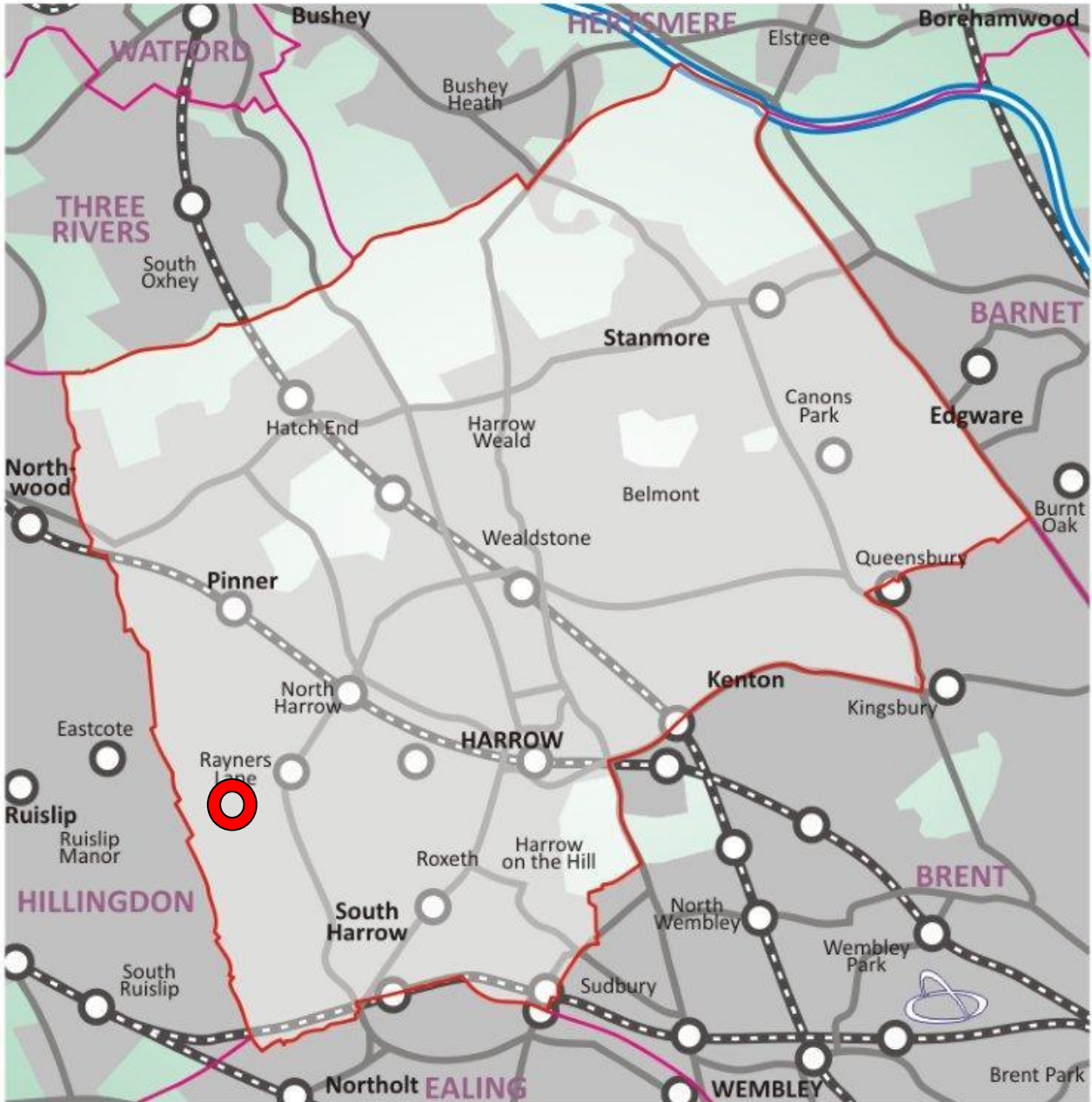
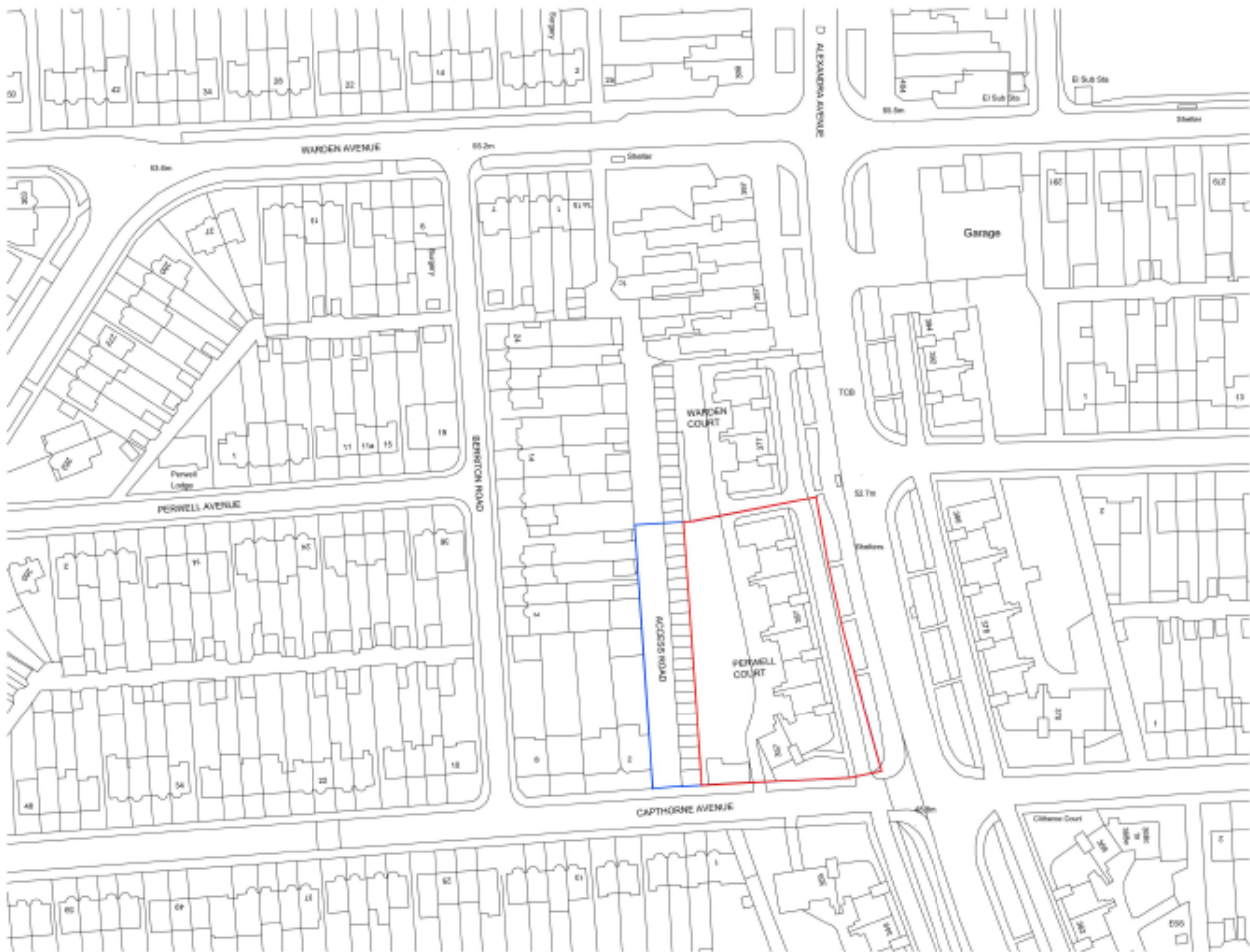


 = application site



<b>Perwell Court, Alexandra Avenue, Harrow, HA2 9ED</b>	<b>P/2572/23</b>
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# Location Plan



# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

22<sup>nd</sup> November 2023

**APPLICATION NUMBER:** P/2572/23  
**VALID DATE:** 07<sup>th</sup> September 2023  
**LOCATION:** PERWELL COURT, ALEXANDRA AVENUE,  
HARROW, HA2 9ED  
**WARD:** RAYNERS LANE  
**POSTCODE:** HA2 9ED  
**APPLICANT:** LEONARD  
**AGENT:** HGH CONSULTING  
**CASE OFFICER:** AKSHAY SISODIA  
**EXPIRY DATE:** 27/11/2023

### PROPOSAL

Creation of 9 residential units in roofspace (1 X 2 bed and 8 X studios); dormers to front rear and both side roof slopes; extensions to the stair cores to the rear; external alterations; cycle storage

### 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 not constitute Garden Land Development, it would contribute towards housing stock within the Borough and the quality of accommodation for the future. It would not detract from the character and appearance of the host building, street scene and area in a wider context. It would provide a suitable quality of accommodation for future occupiers without unduly impacting neighbouring residential amenity. It is not considered to result in significantly adverse traffic and parking impacts. The development's proposed refuse storage arrangements are considered to be acceptable. The development is not considered to be susceptible to harmful flood risk and is not considered to unduly exacerbate flood risk elsewhere. Insufficient detail has been provided on the development's compliance with Secured by Design requirements additional detail on this can be requested and secured via condition. Conditions have also been recommended requiring the submission of a Construction Method Statement, details on proposed sound insulation between the flooring of the proposed loft floor units and existing second floor units directly below, and details on a revised scheme of cycle parking with the requirement for the provision of at least two external short stay cycle parking spaces. In light of the above, subject to conditions, the proposed development would be in accordance with the National Planning Policy

Framework (2023), Policies D3, D6, D7, D11, D12, H1, H2, H10, SI 2, SI 7, SI 12, SI 13, T5, T6, T6.1 and T7 of the London Plan (2021), Policies CS1.A, CS1.B, CS1.H, CS1.I, CS1.K, CS1.Q, CS1.R, CS1.S, CS1.T, CS1.U and CS1.W of the of the Harrow Core Strategy, Policies DM1, DM2, DM9, DM10, DM11, DM12, DM14, DM22, DM24, DM27, DM42, DM44 and DM45 of the Harrow Development Management Policies Local Plan, and the guidance set out within the Garden Land Development SPD (2012), the Residential Design Guide SPD (2010), the Technical Housing Standard – Nationally Described Space Standards (2016), Characterisation and Growth Strategy LPG (2023), Small Sites Design Codes LPG (2023), Optimising Site Capacity: A Design-Led Approach LPG (2023), Housing Design Standards LPG (2023). the Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties SPD (2016) and finally the Sustainable Building Design SPD (2009).

## **INFORMATION**

This application is reported to Planning Committee as the proposed development consists of the construction of more than 3 new dwellings. The proposal therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	13.Minor Dwellings
Council Interest:	None
Net additional Floorspace:	Approximately 415 sqm
GLA Community Infrastructure Levy (CIL)	
Contribution (provisional):	Approximately £26,788 (Includes Indexation)
Local CIL requirement:	Approximately £72,347 (Includes Indexation)

## **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 sufficient 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 occupation of the development.

## **1.0 SITE DESCRIPTION**

- 1.1 The application site comprises a three storey block of flats (currently containing 27 units) fronting Alexandra Avenue to the east and Capthorne Avenue the South.
- 1.2 The host building incorporates a hipped roof form. At present the loft of the building is non-habitable. There are various different protruding entrance points to different sections of the building which incorporate stair cores directly above at upper floor levels. Entrances and projecting stairwells are also incorporated to the rear elevation of the building.
- 1.3 Perwell Court is of the same period and of a very similar design to surrounding blocks of flats along Alexandra Avenue and Imperial Drive. These include Warden Court, Rayners Court, Oxleay Court, Clitheroe Court, Lucas Court, Drake Court, Capthorne Court, and Imperial Court (with this particular example being separated into two separate blocks and being along Imperial Drive). It should be noted that the loft floor levels of the buildings Imperial Court have been made habitable through roof extensions, dormers and roof lights, granted on 08/05/2000 under applications WEST/149/00/FUL and WEST/148/00/FUL.
- 1.4 There is a communal amenity area to the rear of the host building which incorporates a high quantum of trees and soft landscaping. There is a row of garages further rear of this which are accessible along Aardvark Avenue.
- 1.5 To the north, the application site is flanked immediately by Warden Court, a three storey block of flats. Immediately to the south the site is flanked by the main highway along Capthorne Avenue. Capthorne Close is further south of this, and is also three storeys in height. There are a number of two storey residential dwellinghouses along Capthorne Avenue to the west of the site, west of Aardvark Avenue. No. 2 Capthorne Avenue is sited the closest, but does sit well away from the main building of Perwell Court.
- 1.6 It should be noted that planning permission has been obtained for erection of five three storey terraced dwellinghouses and one three storey building accommodating two flats in place of the existing garages to the rear under application P/1388/21 (approved on 06/10/2021). This permission has not yet been implemented.
- 1.7 The host building is not listed and is not located within a Conservation Area. The site is located within a Critical Drainage Area, but is not located within a high risk Flood Zone. The site is very proximate to Rayners Lane District Centre.

## **2.0 PROPOSAL**

- 2.1 The applicant seeks planning permission for the provision of 9 new units within the roof of the building (1x 2 bedroom 4 person units and 8 x 1 bedroom 1 person studio units) within the loft of the building through the provision of dormers and roof lights to all roof slopes of the building. Larger dormers are to be incorporated to the rear roof slope of the building to accommodate extended stair cores.

2.2 The development would involve the provision of a single storey cycle and refuse enclosure to the rear of the site in the current freestanding bin storage area. This enclosure would incorporate a crown roof form and the bin storage area and cycle storage areas would be internally separated with separate access doors. The development would involve minor landscaping changes with a minor reduction to the soft landscaped area within the communal garden to accommodate the proposed cycle and bin store. The applicant is not proposing any new car parking spaces as part of the application. Prospective occupants will be required to make use of public transport and any available parking surrounding the site.

### 3.0 **RELEVANT PLANNING HISTORY**

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

<b>Ref no.</b>	<b>Description</b>	<b>Status &amp; date of decision</b>
WEST/148/00/FUL	Front side and rear dormers and front and rear roof extensions to facilitate provision of 4 self contained flats in roofspace (block b nos. 5-11(Resident permit restricted)	Granted 08/05/2000
WEST/149/00/FUL (Imperial Court, Imperial Drive)	Front side and rear dormers and front and rear roof extensions for provision of 2 self contained flats in roofspace (block a nos.1-4) (Resident permit restricted)	Granted 08/05/2000
P/708/05/COU (Garages to the rear of Perwell Court)	Outline: demolition of existing garages, replacement with 36 parking spaces and development of 2/3 storey block of 7 flats with access	Granted 17/06/2005
P/5169/17/PREAPP (Garages to the rear of Perwell Court)	New Block of 7 No. Flats to Front with Additional Building to Rear Providing 2 No. Additional Flats. New Parking Following Demolition of Existing Garages.	Pre-application Advice Issued 14/08/2019
P/1820/18	Redevelopment to provide three storey building comprising of 7	Refused 11/07/2019

(Garages to the rear of Perwell Court)	flats; parking; bin store (amended plans)	
P/5196/19/PREAPP  (Garages to the rear of Perwell Court)	Demolition of existing lock-up garages and construction of 7 residential units, with associated parking and enhancement to access roadway, utilising existing side entrance.	Pre-application Advice Issued 16/06/2020
P/5208/19/PREAPP  (Garages to the rear of Perwell Court)	Demolition of existing lock-up garages and construction of 7 residential units with associated parking and enhancement to access roadway utilising existing site entrance	Pre-application Advice Issued 23/11/2020
P/1388/21  (Garages to the rear of Perwell Court)	Redevelopment to provide five X three storey terraced dwellinghouses (5 x 3bed) and a three storey building comprising of two flats (1 X 1bed and 1 X 3bed); landscaping; parking; bin and cycle stores (demolition of existing garages)	Granted 06/10/2021
P/2512/22/PREAPP  (Perwell Court)	Refurbishment and minor external alterations to the existing roof storey to provide 9 residential units including new dormers and extended stair cores and secure cycle parking	Pre-application Advice Issued 09/11/2022
P/2428/23  (Garages to the rear of Warden Court)	Redevelopment to provide 4 X three storey terraced houses (demolition of garages)	Pending Consideration



## 4.0 **CONSULTATION**

- 4.1 A Site Notice was posted on 23/10/2023 and is set to expire on 13/11/2023.
- 4.2 A total of 41 consultation letters were sent to neighbouring properties regarding this application.
- 4.3 The public consultation period expired on 10<sup>th</sup> October 2023, a total of 5.no objections have been received. If comments are received between the publication of this committee report and the committee meeting, these shall be set out within an addendum.
- 4.4 The objections raised have been summarised and responded to in the table below:

<b>Summary of Matters Raised</b>	<b>Officer Response</b>
Concern over the area being overdeveloped through new builds resulting in the area being overpopulated. They note that the development will compound this issue.	The proposed development would only result in a net increase of 9 units, 8 of which would be sized as 1 bedroom -1 person dwellings. The increase of occupants resulting from the proposal is not considered to be excessive. Furthermore, it should be noted that there are no local plan policies which preclude the provision of new dwellings within the Rayners Lane area, it would be unreasonable to refuse the application on this basis.
Concern over the proposed development resulting in negative effects on the environment including, an excessive increase in bin wastage (already at problematic levels), an increase in noise pollution through additional residents entering and exiting the building and concerns over increased vehicle pollution with additional residents likely requiring car parking.	As a result of the proposed development a new bin and cycle store is to be provided. Officers are satisfied that the proposed bin store is of a sufficient size to accommodate the necessary quantum of bin storage for both existing occupants and proposed occupants. Whilst the proposed development would result in a degree of noise intensification with additional occupants entering and leaving the building, based on the number of units proposed and the size of the units, this is not considered to be significant enough to result in undue noise pollution to the surrounding area. With respect to the issue of increased on-street parking, the Council's Transport Officer has raised no concerns in regard to the proposal providing no new car parking. It is worth noting that the site is only a short distance away from Rayners Lane

	<p>District Centre which provides a wide range of amenities and services, and is within close proximity to Rayners Lane Underground Station as well as many local bus services, as such there is not necessarily a significant need for car parking. Furthermore, with all but one of the proposed units being studio flats, there is unlikely a significant need for extensive amounts of parking. Based on the site having a Public Transport Accessibility Level (PTAL) of 3 and 4 the Council's Transport Officer has not considered it necessary for the applicant to enter into a legal agreement to remove eligibility to parking permits for prospective occupants within the surrounding Controlled Parking Zone.</p>
<p>Concern over emulating the development at Imperial Court with them being informed by a freeholder/leaseholder at Imperial Court that poor workmanship and poor materials were used, which has led to a leak from one of the loft floor level properties, significantly damaging the property below, and enabling harmful noise transference from units at loft floor level to units directly below at second floor level. Now that the Council have been made aware of the situation, they note that legal advice will be sought if these issues occur at Perwell Court.</p>	<p>Issues of workmanship and the water resistance of proposed materials would be dealt separately under building regulations and exceed the scope of this planning assessment. In order to ensure that there is no harmful noise transference between the flooring of the proposed units and ceilings of the existing units directly below, officers have recommended a condition requiring the provision of details on sound insulation. Sound insulation is also a building regulations consideration but given that noise transference is an important material planning condition, the aforementioned condition has been recommended for the avoidance of doubt. It is worth noting that building regulation requirements have been significantly updated since the construction of the developments at Imperial Court, so the standard of construction for the proposed development is naturally expected to be of a higher standard. The objector is within their rights to seek legal advice if issues occur following the construction of the development, however officers cannot comment on this at this early stage.</p>

<p>Concern over the proposed development having an adverse impact upon the character of the area and appearing at odds with the established pattern of development within the area with similar blocks along Alexandra Avenue being retained in their original 1930s form.</p>	<p>This is addressed within the Character, Appearance and Design Section of this Committee Report (6.3)</p>
<p>Concern that the proposed development would adversely impact upon the current values of properties.</p>	<p>This is not a material planning consideration and cannot be considered in the assessment of this application.</p>
<p>Within the applicant's Fire Safety Strategy it is noted that the <i>'report is based, fully or partially, on information provided by others, such as the client and other parties of the design team. Although Artec Fire carry out necessary due diligence, Artec Fire take no liability for the accuracy of information provided by others and the consequences of these inaccuracies'</i>. They note that this statement highlights potential bias as Artec Fire have not independently surveyed the site and have a vested interest in providing a positive report for their client.</p>	<p>Whilst officers acknowledge the objector's concerns, the applicant's Fire Safety Strategy has been reviewed by the Council's Building Control Team who have raised no objection to the proposed development. It is worth noting that the site and construction of the development will need to be inspected by a registered Building Control Inspector if the application is ultimately approved, and they will examine the development's compliance with relevant fire safety requirements.</p>
<p>They note that the landlord should have consulted leaseholders before submitting the application.</p>	<p>Within the applicant's Planning Statement (Appendix B) a copy of a letter from the developer notifying residents of the proposed development is included. The Council have no way of knowing if all occupants and proprietors of the building received this letter, this consultation is not for the Council to be concerned with, the Council have sent separate neighbour notification letters and posted a site notice notifying neighbours of the proposed development.</p>
<p>A request for the following conditions to be legally accepted in writing before the development commences:</p> <ul style="list-style-type: none"> <li>- The landlord must make building renovations to all areas of the property.</li> <li>- The landlord must make the building energy efficient by</li> </ul>	<p>In planning terms, there is no requirement for the developer to agree to any of the conditions suggested, these would need to be reviewed separately with the landlord and constitute a civil matter. The questions raised do not relate to material planning considerations and are not pertinent to the assessment of this application.</p>

installing external wall insulation to all building areas, new windows to all flats and creating a space to allow for the installation of an air source heat pump to other residences.

- The landlord must provide more storage space to existing leaseholders by creating garages at the rear of the property.
- The landlord must replace the roof.
- The landlord must offer new build flats to existing leaseholders at a discounted price.
- The landlord must create new parking spaces.
- The landlord must make the bin storage area more secure to stop fly tipping.
- The landlord must pay for the maintenance and electricity bills for any lifts installed in the building.
- The landlord must regularly contribute to the increased maintenance costs that will be incurred due to the extra flats within the loft.
- There must be a guarantee that the works will be completed to a high standard within a certain timeframe.

They question whether or not the landlord will be providing any other benefits to existing leaseholders/owners such as rent reduction or a one-off payment, if so how will this be mitigated. They also

<p>question whether or not the landlord will provide any compensation to existing leaseholders/owners for any inconvenience or loss of value to their properties because of the works.</p>	
<p>They note that present guttering to the building is not in good condition which results in gutters being clogged making the garden unhygienic. They question what the impact will be when there are more flats within the building.</p>	<p>Issues relating to the suitability and effectiveness of rainwater goods are a matter to be considered within a Building Regulations approval and exceed the scope of this planning assessment.</p>
<p>They note that there are no ventilation facilities within the building foyer which is suffocating for people standing within the foyer.</p>	<p>This is not directly relevant to the proposed development. There is no planning requirement for the developer to make improvements to the existing foyer, if improvements are to be made, this will be on the developer's own accord.</p>
<p>They note that there is currently minimal external space on site for young people to play. They are concerned that the proposed bin and cycle store will result in further reductions in play space for children and young people.</p>	<p>The proposed bin and cycle store is predominantly sited in place of the existing hardsurfaced freestanding bin storage area which is of poor amenity value to children and young people. Whilst officers note that a small amount of the lawned amenity space would be lost to facilitate the proposed building, the extent of this is not considered significant enough to unduly impact upon the standard of amenity space provided to children and young people. Given that the proposal is a minor development (under new 10 units) there is not a specific requirement to enhance children's play facilities.</p>
<p>They note that the proposed development would result in an increase in the surface area of the roof through the provision of dormers. They emphasise that the current service charge requires all flats to contribute towards the cost of the roof, they question whether the developer would be liable for the cost of the dormers or whether this is for occupiers of the block as a whole.</p>	<p>Information on this has not been provided on this as part of the application, however this does not constitute a material planning consideration and is not pertinent to the assessment of this application. This is a civil matter between the developer and leaseholders and proprietors of the building.</p>
<p>They question whether or not the development will result in a reduction in the service charge contribution for existing flats, and question how much this reduction would be. They also</p>	<p>Once again, information on this has not been provided on this as part of the application, however this does not constitute a material planning consideration and is not pertinent to the</p>

question what compensation is to be offered to leaseholders and proprietors for inconvenience whilst the works are being carried out.	assessment of this application. This is a civil matter between the developer and leaseholders and proprietors of the building.
They acknowledge that the development is car free but question how this will work in practice, questioning how parking will be policed.	The application has been reviewed by the Council's Transport Officer who has decided that it is not necessary for the applicant to enter into a legal agreement to remove parking permits for prospective occupants on the basis that the site would have a PTAL of 3 and 4. Prospective occupants will naturally be able to park on any surrounding road which do not have parking restrictions, and if they are to park within any spaces that have been designated to specific existing flats it will be the responsibility of the owner of the building and/or their management company to police against this.
They request for the loft of the building to be allocated as additional space for all of the units at second floor level, as opposed to creating new units for commercial reasons.	This has not been proposed as part of the development. In assessing the application the Council can only examine the proposal before us.

#### 4.5 Statutory and non-statutory consultation

4.6 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>Planning Policy – It is disappointing to see the proposed amount of 1b 1p units, as one would think if they work in practice then some could have been combined to make a larger units, even a 1b, 2p unit. In practice this could have resulted in a floorspace larger than the 50sqm, but would have provided a satisfactory level of accommodation.</p> <p>Notwithstanding the above, the proposal would not lead to any loss of family housing (indeed provides 1 unit), for which there is an evidenced need for in the borough.</p> <p>Given the design implications and the previous advice given, there is no objection to the scheme.</p> <p>Building Control – We have had a look at the Fire Safety Strategy and have no adverse comments.</p>

## Highways –

**Observations:** The existing site is a residential mansion block. The site is located in South Harrow and has a Public Transport Accessibility Level (PTAL) of 3 (Average). The nearest station is Rayners Lane Underground Station, approximately 0.3 miles to the North 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 Rayners Lane are located via a short journey from site.

**Access and Parking:** The application confirms no new or altered vehicular access proposed. At present there is 3no existing accesses serving the site from the public highway. 2no accesses are from Caphorne Avenue and 1no. access is from Alexandra Avenue. The proposal is car-free and is in line with London plan 2021 – chapter 10 transport – Table 10.3 – Maximum residential parking standards as there is no minimum stated.

**Cycle Storage:** A brickwork cycle store has been observed on drawing no: PCTR-A-PL 500 Rev P02. The scheme includes provision of 10no. cycle spaces for long stay and 2no short stay spaces for visitors. Short stay cycle spaces should be separate from long stay cycles spaces, accessible and not behind secured doors or gates. The provision is in line with London plan 2021 – chapter 10 transport – Table 10.2 – Minimum cycle parking standards for a C3 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.

**Construction Method Statement:** A Construction Method Statement must be secured by pre -commencement condition. This must follow the format and guidance provided by Transport for London. The Construction Logistics and Community Safety (CLOCS) national standard template should be followed.

**Conclusion:** Subject to a conditions and obligations, this proposal is unlikely to result in a severe or harmful impact for the surrounding highway network, therefore, Highways have no objection.

### **Suggested condition:**

- No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority in accordance with the format and guidance provided by Transport for London – [www.tfl.gov.uk](http://www.tfl.gov.uk). The Construction Method Statement shall provide for:
  - a) Parking of vehicles of site operatives/visitors.
  - b) HGV access to site – loading and unloading of plant and materials.
  - c) Number of HGV's anticipated.

- d) Storage of plant and materials used in constructing the development.
- e) Programme of work and phasing.
- f) Site layout plan.
- g) Measures to control dust and dirt during construction.
- h) A scheme for recycling/disposing of waste resulting from demolition and construction works; and

The development shall be carried out in accordance with the approved Construction Method Statement, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers and to ensure that development does not adversely affect safety on the transport network in accordance with Local Plan Policies DM1 and DM43 and Policy D14 of the London Plan (2021) and to ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy T7 of the London Plan (2021), this condition is a PRE-COMMENCEMENT condition.

Landscape Architect – No response

Tree Officer – No response

Environmental Health – No response

Waste Management Policy Officer – No response

Drainage Team Leader – No response

## 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 2023] 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, Parking and Refuse
- Development and Flood Risk
- Sustainability
- Fire Safety

## **6.2 Principle of Development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan 2021: H1, H2 and H10
- Harrow Core Strategy 2012: CS1.A, CS1.B, CS1.H, CS1.I
- Harrow Development Management Policies Local Plan (2013): DM1, DM24

### *Relevant Supplementary Documents*

- Garden Land Development SPD

6.2.2 The National Planning Policy Framework (2023), The London Plan (2021) (Policies H1 and H10), The Harrow Core Strategy (2012) (Policies CS1.H and CS1.I) and the adopted Development Management Policies Local Plan (2013) (Policy DM24) all seek to increase housing supply locally, regionally and nationally, and promote the provision of high quality mix of housing in sustainable and suitable locations.

### Garden Land Development

6.2.3 Policy CS1(A) of Harrow's Core Strategy undertakes to manage growth in accordance with the spatial strategy. The spatial strategy directs residential and other development to the Harrow & Wealdstone Intensification Area, town centres and, in suburban areas, to strategic previously developed sites. Policy CS1 (B) resists development on garden sites, recognising the propensity for such proposals to lead to unmanaged, incremental growth that undermines the spatial strategy.

6.2.4 The Garden Land Development Supplementary Planning Document was adopted by Harrow Council in April 2013 to assist in the interpretation of Core policy CS 1(B).

6.2.5 Paragraph 3.1 of the Garden Land Development SPD (2013) provides definition of what is garden land development:

- a. gardens of houses;
- b. gardens of properties converted to flats and purpose-built maisonettes;
- c. communal gardens to blocks of flats;
- d. communal or 'open plan' garden areas serving multiple dwellings;
- e. any land that formed part of a garden but which has been legally and/or physically severed from the donor property(ies); and
- f. land functionally related to a residential garden (or gardens) and used solely to provide residential amenity but not forming the curtilage of the dwellinghouse

6.2.6 As set out within the Paragraph 1.1 of the Garden Land SPD there is a distinction between garden land development and previously developed land. The proposed development results in the addition of extensions to the existing building and would constitute additions to be previously developed land. The proposal therefore would not be in conflict with the Council's garden land policy.

#### Housing Mix

6.2.7 Policy DM24 of the Council's Development Management Policies Local Plan (2013) notes that proposals that secure an appropriate mix of housing on site and which contribute to the creation of inclusive and mixed communities will be supported. Development proposals which fail to do so shall be refused.

6.2.8 The proposal would provide a family sized unit alongside many smaller units. The Council's Policy Officer has identified that the preferred form of housing would be family sized units due to an evidenced need for these types of units within the borough, but they ultimately raise no objection to the proposed development noting that one family sized unit is provided and that no family sized units would be lost in facilitating the proposed development. Based on the above, officers are satisfied with the proposed housing mix.

### **6.3 Character, Appearance and Design**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan 2021: D3
- Harrow Core Strategy 2012: CS1.B
- Harrow Development Management Policies Local Plan (2013):DM1, DM22

#### *Relevant Supplementary Documents*

- Residential Design Guide (2010)
- Characterisation and Growth Strategy LPG (2023)
- Small Sites Design Codes LPG (2023)
- Optimising Site Capacity: A Design-Led Approach LPG (2023)
- Housing Design Standards LPG (2023)

- 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 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”.

#### Proposed Roof Extensions and Alterations

- 6.3.4 Officers consider the provision of additional accommodation within the roof of the building through hipped roof dormers to be acceptable on character and design grounds. The incorporation of hipped roofs to the dormers would correlate well with the hipped roof form of the main building. Whilst officers note that the proliferation of dormers to the roof of the building would be significant, their visual prominence from the street scene would not be excessive, given that the dormers would not be excessive in size, and given that the full extent of the roof would not be visible from the street scene from each respective viewpoint. The proposed dormers would align well with ground, first and second floor fenestration directly below and the proposed dormers extending the stair cores to the rear incorporate architectural design and detailing which correlates well with that applied to the existing stair cores, seamlessly appearing as a continuation of the existing stair cores. With respect to the proposed fenestration, the applicant is proposing dormer windows with horizontal glazing bars in order to ensure that the proposed fenestration appears in keeping with existing fenestration at lower levels. The proposed dormers are to be finished in red clay tiles and cladding to the sides to match the tiling applied to the roof of the existing building, this is considered to be appropriately sympathetic. The proposed roof lights are not considered to be excessive in their size, quantity and protrusions beyond the plane of their respective roof slopes, they would be low scale additions and are not considered to unduly detract from the character and appearance of the host building, street scene and area in a wider context.
- 6.3.5 Officers note that the proposed roof extensions and alterations are closely consistent with development at Imperial Court, Imperial Drive which is a building of the same period and of a very similar original design approximately 0.5 miles away from the application site. Whilst officers note that Imperial Court cannot be viewed in context with the application site along the street scene and acknowledge that surrounding blocks along Alexandra Avenue have not been extended at roof level, officers still consider the proposed development to appear as congruous and sympathetic in relation to the original building, street scene and area in a wider context. Whilst officers recognise the design merits of the original building and its group value in relation to surrounding residential blocks, it should be acknowledged

that the host building is not a statutory or locally listed building. Even if a particular building is of architectural merit in its original form, the Council's planning policy does not preclude extensions to these building as long as the extensions are proportionate, congruous and sympathetic additions. As described within Paragraph 6.3.5 above, the proposed dormers would not be excessive in size, would incorporate sympathetic hipped roofs, would align well with fenestration below, and would feature sympathetic fenestration and materials. The proposed development would to some degree diminish the group value of the host building alongside similar blocks along Alexandra Avenue, however the impact of this is not considered to be significant enough to warrant a reason for refusal. It is worth recognising that the majority of the host building's original design features have been retained and the proposed roof extensions have been designed to closely reflect the building's original design features.

#### Proposed Bin and Cycle Store

- 6.3.6 Officers consider the proposed bin and cycle store to be a congruous and sympathetic addition to the site, street scene and wider area. Although this storage building would have a prominent visibility along Capthorne Avenue, it is not considered to appear unduly prominent and overbearing on the basis that it is limited to a single storey, not being excessive in terms of its overall height (3.45m), scale and overall massing. It is worth noting that a large portion of the structure would be screened behind the existing brick wall fronting Capthorne Avenue. It is worth adding that the proposed bin and cycle store is to be sited in place of the existing hardsurfaced freestanding bin storage area which is of relatively poor visual amenity. The proposal would also enable bins to be internally enclosed limiting unsightly views of numerous bins. The proposed bin and cycle store is to incorporate a brickwork finish and red clay roof tiles to match those applied to the main building at Perwell Court, this storage building would consequently correlate well with the main residential building.

#### Landscaping

- 6.3.7 Policy DM22 of the Development Management Policies Local Plan relates to trees and landscaping. Part B of this policy notes that development proposals will be required to provide hard and soft landscaping that (a) is appropriate to the character of the area; (b) is well laid out in terms of access, car parking and the living conditions of future occupiers and neighbours; (c) achieves a suitable visual setting for the building; (d) provides for sufficient space for new or existing trees and planting to grow; and (e) supports biodiversity.
- 6.3.8 The development would involve minor landscaping changes with a minor reduction to the soft landscaped area within the communal garden to accommodate the proposed cycle and bin store. Whilst the reduction in soft landscaping is regrettable, on the basis that the quantum of soft landscaping lost would only be minimal this is not considered to form sufficient grounds to refuse the application. It is worth noting that provision of the bin and cycle store would serve to meet wider policy requirements such as the provision of adequate bin storage and cycle storage facilities.

## Permitted Development Restrictions

- 6.3.9 A condition has also been recommended restricting permitted development rights of units for a change of use to a HMO under Class L of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This would ensure that there would not be an undue intensification in the use of the site. This condition is to also restrict permitted development rights for the erection of gates, fences, walls and other means of enclosure under Class A of Schedule 2, Part 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), in order to prevent the site's communal amenity space from being undesirably subdivided in any way.

## **6.4 Residential Amenity**

- 6.4.1 The relevant policies are:

- National Planning Policy Framework (2023)
- Harrow Core Strategy 2012: CS1.K
- Harrow Development Management Policies Local Plan (2013): DM1, DM27
- London Plan Policy: D3, D6

### Relevant Supplementary Documents

- Residential Design Guide (2010)
- Technical Housing Standard – Nationally Described Space Standard (2016)
- Housing Design Standards LPG (2023)

- 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 Policy D6 of the London Plan relates to housing quality and standards. The policy sets out standards for high quality design of residential units, including minimum space standards, standards for minimum head heights and standards for appropriate light, outlook and ventilation.

## Future Occupiers

### Minimum Space Standards

- 6.4.4 The Gross Internal Areas of the new dwellings are set out within the table below:

<b>Proposed Size</b>	<b>Proposed GIA</b>	<b>Minimum GIA</b>
Unit 1	Approximately 70m <sup>2</sup>	70m <sup>2</sup>

2-Bedroom 4-person 1- storey unit		
Unit 2  1 Bedroom 1-person 1- storey unit (Studio)	Approximately 39m <sup>2</sup>	39m <sup>2</sup>
Unit 3  1 Bedroom 1-person 1- storey unit (Studio)	Approximately 45 m <sup>2</sup>	39m <sup>2</sup>
Unit 4  1 Bedroom 1-person 1- storey unit (Studio)	Approximately 44 m <sup>2</sup>	39m <sup>2</sup>
Unit 5  1 Bedroom 1-person 1- storey unit (Studio)	Approximately 45 m <sup>2</sup>	39m <sup>2</sup>
Unit 6  1 Bedroom 1-person 1- storey unit (Studio)	Approximately 44 m <sup>2</sup>	39m <sup>2</sup>
Unit 7  1 Bedroom 1-person 1- storey unit (Studio)	Approximately 45 m <sup>2</sup>	39m <sup>2</sup>
Unit 8  1 Bedroom 1-person 1- storey unit (Studio)	Approximately 44 m <sup>2</sup>	39m <sup>2</sup>
Unit 9  1 Bedroom 1-person 1-	Approximately 39 m <sup>2</sup>	39m <sup>2</sup>

storey unit (Studio)		
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- 6.4.5 All of the proposed new units would accord with London Plan and Nationally Described Space Standards in terms of their GIAs. Whilst the applicant's proposed floor plan drawings fail to clearly indicate the provision of built in storage areas for units, based on the configuration and size of the units officers are satisfied that the necessary quantum of minimum storage can be accommodated within the units in any case. The overall layout and circulation of the units are acceptable, all bedrooms are of sufficient width and square meterage to meet the minimum requirements where applicable. As per London Plan Standards, the minimum floor to ceiling height for new dwellings must be at least 2.5 metres for at least 75% of the GIA of each dwelling, the Nationally Described Space Standards set a requirement of at least 2.3 metres for at least 75% of the GIA of each dwelling. Measuring off the applicant's submitted drawings it appears that all units would accord with London Plan and Nationally Described Space Standards in terms of their internal head heights.

Future Occupier Amenity - Light, Outlook and Privacy

- 6.4.6 Other than in the case of Unit 2, all of the units would be multi aspect (dual aspect in the cases of Units 3-8 and triple aspect in the case of Units 1 and 9), and all habitable areas would be served by at least one window, officers are satisfied that these units would be provided with sufficient natural light, outlook and ventilation. With respect to Unit 2, on the basis that the main bedspace is directly served by a window (fronting Alexandra Avenue) and this window also appears to be visible from the kitchen area of this unit due to the open plan nature of the unit, it is considered on balance that the occupier(s) of this unit would be provided with satisfactory outlook. With respect to the issue of daylight and sunlight, the applicant has submitted a Daylight and Sunlight Assessment that demonstrates that this particular unit as well as all of the others would be provided with a satisfactory standard of daylight and sunlight in line with BRE guidelines. The proposal has been configured to avoid impacts of harmful mutual overlooking between the proposed units themselves and well as between the proposed units and surrounding neighbouring properties.

Vertical Stacking

- 6.4.7 The applicant has submitted a floor plan drawing indicating the typical layout of a unit at second floor level. Within this drawing it is suggested that the new units have been configured to ensure that bathrooms align with bathrooms below. By virtue of the fact that the applicant has failed to fully survey all units at second floor level, officers cannot be fully satisfied that the units have been appropriately configured to avoid harmful noise transference between noise sensitive and noise generating rooms. In overcoming this, officers have recommended for the application of a condition requiring the provision of details on sound insulation between the floors of the new units and ceilings of the units directly below, with the condition requiring detailed cross sections and specification details on proposed sound insulation.

## Amenity Space

- 6.4.8 Policy DM27 of the Development Management Policies Local Plan and paragraph 4.64 of the Council's Residential Design Guide SPD notes that residential development should provide appropriate amenity space.
- 6.4.9 With Policy D6 of the London Plan it is noted that where there are no higher local standards in a borough's Development Plan Documents, a minimum of 5m<sup>2</sup> of private amenity space should be provided for 1-2 person dwellings and an extra 1m<sup>2</sup> should be provided for each additional occupant and it must achieve a minimum depth and width of 1.5m.
- 6.4.10 No private external amenity space has been proposed for any of the proposed units. Taking into account the constraints associated with having the units sited at roof level and given that the majority of the units would not be family sized, officers consider it acceptable not to provide any private outdoor amenity space for units. Furthermore, officers recognise that the provision of roof terraces would likely detract from the external appearance of the building and could introduce impacts of harmful overlooking (either perceived or actual). The communal amenity space provided on site is considered to be of a sufficient size and quality to meet the needs of prospective occupants alongside existing occupants.

## **6.5 Adjacent Neighbours**

6.5.1 The relevant policies are:

- National Planning Policy Framework (2023)
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013):DM1
- London Plan Policy D3

Relevant Supplementary Documents

- Residential Design Guide (2010)

6.5.2 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".

6.5.3 The proposed development is not considered to have an undue impact upon the residential amenity of any surrounding neighbours. The proposed dormers and roof lights would not exceed the ridge height of the main building, and any impacts of overlooking to properties to the west along Caphorne Avenue as well as the new houses and flats approved under application P/1388/21 (if these are to be built out) would not be too dissimilar to existing impacts of overlooking resulting from second floor rear facing fenestration. The proposed dormers would be visible from the facing habitable room windows of the houses and flats consented under application P/1388/21 however based on the significant separation distance and the fact that they would be sited at roof level and would not exceed the ridge height of the main



building, the development would not result in impacts of harmful mutual overlooking and would not unduly restrict outlook and light afforded to the facing habitable windows of these consented dwellings. The proposed bin and cycle store would be sited within fairly close proximity to the block of flats consented under application P/1388/21, but would not sit parallel to the flats themselves, being sited in line with the bin storage building consented under application P/1388/21, based on this and the fact that it would only be limited to a single storey, it is not considered to give rise to harmful residential amenity impacts.

6.5.4 The proposed roof additions are considered to be set too far away from facing habitable room windows of properties on the opposite side of Alexandra Avenue to the east to result in harmful residential amenity impacts. The same applies to properties to the South within Capthorne Court. To the north the host building is flanked by Warden Court, on the basis that this neighbouring block does not incorporate any residential accommodation at parallel roof level, harmful residential amenity impacts are not anticipated.

## **6.6 Accessibility**

6.6.1 The relevant policies are:

- National Planning Policy Framework (2023)
- Harrow Core Strategy 2012: CS1.K
- Harrow Development Management Policies Local Plan (2013): DM2
- London Plan Policy D7

6.6.2 London Plan policy D7 and associated Housing SPG standards, sets out that 90% of new homes should meet Building Regulations requirement M4(2) 'accessible and adaptable dwellings' and 10% should meet Building Regulation requirement M4(3) 'wheelchair user dwellings'

6.6.3 Policy DM2 of the Development Management Policies Local Plan seeks to ensure that all new housing is built to 'Lifetime Homes' standards. Given that the lifetime homes standards no longer exist, in accordance with the interests of Policy DM2, the Council would expect any proposals for new residential development to be in accordance with Policy D7 of the London Plan.

6.6.4 Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. Given that the lifetime homes standards no longer exist, in accordance with the interests of Policy CS1.K, the Council would expect any proposals for new residential development to be in accordance with Policy D7 of the London Plan.

6.6.5 The proposed units would fail to accord with Building Regulation Requirements M4 (2) 'accessible and adaptable dwellings' and M4 (3) 'wheelchair user dwellings'. Notwithstanding this, officers recognise the challenge for meeting this requirement for loft floor units within a building without a lift. Based on the number of units proposed, it is considered unreasonable for a new lift to be expected in this instance, this is unlikely to be financially viable in any case. Based on the significant site constraints and nature of the existing building, non-compliance with Building

Regulation Requirements M4 (2) and M4 (3) is not considered to form sufficient grounds for a reason for refusal.

## **6.7 Traffic, Parking and Refuse**

6.7.1 The relevant policies are:

- National Planning Policy Framework (2023)
- Harrow Core Strategy 2012: CS1.Q, CS1.R, CS1.S
- Harrow Development Management Policies Local Plan (2013): DM42 DM44, DM45,
- London Plan Policy T5, T6, T6.1, T7

Relevant Supplementary Documents

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

6.7.2 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.

6.7.3 Policy DM44 of the Council's Development Management Plan relates to servicing. It is noted that proposals for major development should make satisfactory arrangements for access to and servicing within the site during construction. Proposals that would be detrimental to safety, traffic flow or the amenity of neighbouring occupiers will be resisted.

6.7.4 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.

6.7.5 The applicant is not proposing any new car parking as part of the development. The site is located within an area with a PTAL of 3-4 meaning that it has an average to slightly above average accessibility to public transport, the site is also with Controlled Parking Zone (CPZ) L. Given that the majority of the building is within PTAL 3, officers have considered the site to be within PTAL 3 for the purposes of this assessment. As per London Plan maximum car parking standards, a maximum of 6.75 car parking spaces would be acceptable for the development. Given that London Plan car parking standards are applied as a maximum, the provision of no new car parking would not be in conflict with this. It is worth adding that the application has been reviewed by the Council's Highways Authority, who has raised no concerns in regard to the proposal providing no new car parking. It is worth noting that the site is only a short distance away from Rayners Lane District Centre which provides a wide range of amenities and services, and is within close proximity to Rayners Lane Underground Station as well as many local bus services, as such there is not necessarily a significant need for car parking. Furthermore, with all but

one of the proposed units being studio flats, there is unlikely a significant need for extensive amounts of parking. Based on the site having a moderate (PTAL), the Council's Transport Officer has not considered it necessary for the applicant to enter into a legal agreement to remove eligibility to parking permits for prospective occupants, within the surrounding CPZ.

- 6.7.6 As per London Plan minimum cycle parking standards, studio or 1 bedroom 1-person dwellings are expected to provide 1.no long stay cycle parking space, 1-bedroom 2-persons dwellinghouses are expected to provide 1.5 long stay cycle parking spaces (should be rounded up to 2 in this case based on the PTAL and the development being car free), and all other dwelling sizes are required to provide 2.no long stay cycle parking spaces. A minimum total of 10.no long stay cycle parking spaces would therefore be required for the proposed development. The applicant's drawings indicate the provision of 12 cycle parking spaces within the cycle store however as per the Council's Transport Officer's comments, at least 2.no short stay spaces would be required and these would need to be located externally. A condition has consequently been recommended for the applicant to submit details on a revised scheme of cycle parking with a requirement for at least two short stay cycle parking spaces to be provided externally.
- 6.7.7 The proposed refuse enclosure appears to be of a sufficient size to accommodate the required quantum of bins for the building's existing and proposed units, and is conveniently sited adjacent to Capthorne Avenue allowing waste collection operatives to easily access the bins.
- 6.7.8 Given that the proposal requires extensive construction works, officers have suggested a condition requiring the applicant to provide a Construction Method Statement prior to the commencement of the development.

## **6.8 Development and Flood Risk**

- 6.8.1 The relevant policies are:
- National Planning Policy Framework (2023)
  - Harrow Core Strategy 2012: CS1.U, CS1.W
  - Harrow Development Management Polices Local Plan (2013): DM9, DM10 DM11,
  - London Plan Policy: SI 12, SI 13
- 6.8.2 The application site is located within a Critical Drainage Area but is not located within a high risk Flood Zone. On the basis that the proposed new units would be sited at loft floor level being elevated well above the ground, they are not considered to be susceptible to harmful flood risk and are not considered to unduly exacerbate flood risk elsewhere. Notwithstanding this, the proposed bin and cycle store would result in an increase in development footprint on site and would therefore have an impact in terms of increased surface water flood risk. Based on this, sustainable urban drainage [SuDs] is encouraged, an informative is attached to this effect.

## **6.9 Sustainability**

6.9.1 The relevant policies are:

- National Planning Policy Framework (2023)
- Harrow Core Strategy 2012: CS1.T
- Harrow Development Management Policies Local Plan (2013): DM12, DM14
- London Plan Policy: SI 2

Relevant Supplementary Documents

- SPD: Sustainable Building Design (2009)

6.9.2 London Plan policy SI 2 Minimising green house gas emission states that major development should be net zero carbon.

6.9.3 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.

6.9.4 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.

## **6.10 Fire Safety**

6.10.1 The relevant policies are:

- National Planning Policy Framework (2023)
- London Plan Policy: D12

6.10.2 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.

6.10.3 The applicant has submitted a Fire Safety Strategy which has been reviewed by the Council’s Building Control Team who have raised no objections to the details and measures provided within this report. Based on the Building Control Team’s observations, the proposed development is not considered to be contrary to Policy D12 of the London Plan. It is worth noting that compliance with fire safety standards is to be separately examined in greater detail at building regulation stage, should the development ultimately be approved.

## **7.0 CONCLUSION AND REASONS FOR RECOMMENDING APPROVAL**

- 7.1 The proposal would not constitute Garden Land Development, it would contribute towards housing stock within the Borough and the quality of accommodation for the future. It would not detract from the character and appearance of the host building, street scene and area in a wider context. It would provide a suitable quality of accommodation for future occupiers without unduly impacting neighbouring residential amenity. It is not considered to result in significantly adverse traffic and parking impacts. The development's proposed refuse storage arrangements are considered to be acceptable. The development is not considered to be susceptible to harmful flood risk and is not considered to unduly exacerbate flood risk elsewhere. Insufficient detail has been provided on the development's compliance with Secured by Design requirements additional detail on this can be requested and secured via condition. Conditions have also been recommended requiring the submission of a Construction Method Statement, details on proposed sound insulation between the flooring of the proposed loft floor units and existing second floor units directly below, and details on a revised scheme of cycle parking with the requirement for the provision of at least two external short stay cycle parking spaces.
- 7.2 Subject to conditions, the proposed development would be in accordance with the National Planning Policy Framework (2023), Policies D3, D6, D7, D11, D12, H1, H2, H10, SI 2, SI 7, SI 12, SI 13, T5, T6, T6.1 and T7 of the London Plan (2021), Policies CS1.A, CS1.B, CS1.H, CS1.I, CS1.K, CS1.Q, CS1.R, CS1.S, CS1.T, CS1.U and CS1.W of the of the Harrow Core Strategy, Policies DM1, DM2, DM9, DM10, DM11, DM12, DM14, DM22, DM24, DM27, DM42, DM44 and DM45 of the Harrow Development Management Policies Local Plan, and the guidance set out within the Garden Land Development SPD (2012), the Residential Design Guide SPD (2010), the Technical Housing Standard – Nationally Described Space Standards (2016), Characterisation and Growth Strategy LPG (2023), Small Sites Design Codes LPG (2023), Optimising Site Capacity: A Design-Led Approach LPG (2023), Housing Design Standards LPG (2023). the Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties SPD (2016) and finally the Sustainable Building Design SPD (2009).

## 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:

Daylight and Sunlight Assessment (Dated July 2023), Planning Statement (Dated August 2023), Design & Access Statement (Dated 7<sup>th</sup> August 2023), PCT-A-PL-001 Revision P04, PCTR-A-PL 100 Revision P02, PCTR-A-PL 101 Revision P04, PCTR-A-PL 110 Revision P02, PCTR-A-PL 111 Revision P03, PCTR-A-PL 130 Revision P02, PCTR-A-PL 140 Revision P04, PCTR-A-PL 150 Revision P03, PCTR-A-PL 200 Revision P03, PCTR-A-PL 210 Revision P03, PCTR-A-PL 220 P03, PCTR-A-PL 230 Revision P03, PCTR-A-PL 300 Revision P03, PCTR-A-PL 420 Revision P02, PCTR-A-PL 500 Revision P02, Fire Safety Strategy Revision 02 (Dated 30/08/2023).

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

#### 3. Materials

The materials to be used in external works hereby permitted to the main building, shall match those used in the exterior of the existing building.

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

#### 4. Glazing

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

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

5. Sound Insulation

Prior to the occupation of the new units hereby permitted, details of sound insulation in the form of specification details and cross section drawings detailing sound insulation between the ceilings of the second floor flats directly below and the flooring of the proposed loft floor residential units shall be submitted to and approved in writing by the local planning authority. The units hereby approved shall not be occupied until sound insulation has been installed in accordance with the approved details and this shall thereafter be retained.

REASON: To safeguard the amenity of the existing and future occupiers of the building.

6. Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority in accordance with the format and guidance provided by Transport for London – [www.tfl.gov.uk](http://www.tfl.gov.uk). The Construction Method Statement shall provide for:

- a) Parking of vehicles of site operatives/visitors.
- b) HGV access to site – loading and unloading of plant and materials.
- c) Number of HGV's anticipated.
- d) Storage of plant and materials used in constructing the development.
- e) Programme of work and phasing.
- f) Site layout plan.
- g) Measures to control dust and dirt during construction.
- h) A scheme for recycling/disposing of waste resulting from demolition and construction works; and

The development shall be carried out in accordance with the approved Construction Method Statement, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers and to ensure that development does not adversely affect safety on the transport network in accordance with Local Plan Policies DM1 and DM43 and Policy D14 of the London Plan (2021) and to ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy T7 of the London Plan (2021), this condition is a PRE-COMMENCEMENT condition.

7. Cycle Parking

The new units hereby permitted shall not be occupied until details on a revised scheme of cycle parking have been submitted to and approved in writing by the local planning authority. The revised scheme of cycle parking shall include the provision of at least two externally located short stay cycle parking spaces, and

details shall also be provided on the exact size, proportions and appearance of this cycle storage.

Short stay cycle parking shall be provided in accordance with the approved details, prior to the occupation of the development hereby permitted. Other than when in use, cycles for short stay shall be stored at all times within the designated storage area(s) as shown within the approved details.

Other than when in use, cycles for long stay use shall be stored at all times within the designated cycle stores as shown on Drawing No. PCTR-A-PL 111 Revision P03 and PCTR-A-PL 500 Revision P02.

REASON: To ensure that a satisfactory quantum of cycle parking is provided for occupiers of the building, and to safeguard the character and appearance of the area.

8. 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 Drawing No. PCTR-A-PL 111 Revision P03 and PCTR-A-PL 500 Revision P02.

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

9. Permitted Development Restrictions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development in relation to the site which would otherwise fall within Classes A of Part 2 of Schedule 2 of that Order and Class L of Schedule 2, Part 3 shall be carried out without the prior written permission of the local planning authority.

REASON: To prevent an unacceptable subdivision of the site's communal garden and 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 in accordance with Policy DM1 of the Harrow Development Management Policies 2013, Policy CS1(B) of the Harrow Core Strategy 2012, Policy D3 of the London Plan 2021 and the Core Planning Principles of the National Planning Policy Framework 2023.



10. Secured 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 development 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 (2023)**

**London Plan 2021:** D3, D6, D7, D11, D12, H1, H2, H10, SI 2, SI 7, SI 12, SI 13, T5, T6, T6.1 and T7

**The Harrow Core Strategy 2012:** CS1.A, CS1.B, CS1.H, CS1.I, CS1.K, CS1.Q, CS1.R, CS1.S, CS1.T, CS1.U and CS1.W

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

DM1, DM2, DM9, DM10, DM11, DM12, DM14, DM22, DM24, DM27, DM42, DM44 and DM45

**Supplementary Planning Documents:** Garden Land Development SPD (2012), the Residential Design Guide SPD (2010), the Technical Housing Standard – Nationally Described Space Standards (2016), Characterisation and Growth Strategy LPG (2023), Small Sites Design Codes LPG (2023), Optimising Site Capacity: A Design-Led Approach LPG (2023), Housing Design Standards LPG (2023). the Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties SPD (2016) and finally the Sustainable Building Design SPD (2009).

### 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](mailto: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 with 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. Pre-application advice was sought and provided and the submitted application was in accordance with that advice..

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](mailto: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 (2023) 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. The the London Plan (2021) 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. Mayoral CIL

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

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £26,788 (Includes Indexation)

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](https://ecab.planningportal.co.uk) 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/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto:HarrowCIL@Harrow.gov.uk)

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

#### 9. Harrow CIL

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

Harrow's Charges are:

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

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

Retail (Use Class A1), Financial & Professional Services (Use Class A2),

Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)

Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110sqm is £72.347 (Includes Indexation)

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/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto:HarrowCIL@Harrow.gov.uk)

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

#### 10. Thames Water

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

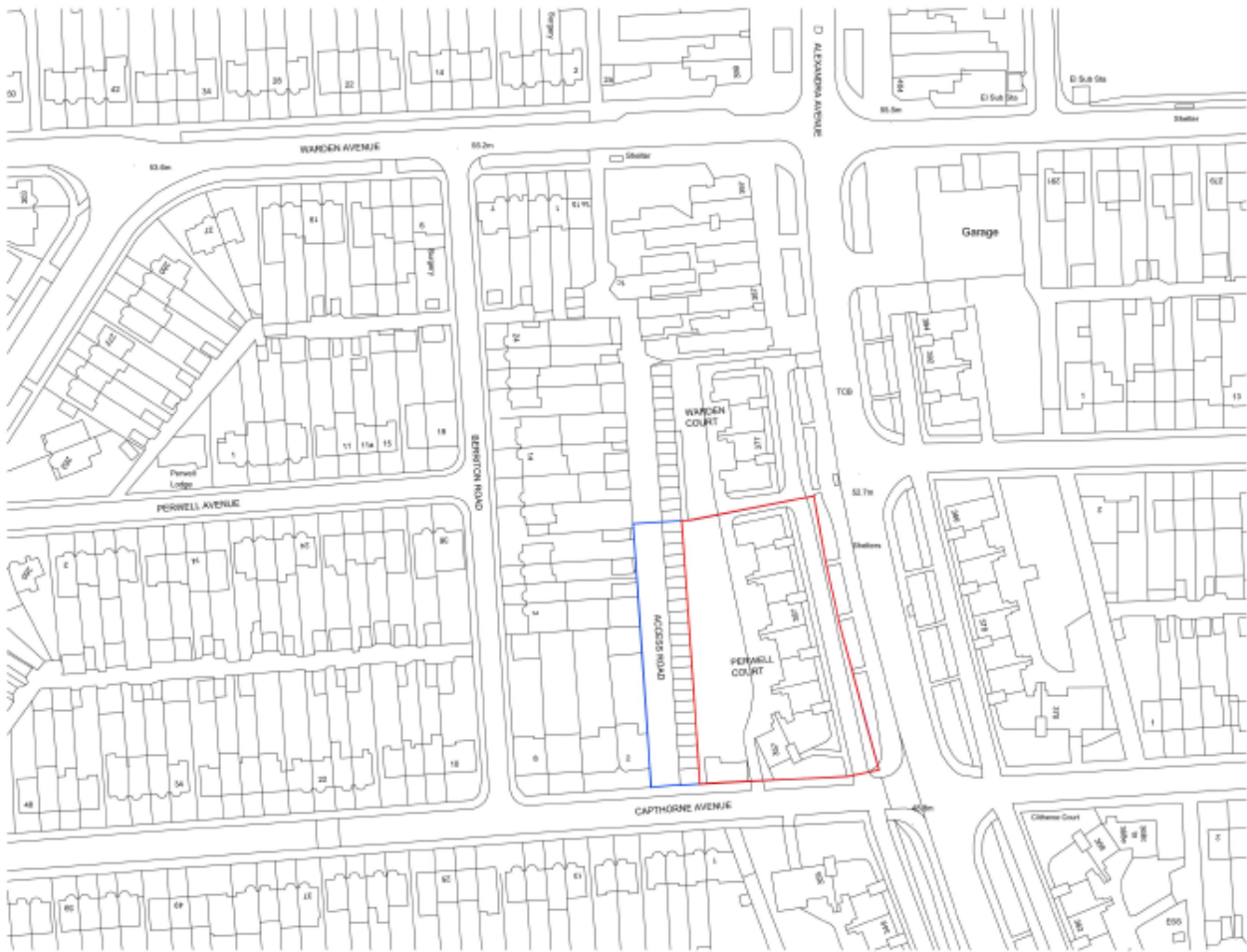
#### 11. Street Naming and Numbering

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](mailto:technicalservices@harrow.gov.uk) or on the following link. [http://www.harrow.gov.uk/info/100011/transport\\_and\\_streets/1579/street\\_naming\\_and\\_numbering](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering)

**CHECKED**

 <p>Orla Murphy Head of Development Management 9<sup>th</sup> November 2023</p>	 <p>Viv Evans Chief Planning Officer 9<sup>th</sup> November 2023</p>
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## APPENDIX 2: SITE PLAN





## **APPENDIX 3: SITE PHOTOS**

Front Elevation of Perwell Court in context with Capthorne Avenue



Front Elevation Continued





Front Elevation Continued



Front Elevation Continued





Northern Flank Elevation of the Building Alongside Warden Court



Southern Flank Elevation of Building Along Capthorne Avenue





View of Site Along Capthorne Avenue and Garages to the Rear



View of Communal Amenity Area





View of Communal Amenity Area and Bin Storage Area



View of Communal Amenity Area and Garages to the Rear of Warden Court





Rear Elevation of Perwell Court



View of Rear Elevation Continued





View of Capthorne Court on the Opposite Side of Capthorne Avenue



View of Warden Court





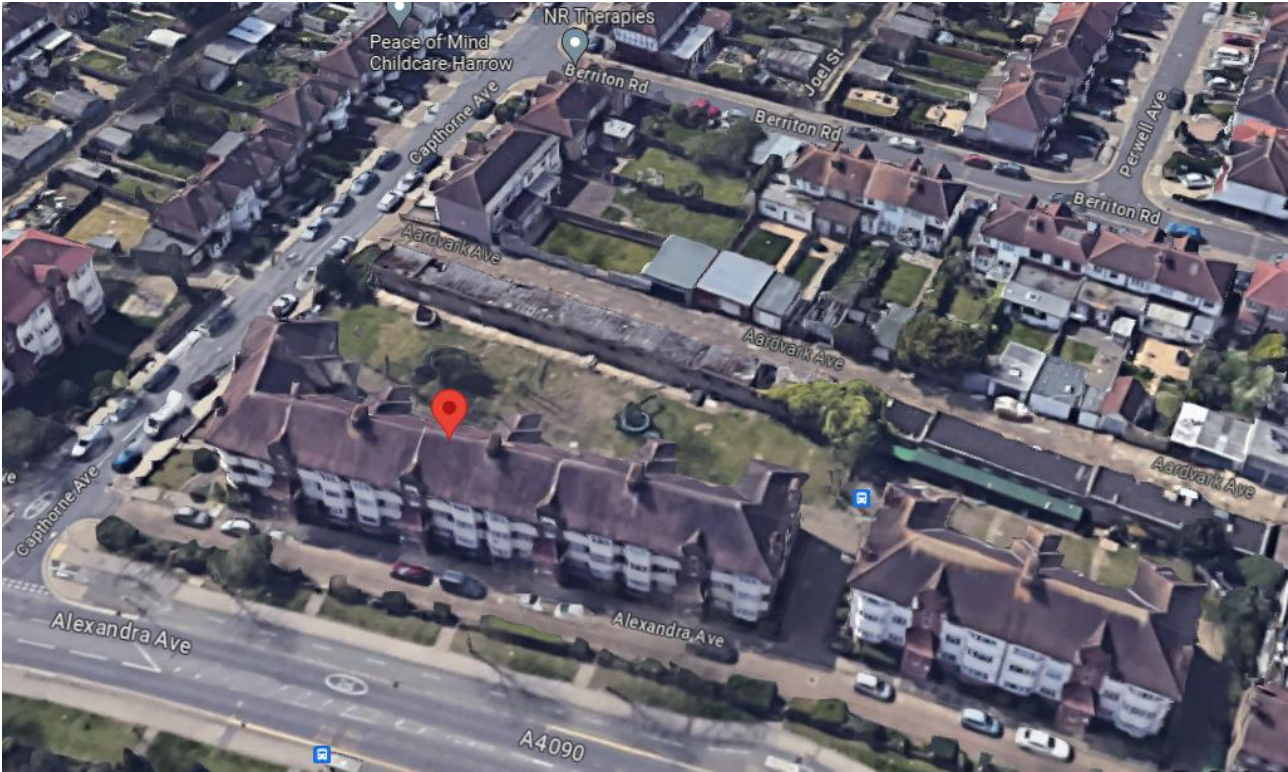
View of Imperial Court



View of Imperial Court



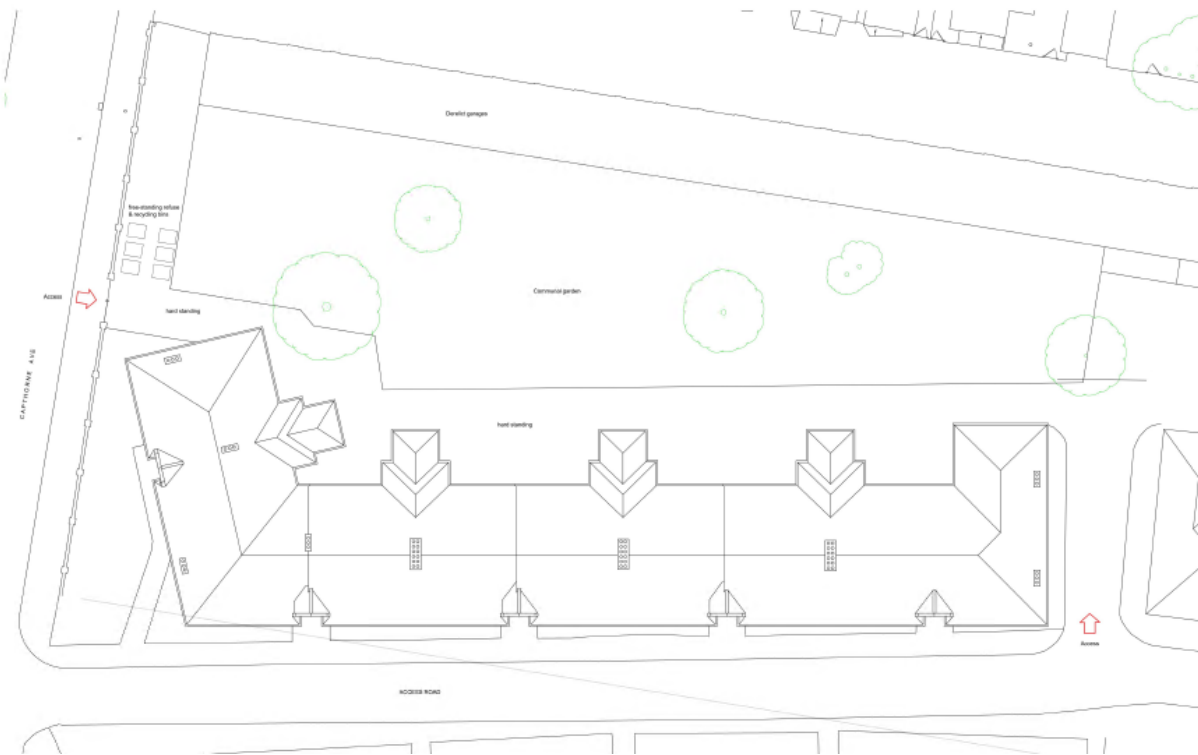
Aerial View of Site



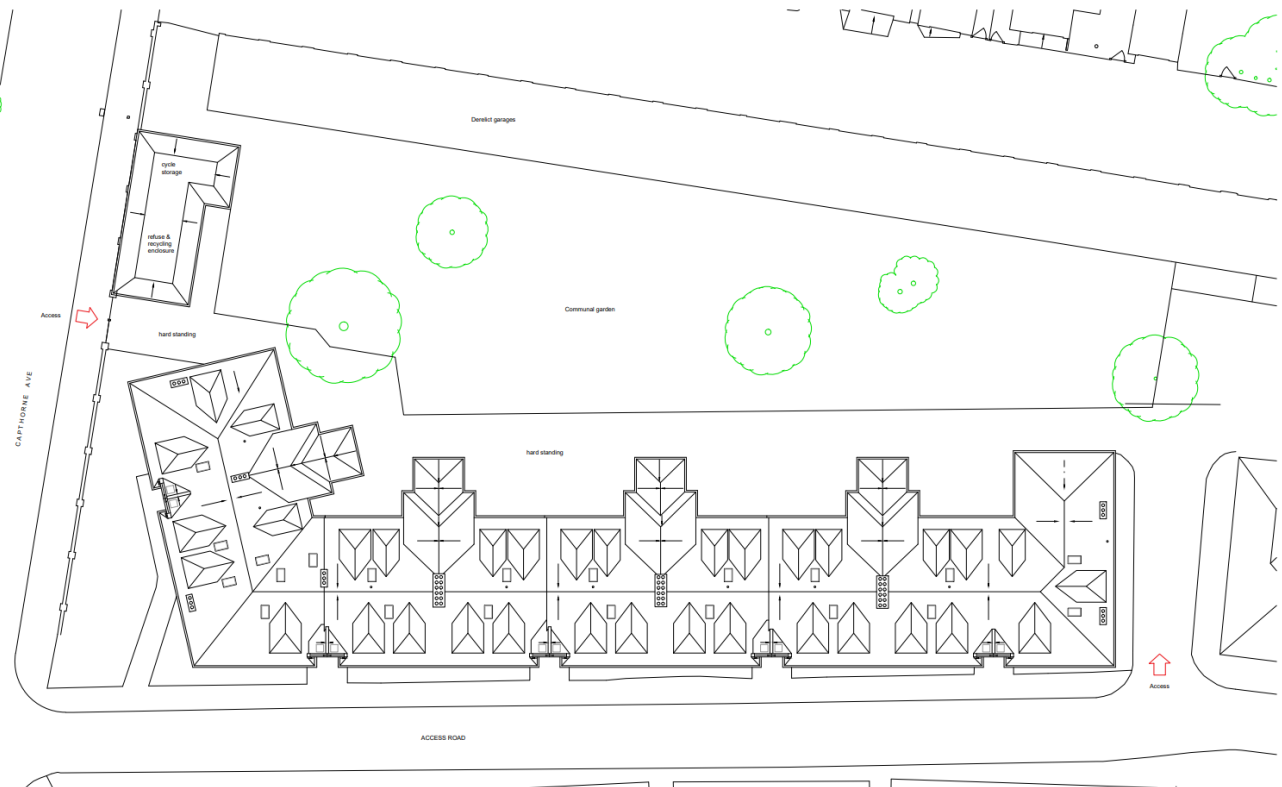


# APPENDIX 4: PLANS AND ELEVATIONS

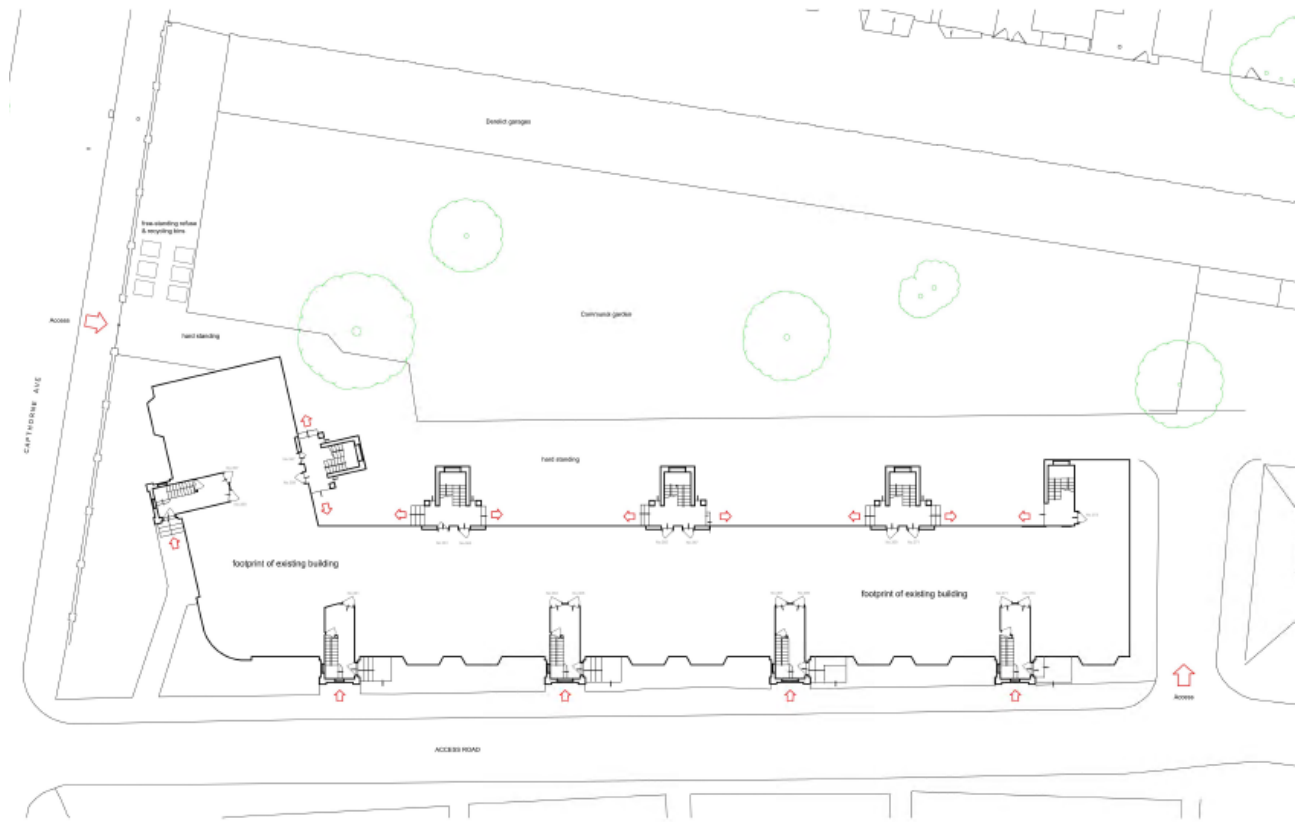
## Existing Site Plan



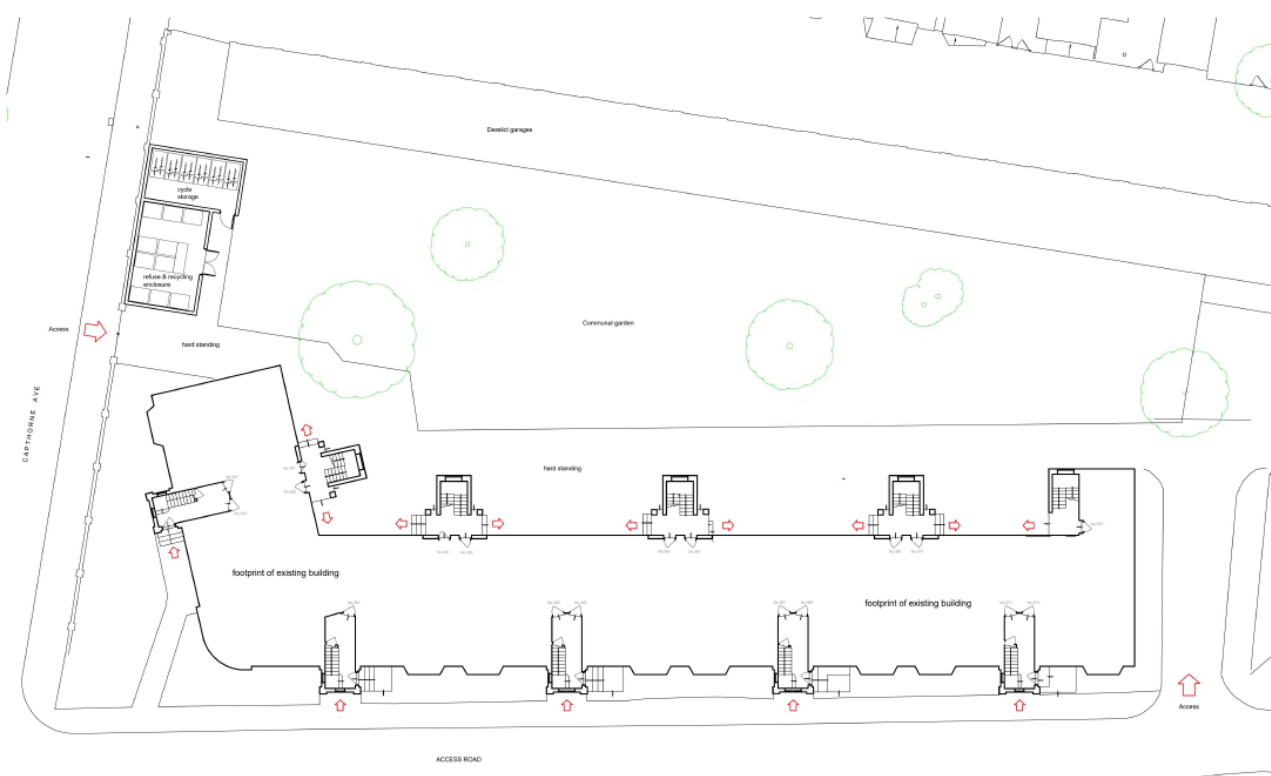
## Proposed Site Plan



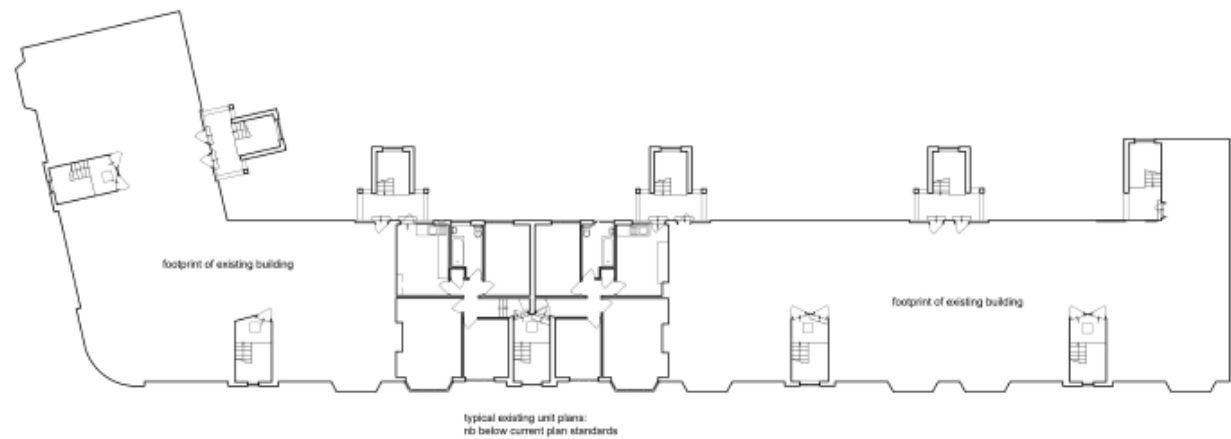
## Existing Ground Floor Plan



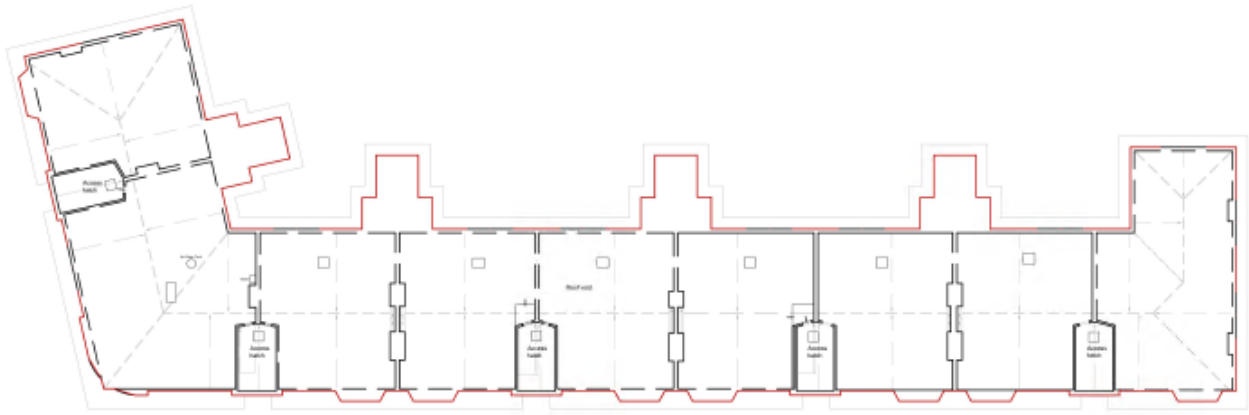
## Proposed Ground Floor Plan



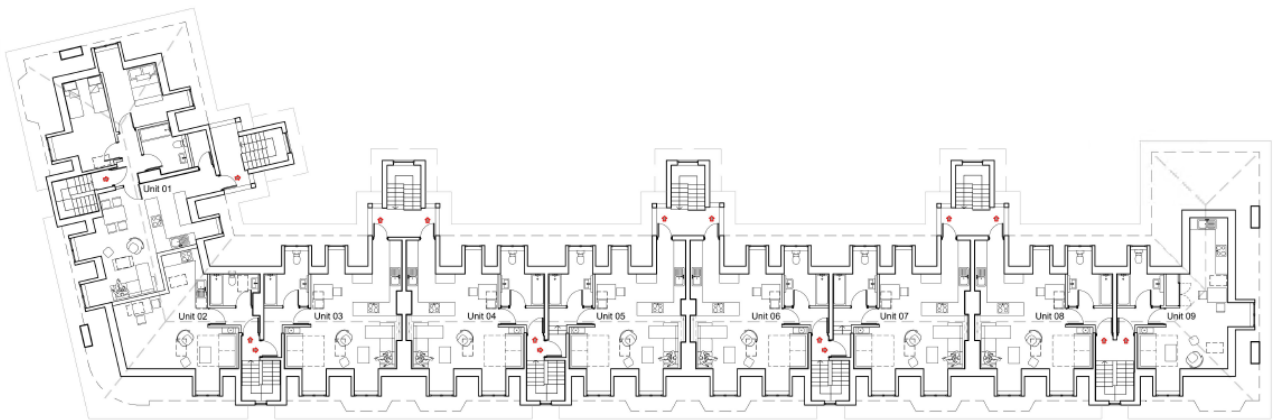
Existing Second Floor Plan



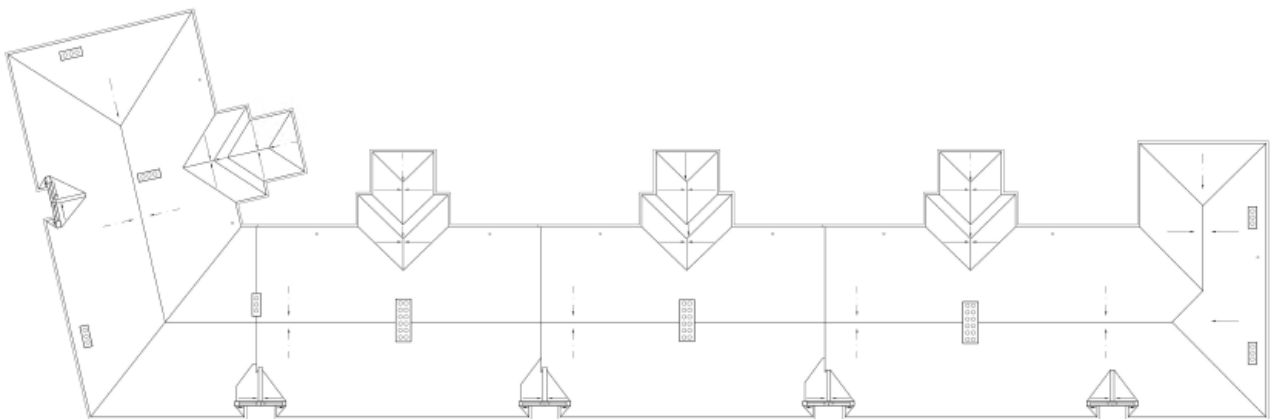
Existing Loft Floor Plan



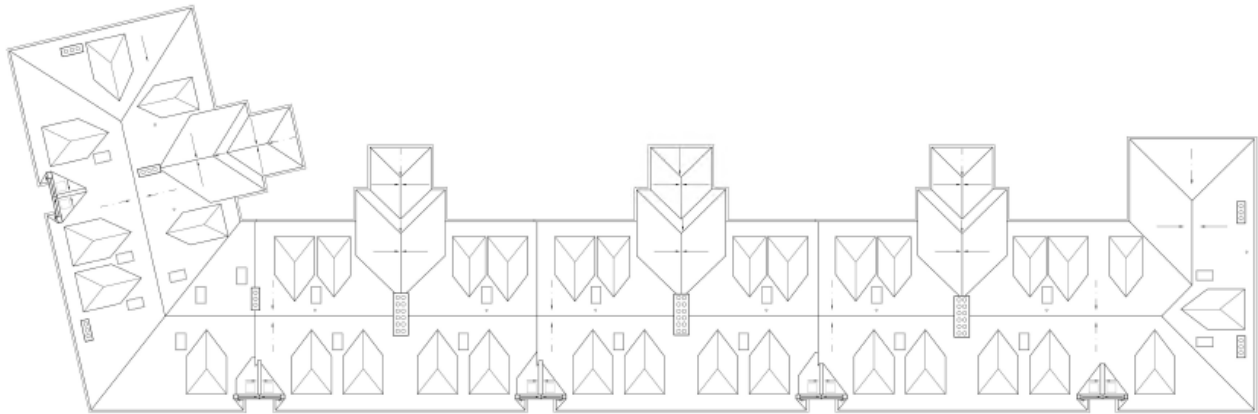
Proposed Loft Floor Plan



Existing Roof Plan



Proposed Roof Plan



Existing Front Elevation



Proposed Front Elevation



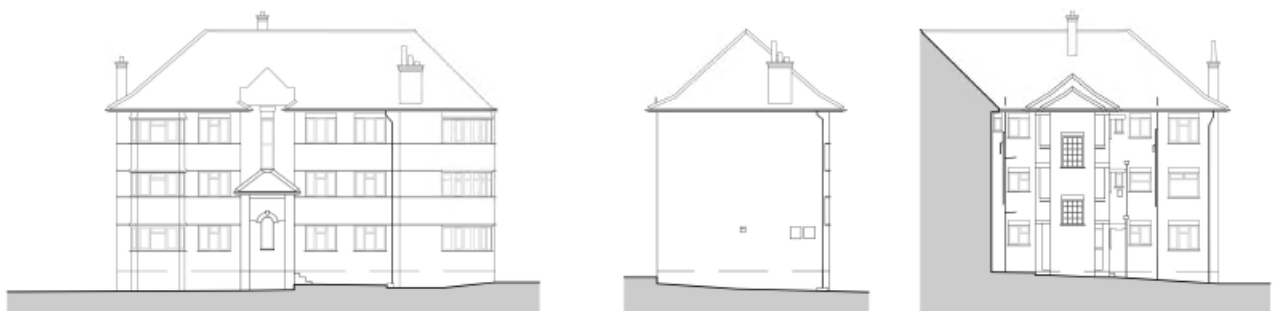
Existing Rear Elevation



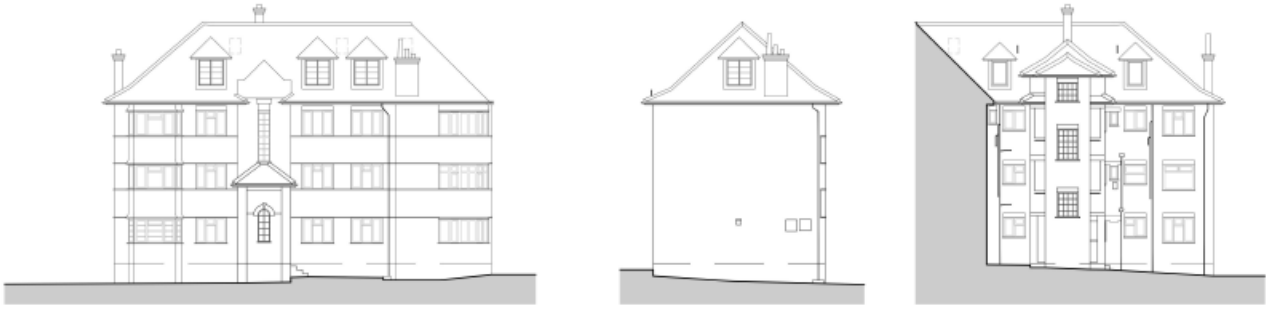
Proposed Rear Elevation



Existing Side Elevations Facing Towards Caphorne Avenue and the Garden



Proposed Side Elevations Facing Towards Caphorne Avenue and the Garden



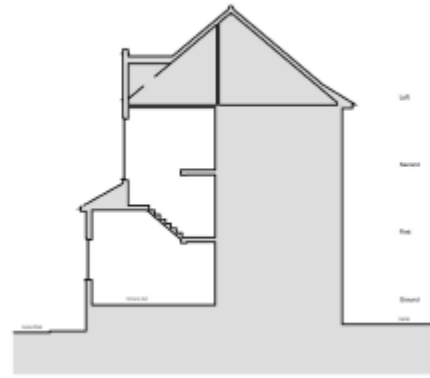
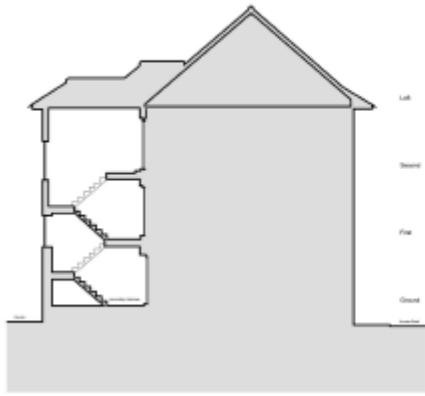
Existing Side Elevation Facing Towards Warden Court



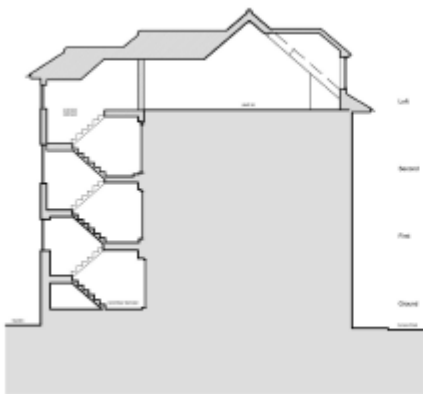
Proposed Side Elevation Facing Towards Warden Court



Section A and B as Existing

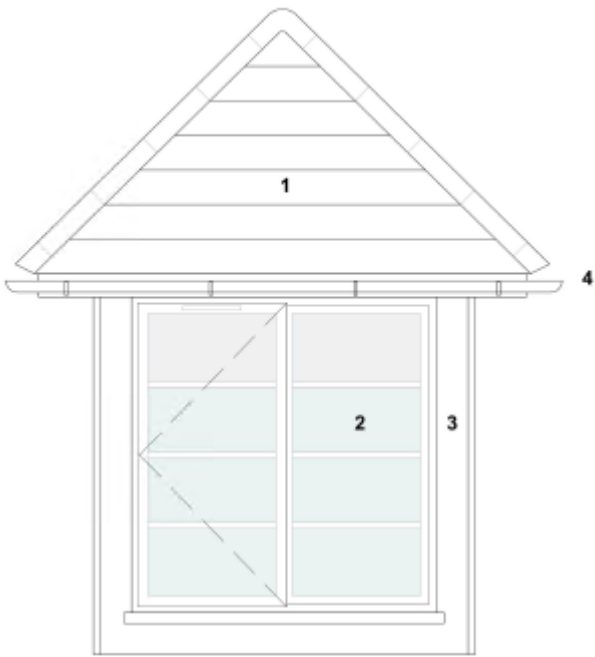


Section A and B as Proposed

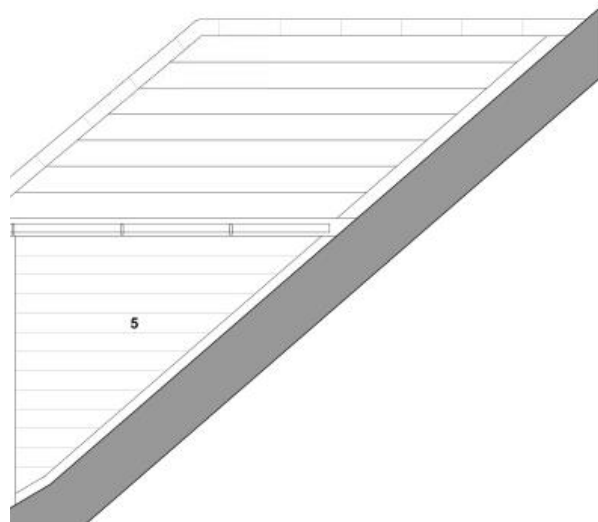




# Proposed Window Details



Front Elevation



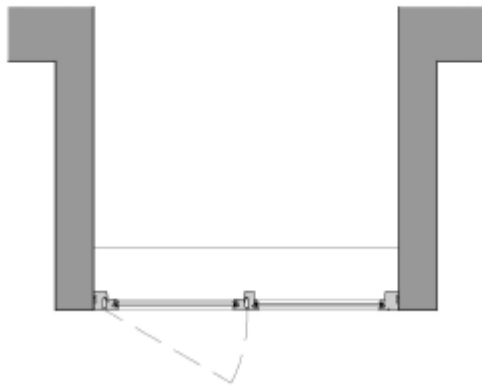
Elevation



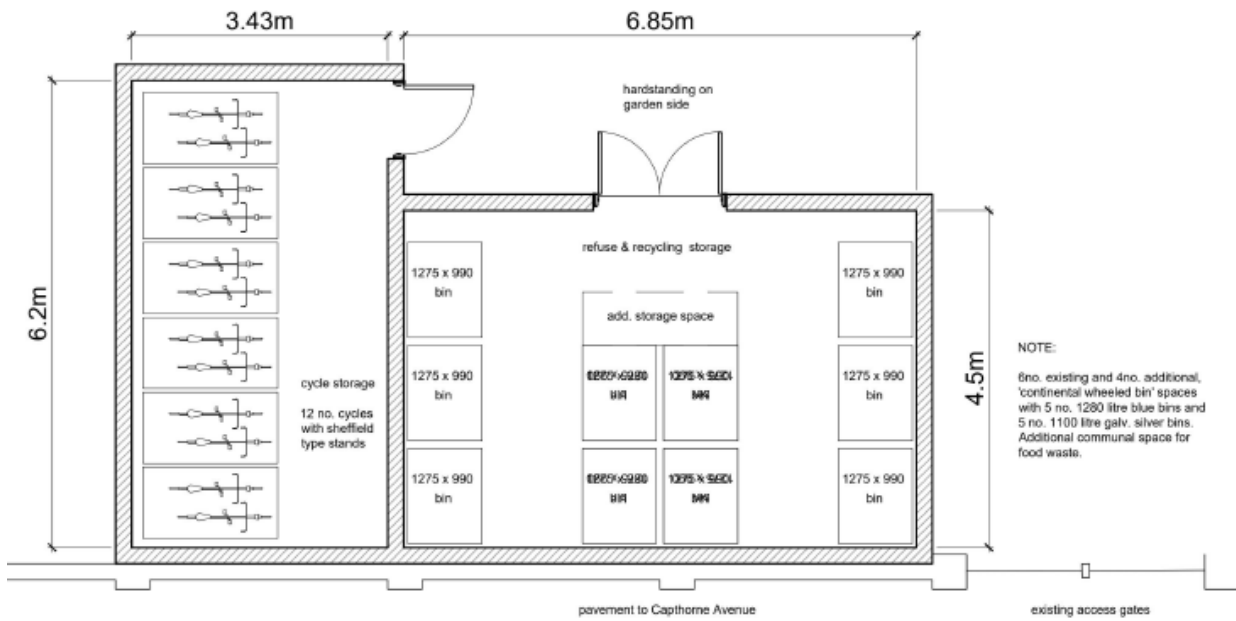
Photograph of Typical Dormer Window at Imperial Court

**KEY**

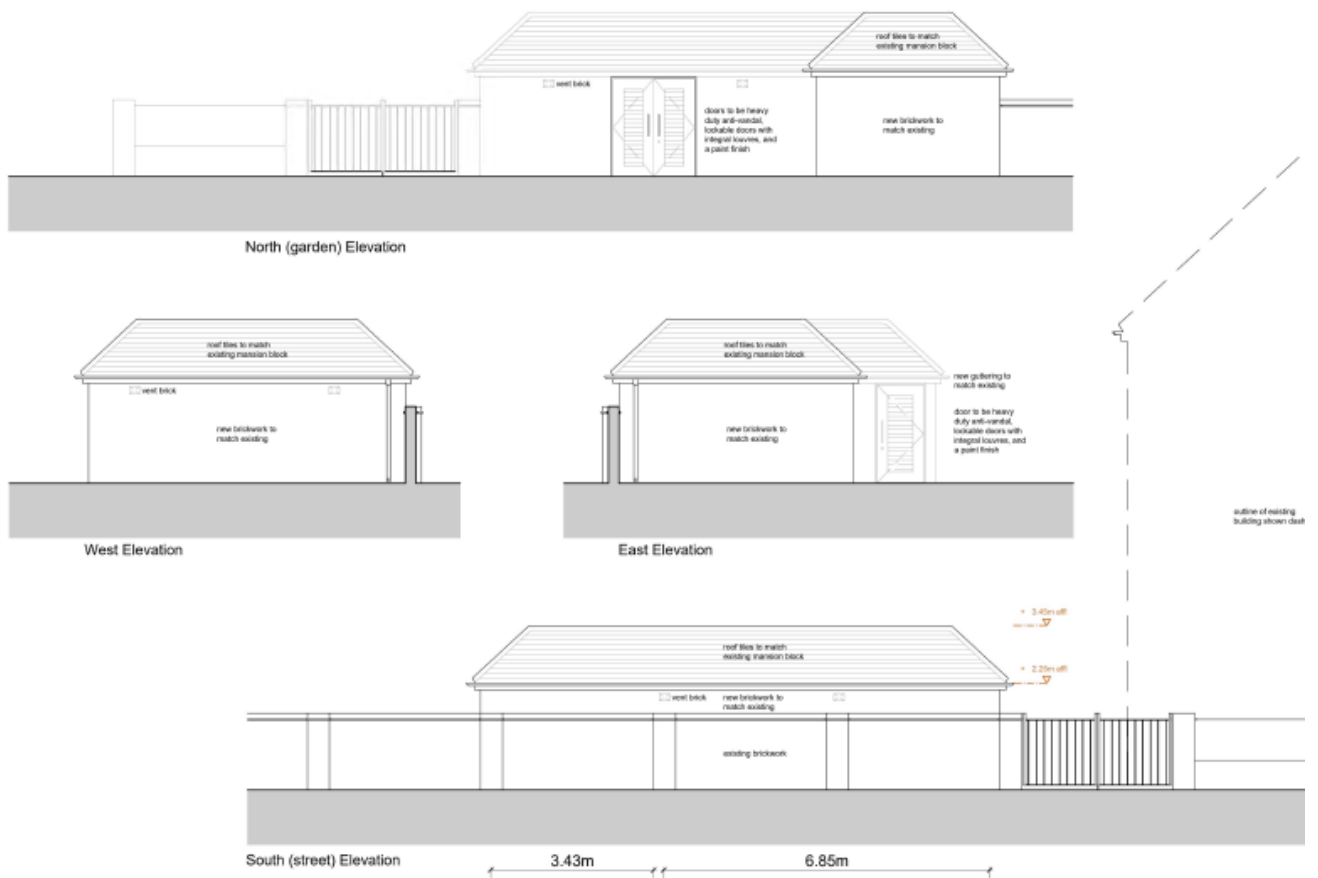
- 1. red clay tiles with profiled ridge and hip tiles to match existing
- 2. upvc casement window with fixed and opening lights and clear glazing
- 3. new lead flashing to perimeter
- 4. new black upvc guttering to perimeter
- 5. new clay tile hung cladding to match Imperial Court



# Bin and Cycle Store Plan



# Bin and Cycle Store Elevations



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