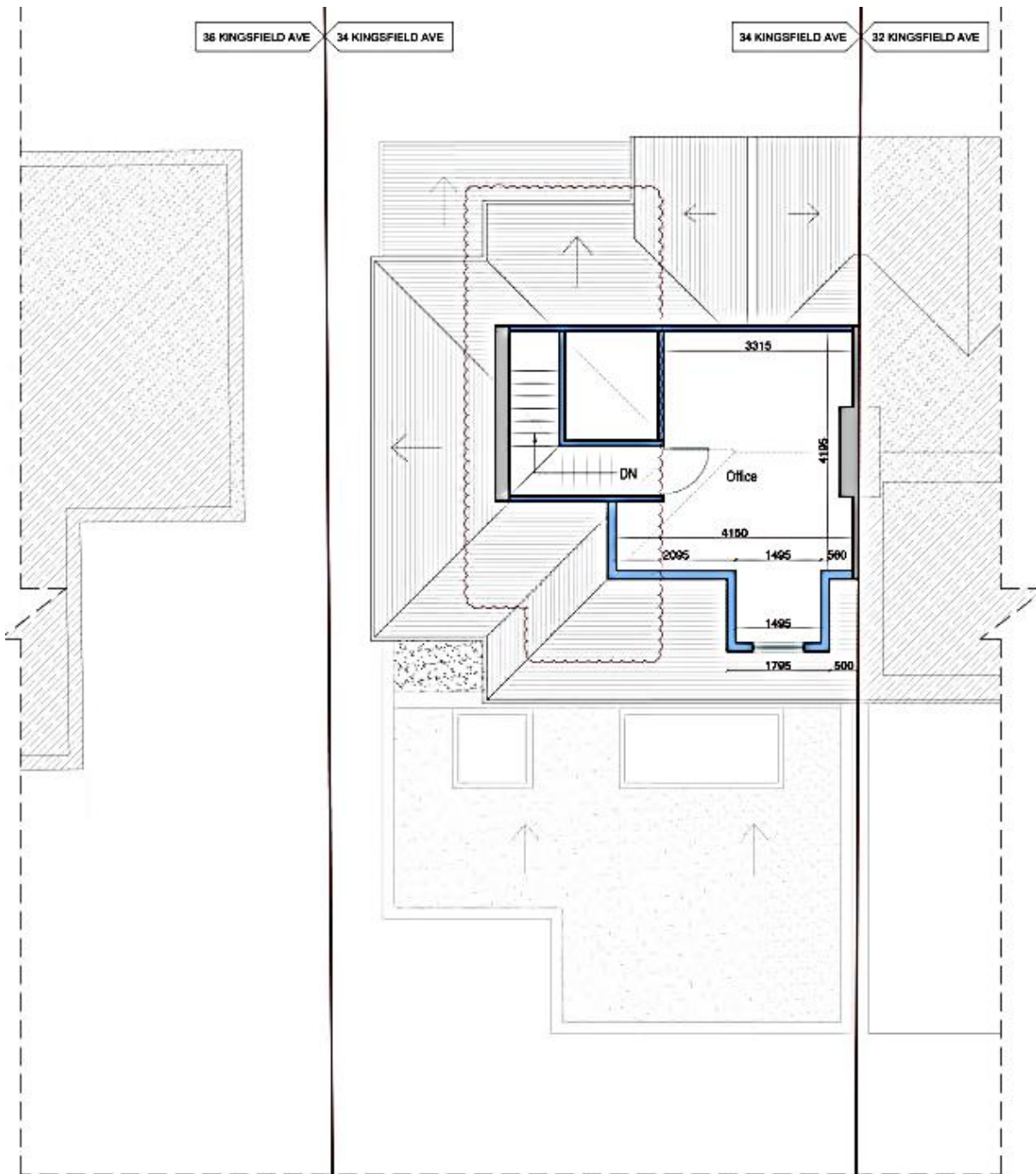
2 EXISTING FIRST FLOOR PLAN

Existing floor plans

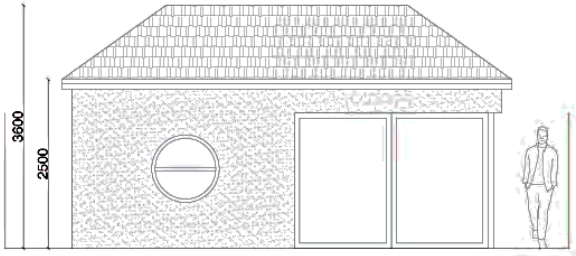


1 PROPOSED GROUND FLOOR PLAN
Proposed floor plans

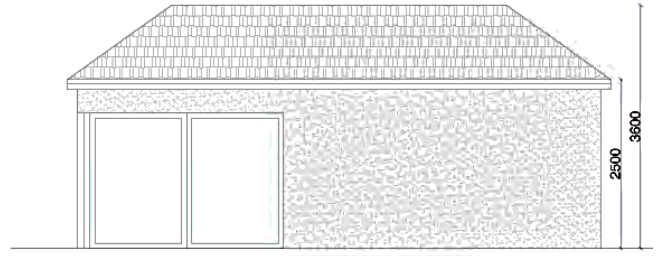
2 PROPOSED FIRST FLOOR PLAN



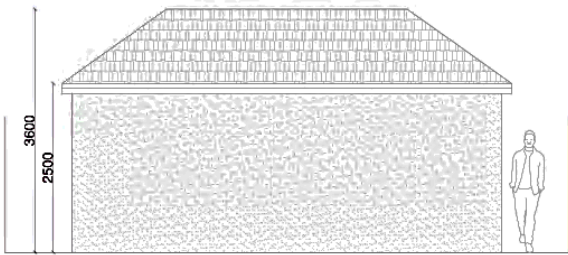
1 PROPOSED LOFT FLOOR PLAN



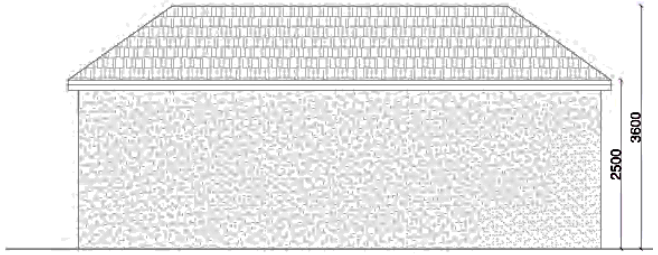
1 PROPOSED FRONT ELEVATION



3 PROPOSED SIDE ELEVATION



2 PROPOSED REAR ELEVATION



4 PROPOSED SIDE ELEVATION

Outbuilding

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