

## SECTION 1 – MAJOR APPLICATIONS

None

## SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

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Item: 2/01  
287-293 WHITCHURCH LANE, P/3473/08/RH  
EDGWARE  
Ward CANONS  
APPROVAL OF RESERVED MATTER (EXTERNAL APPEARANCE) PURSUANT  
TO PERMISSION P/3309/06 - REVISED DRAWINGS

**Applicant:** Banner Homes  
**Statutory Expiry Date:** | 20-JAN-09

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### RECOMMENDATION

Plan Nos: P.01, P.02 Rev G, P.03 Rev E, P.04 Rev D, P.05 Rev E, P.06 Rev J, P.10, P.11 and P.12 Design and Access Statement dated 21st October 2008.

**GRANT** permission for the development described in the application and submitted plans, subject to the following condition(s):

1 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 & Country Planning Act 1990.

2 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

a: the extension / building(s)

b: the ground surfacing

c: the boundary treatment

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

REASON: To safeguard the appearance of the locality.

3 Before the development commences details of the fenestrational treatment of the building shall be submitted and approved in writing by the Local Planning Authority. The details so approved shall remain thereafter and shall not be altered or removed with the prior permission of the local Planning Authority.

REASON: In the interests of the visual amenity of the building and the appearance and character of the area.

4 The ground floor window in the western side wall of flat 1 of the approved development shall:

a) be of purpose-made obscure glass,

b) be permanently fixed closed below a height of 1.7 metres above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

5 Prior to occupation of the development hereby permitted, measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the application site / development shall be installed in accordance with details to be submitted to and approved in writing by the local planning authority. Any such measures should follow the design principles set out in the relevant Design Guides on the Secured by Design website: <http://www.securedbydesign.com/guides/index.aspx> and shall include the following requirements:

1. all main entrance door sets to individual dwellings and communal entrance door sets shall be made secure to standards, independently certified, set out in BS PAS 24-1:1999 'Security standard for domestic door sets';
2. all window sets on the ground floor of the development and those adjacent to flat roofs or large rainwater pipes (downpipes) shall be made secure to standards, independently certified, set out in BS.7950 'Security standard for domestic window sets'.

Following implementation the works shall thereafter be retained.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy D4 of the Harrow Unitary Development Plan, and Section 17 of the Crime & Disorder Act 1998.

## **INFORMATIVES**

### **1 INFORMATIVE:**

#### **SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**

The decision to grant permission has been taken having regard to the policies and proposals in the London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

London Plan: 4B.1, 4B.5, 4B.6, 4B.15

Harrow Unitary Development Plan:

S1, EP20, D4, D5, D22

### **2 INFORMATIVE:**

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.

### **3 INFORMATIVE:**

I refer you to condition 5 attached to P/3309/06 which requires that the development hereby permitted shall be constructed to Lifetime Homes standards as shown on the approved plans and at least on the dwellings shall be built to Wheelchair standard, as set out in the Council's guidance document, and thereafter retained. Currently none of the ground floor units comply with Harrow Council Supplementary Planning Guidance Accessible Homes wheelchair requirements. In June 2006 Harrow Council adopted two Supplementary Planning Documents: "Access for All" and "Accessible Homes", containing design guidelines for the provision of safe and convenient access for all disabled groups. Both documents can be viewed on the Planning pages of Harrow Council's website - the URL address is:

<http://www.harrow.gov.uk/ccm/content/housing-and-planning/planning/news-letter.en>.

**4 INFORMATIVE:**

The applicant is advised that if they wish to change the location of the refuse bins a new application would need to be submitted.

**5 INFORMATIVE:**

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

**6 INFORMATIVE:**

The London Borough of Harrow seeks to encourage Secured by Design accreditation where appropriate. This is a national police initiative that is supported by the Home Office Crime Reduction & Community Safety Unit and the Planning Section of the ODPM. It is designed to encourage the building industry to adopt crime prevention measures to assist in reducing the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. It is recommended that the applicant apply for this award.

For additional information, please contact the Borough Crime Prevention Design Advisor through the Crime Reduction Unit, Harrow Police Station, 74 Northolt Road, Harrow, Middlesex, HA2 ODN, tel. 020 8733 3465.

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**MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Principle of Development (EP20, D4)
- 2) Character and Appearance (4B.1, 4B.5, D4)
- 3) Residential Amenity (D4, D5)
- 4) Crime and Disorder Act (4B.1, 4B.6, D4)
- 5) Consultation Responses

## **INFORMATION**

The application was deferred at the 14 January 2009 Strategic Planning Committee in order to seek changes to the elevation of the building that faces west towards no. 295 Whitchurch Lane. The amendments were required to address concerns that were raised regarding the proposed dormers in the western roof slope and the potential overlooking and loss of privacy to no. 295 Whitchurch Lane resulting from these proposed dormers.

Following the deferral, the scheme has been amended to remove the northern most dormer window and insert two velux windows, the lower half of the second dormer window located to the south of the roof terrace is to be fitted with obscure glazing. No changes are proposed to the roof terrace in the western roof slope. As outlined in the officer's report, this element was included in the outline scheme proposal and it was not raised as an issue in the appeal decision for the scheme that was allowed at appeal.

The proposed amendments to the scheme are considered to address the concerns regarding loss of privacy to the neighbouring property no. 295 Whitchurch Lane.

### **a) Summary**

Statutory Return Type:	Major Dwellings
Site Area:	0.160 ha
Habitable Rooms	42
Density:	262 hrph 87 dph
Car Parking:	Standard: 15.1 Justified: 9 Provided: 9
Council Interest:	None

### **b) Site Description**

- Site is located on the north side of Whitchurch Lane at the junction with Howberry Road.
- The two original pairs of semi detached houses and garages that previously occupied the site have been demolished
- A timber fence encloses the site.
- Surrounding locality is predominantly residential in character, with pairs of semi detached houses in the main. Although Station Parade, immediately to the east of the site, is a long, three storey terrace of shops and restaurants/cafes with flats above them.
- The former Government offices site on Honeypot Lane is due south of the site.
- Canons Park London Underground Station is at the eastern end of Station Parade.
- Canons Park Conservation Area is to the east of the site

**c) Proposal Details**

- The application proposes revisions to the external appearance of the two storey block (with rooms in the roof) of 14 flats with parking and basement fitness spa centre. The outline application for the redevelopment of the site was allowed on appeal reserving external appearance and landscaping. A subsequent application P/1201/08/CFU has been approved for the external appearance on the 30<sup>th</sup> June 2008.

**Revisions to Previous Application:**

Following the previous decision (P/1201/08/CFU) the following amendments have been made:

- The shape of the roof slope in the south eastern corner of the building (corner of Whitchurch Lane and Howberry Road) has been amended increasing the roof slope.
- An additional dormer and three velux windows are proposed in the southern roof slope.
- In the eastern roof slope the application proposes to replace a velux window with a dormer window and an existing dormer window is to be moved to make room for an additional velux window
- The Juliet balcony above the under-croft parking area is to be replaced with small useable balcony.
- The roof form over the north eastern corner of the building has been amended to increase the slope of the roof pitch.
- The roof area above the gables along the front and side elevation (Whitchurch Lane and Howberry Road) have also been increased in size (ridge height increased from 1.8m to 2.3m high).
- Two dormer window are proposed in the rear roof slope (western elevation facing Whitchurch Lane properties) in place of two velux windows.
- The internal layout of the flat 3 has been altered to provide a separate entrance to the rear of the flat, a new door is proposed at ground floor level in the western elevation to serve this flat.

**d) Relevant History**

P/3309/06	Redevelopment to provide two storey block (with rooms in the roof) of 14 flats with parking and basement fitness spa centre.	REFUSED 13-FEB-07
	Scale, layout and access were approved. Landscape and appearance were reserved.	APPEAL ALLOWED 02-JUN-07
P/1201/08	Approval of reserved matters 2A external appearance	GRANTED 30-JUN-08

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Revised plans were received on 30/06/08 the amendments are summarised below:

- The roof form was amended and reduced in scale thereby reducing bulk of the building.
- Five dormer windows along the Howberry Road elevation were replaced with four velux windows.
- Two velux windows were removed from the front elevation (Whitchurch Lane).
- Balustrade detailing was amended from brick to glass panels.
- Two Juliette balconies were replaced with small balconies (1m deep by 2.3m wide) along Howberry Road elevation and one along the Whitchurch Lane elevation.
- No windows were proposed in the western roof slope with the plans submitted with the application, the revised plans included two velux windows in this roof slope and a dormer window with small balcony (two velux windows and dormer windows (one with balcony was shown on the plans submitted with the outline application).
- Two additional velux windows were included in the north facing roof slope and the blocked up windows on the northern (rear elevation facing Howberry Road properties) elevation were replaced with windows that will serve the staircase.

P/2607/08	Approval of reserved matters re: landscaping	GRANTED 30-SEP-08
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Plans submitted application 24-JUL-08  
BAN16748-11 landscape proposal plan

The landscape proposal moved the cycle store along the western site boundary (shared property boundary with 295 Whitchurch Lane) removing the landscape planting along that section of the boundary.

Revised plan 30-SEP-08  
BAN16748-11B landscape proposal plan

The revised plan included an additional parking space along the western site boundary between the northern site boundary and cycle store.

P/2898/08	Details of archaeological assessment condition 8	GRANTED 12-NOV-08
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**e) Applicant Statement**

- Planning application P/3309/06 for the proposed demolition of the existing buildings, erection of 14 apartments, fitness/spa centre, reception for fitness/spa centre and internet café, car parking and all external works was refused on 28/02/07. An appeal was subsequently allowed on 2<sup>nd</sup> July 07.

- Reserved matters approval subsequently took place in particular approval of the external appearance of the development was granted 30th June 2008.
- The current application follows discussions with the LPA. The proposal is a small scale reworking of the extant reserved matters approval for external appearance. The changes are summarised as follows: insertion of an additional dormer to the front elevation; ditto for the flank elevation; replacement of a Juliet style balcony to the side elevation with a full functional balcony.
- The proposals would be confined to the approved building envelope, without any material increase in scale, bulk or visual impact. The overall amount of development would also be unchanged.
- Similarly, the proposed balcony would provide future occupants with an improved standard of residential amenity, without generating loss of privacy to neighbouring residents.
- The proposal is considered to comply with relevant Development Plan policies and Central Government advice.

**f) Consultations:**

**Advertisement:** | Site Notice | Expiry: 20-NOV-08

**Notifications:**

Sent:	Replies:	Expiry:
46	3	20-Nov-08

**Summary of Response:**

- Appearance of block will not be in keeping with existing properties, the appearance is of a mass produced approach which would be detrimental to the residential character of Whitchurch Lane and surrounding streets.
- Cement rendering and bay windows should be used to break up the unbroken mass of brickwork of the massive flat façade of the proposed block of flats.
- The numerous variations to the original appeal scheme have resulted in a different appearance that departs further from the appeal scheme's elevations.
- The brick work should match the existing houses, roof tiles should be traditional tiles and match the colour of the existing houses in order to retain the character of the area.
- The entrance halls to the flats, instead of brick should be glazed to allow natural lighting and to create a better rhythm of solid to void.
- The upper storey could be rendered to reduce the amount of unrelieved brick work that would make the block overbearing with the street scene.
- The bays to the living rooms and bedrooms at first and second floor level should be done as a traditional bay, all windows instead of brick with a central window to relate to the design of the bay windows along Whitchurch Lane and to break up the overbearing brick façade.



- How will the two flats along Howberry Road be entered with the removal of the rear access balcony? The external staircase is not shown on the plans
- The ground floor flats should all be designed for wheel/chair/lifetime homes standards.
- The landscaping plan shows an additional parking space and the relocation of the cycle store along our shared property boundary rendering our rear garden unusable.
- Application proposes even more windows and doors, dormers and velux windows both at the front and rear of the block, the ones of most concern at the rear elevations, particularly the dormer window with a balcony. These will over look our rear garden and result in a loss of privacy.
- Overlooking from kitchen window of flat 1, request this window is obscured glazed
- The building will extend closer to our property and Whitchurch Lane
- Another balcony is proposed on the Howberry Road elevation above the car park
- The left and right hand corners of the roof in bedroom two of flat 14 will come out further.

## **APPRAISAL**

### **1) Principle of Development**

The principle of development for the redevelopment of the site to provide two storey block (with rooms in the roof) of 14 flats with parking and basement fitness spa centre has been established in the earlier application P/3309/06 at appeal approving scale, siting and access. External appearance and landscaping were reserved for later determination.

A reserved matter application P/1201/08/CFU for external appearance was submitted and approved under delegated powers on the 30<sup>th</sup> June 2008. This current application proposes a revised scheme to that approved, retaining the main design elements of the. The scope of this application is limited to seeking approval of external appearance accordingly the main issues of the case are considered to be design and architectural quality of the proposal and the impact this has on neighbouring properties.

For clarity scale, siting and access have been established with the outline application and the external appearance is required to accord with the scale parameters already approved.

### **2) Character and Appearance**

Explanatory paragraph 4.10 of Policy D4 of the Harrow Unitary Development Plan 2004 (HUDP) states that 'new development should contribute to the creation of a positive identity for the area through the quality of building layout and design and should take account of the character and landscape of the locality.

The site benefits from an extant permission P/1202/08/CFU for the reserved matter of external appearance dated 30<sup>th</sup> June 2008. The approved scheme was considered to provide a coherent, symmetrical design with a horizontal emphasis that complements the inter war architectural style of the area. The detailed design of the scheme was a marked improvement on the illustrative drawings that were submitted as part of the outline application P/3309/06.

The revised scheme would largely occupy the same footprint as the extant permission however the three tiered section in the south east corner of building will be amended to a single bay and 6.1m wide flat elevation. This change in the footprint is to accommodate the amended roof form in the southern corner of the proposed block. The approved scheme is made up of three elements in this corner, the proposed scheme would incorporate the two larger gable roof forms into one. The entire roof slope would be increased from 40 degree angle to 45 degree angle, this increased in roof slope would also be incorporated into the gable roof form above the bays. This change in the roof form would effectively increase the useable area within the roof space.

An additional dormer window and velux window are proposed in the southern roof slope, an additional velux window is also proposed in the eastern roof slope and a velux window also in this roof slope is to be replaced with a dormer window. Two velux windows in the western roof slope are to be replaced with two dormer windows (rear roof slope facing Whitchurch Lane properties).

The Juliette balcony above the undercroft parking area, facing Howberry Road is to be replaced with a small useable balcony measuring 1m in depth and 2.3m wide.

A door is proposed at ground floor level in the western elevation to provide separate access to flat no. 3. The internal layout of flat no.3 has been amended to provide the new access to the unit.

Overall, the basic external appearance of the block of flats would for the most part mirror the appearance of the reserved matter scheme P/1202/08/CFU approved 30<sup>th</sup> June 2008.

The proposed changes to the roof form and slope would not be notably different from the approved scheme and would simplify the roof form at the south eastern corner of the block. The corner site location and I-shaped footprint of the two-storey block enable the scheme to accommodate the changes to the roof form without harming the appearance and scale of the approved block within the street scene.

Further it is considered that the roof is of a sufficient scale and design to accommodate the additional velux and dormer windows without dominating or harming the appearance of the building. The design and proportion of the dormer and velux windows would complement the windows on the lower elevations in accordance with Harrow Council's Supplementary Planning Guidance: Extensions A Householders Guide.

The replacement of the Juliette balcony with a small useable balcony is not considered to harm the appearance or proportions of the building and would be consistent with the two other first floor balconies along the eastern elevation.

The revised scheme would not result in a materially different impact on the views and character of the surrounding area than the recently approved scheme.

It is recommended that the condition from the extant approval P/1202/08CFU requiring a more detailed and closer treatment of the fenestration is carried over to this permission to ensure the proposed materials and detailed design are consistent with the character and appearance of the surrounding area.

### **3) Residential Amenity**

The proposed development would provide an acceptable standard of residential accommodation for future occupiers in accordance with policy D4 and D5 of the Harrow Unitary Development Plan. The additional dormers in the roof space would enable increased levels of natural light to the flat 14 and would not result in a loss of privacy to future occupiers of the units. The proposed first floor level balcony would provide a small private outdoor space (2.3m<sup>2</sup>) for the occupiers of flat 7 and would not result in an unacceptable loss of privacy to the future occupiers of the unit.

Policy D5 of the Harrow Unitary Development Plan 2004 seeks to ensure that the amenity and privacy of occupiers of existing and proposed dwellings is safeguarded.

An objection has been raised regarding the replacement of the two velux windows in the western roof slope with two dormer windows and the resulting overlooking and loss of privacy of the rear garden of 295 Whitchurch Lane from these windows and the roof terrace.

The outline scheme P/3309/06/COU included two velux windows, a dormer window and a roof terrace cut into the roof in the western roof slope and a dormer window and second roof terrace in the northern roof slope. An access balcony wrapped around the northern and western elevation of the block providing access to the first floor flats.

The approved reserved matter scheme P/1202/08/COU deleted the roof terrace and dormer window from the northern roof slope and replaced each one with a velux window. The roof terrace and two velux windows were retained in the western roof slope. The internal layout of the block of flats was amended to enable access to the 12 of the 14 flats from Whitchurch Lane thereby removing the requirement of the first floor access balcony along the northern and western elevation. Access to flats 7 and 8 on the first floor was provided via a reduced first floor balcony directly to the front of the neighbouring doors in the western elevation.

Due to the internal reconfiguration of flat 13 the two velux windows in the western roof slope are to be replaced with two dormer windows one to serve the living room and the other a bedroom. The dormer windows and roof terrace would be set back within the roof slope and would be positioned approximately 22m from the shared site (western) boundary with no. 295 Whitchurch Lane.

The dormer window and roof terrace in the outline application P/3309/06/COU was considered an acceptable form of development by the Planning Inspectorate. The Planning Inspector considered that they may be an increase in overlooking of the rear of 295 Whitchurch Lane from the dormer window in the northern roof slope however, given the small size of the dormer and the acute angle of vision this would be limited to a small area at the bottom of the garden. As noted above this dormer window has been replaced with a velux window.

Accordingly it is not considered that the additional dormer window in the western roof slope would result in an unacceptable increase in overlooking or loss of privacy to the rear of 295 Whitchurch Lane. The 22m wide area of separation between the dormer window and the shared property boundary is considered an acceptable distance to relloss of privacy in accordance with Policy D4 and D5 of the Harrow Unitary Development Plan.

The additional dormer and balcony along the Howberry Road elevation would not result in an unacceptable loss of privacy to properties directly to the east of the site along Howberry Road in accordance with Policy D4 and D5 of the Harrow Unitary Development Plan.

**4) S17 Crime & Disorder Act**

Policy D4 of the Harrow Unitary Development Plan 2004 advises crime prevention should be integral to the initial design process of a scheme. In particular buildings should be orientated to provide natural surveillance, roads, footpaths should be well lit and direct, with good visibility, and there should be no unobserved access to the rear of buildings.

As with the approved reserved matter application P/1202/08/COU the external appearance and design of the proposed development has not taken sufficient account of the principles of 'Secured By Design' and 'Safer Places', accordingly it is recommended that the secure by design condition attached to the above mentioned approved reserved matter application is attached to this permission/application to ensure further consideration and compliance of the secure by design issues.

**5) Consultation Responses:**

Apart from the points raised in the above sections, other issues raised are:

- Condition 5 attached to outline permission P/3309/06 requires that the development is constructed to Lifetime Homes standards and that at least one of the dwellings is built to Wheelchair standard, as set out in the Council's Supplementary Guidance Accessible Homes. An informative is attached to this decision referring the applicant to the requirement of condition 5.
- The landscaping plan and refuse storage does not form part of this application.
- The external staircase to flats 7 and 8 is shown on plans P.04 Rev D and P.06 Rev H as previously submitted to Committee on 14<sup>th</sup> January 09.

**CONCLUSION**

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

**SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL**

None

**SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES**

None

**SECTION 5 - PRIOR APPROVAL APPLICATIONS**

None