



**DEVELOPMENT MANAGEMENT
COMMITTEE**

TUESDAY 16 DECEMBER 2008

PLANNING APPLICATIONS RECEIVED

DEVELOPMENT MANAGEMENT COMMITTEE

APPLICATIONS

TUESDAY 16TH DECEMBER 2008

PLANNING APPLICATIONS RECEIVED

SECTION 1 - MAJOR APPLICATIONS

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

SECTION 5 - PRIOR APPROVAL APPLICATIONS

BACKGROUND INFORMATION

All reports have the background information below.

Any additional background information in relation to an individual report will be specified in that report:-

Individual file documents as defined by reference number on Reports

Nature Conservation in Harrow, Environmental Strategy, October 1991

Harrow Unitary Development Plan, adopted 30th July 2004

The London Plan (Spatial Development Strategy for Greater London), Mayor of London, February 2004

Section 17 of the Crime & Disorder Act 2004

DEVELOPMENT MANAGEMENT COMMITTEE

TUESDAY 16TH DECEMBER 2008

INDEX

					Page No.
2/01	551 PINNER ROAD, HARROW CHANGE OF USE OF GROUND FLOOR MOTORCYCLE SHOP (SUI GENERIS) TO RESTAURANT/ TAKEAWAY (A3/A5); SINGLE-STOREY REAR EXTENSION; EXTERNAL ALTERATIONS	P/1503/08/GL	HEADSTONE NORTH	GRANT	2
2/02	10 HILLCREST AVENUE, PINNER TWO STOREY SIDE EXTENSION; SINGLE STOREY REAR EXTENSION AND SINGLE STOREY SIDE EXTENSION	P/3196/08/MT	PINNER SOUTH	GRANT	9
2/03	32 - 32A STREATFIELD ROAD, HARROW RETENTION OF DETACHED OUTBUILDING IN EACH REAR GARDEN OF 32 AND 32A STREATFIELD ROAD	P/3015/08/FOD	QUEENSBURY	GRANT	16
2/04	41 & 42 SOUTH PARADE, MOLLISON WAY, EDGWARE USE OF PREMISES AS CHILDREN DAY CARE NURSERY (CLASS D1) WITH OUTDOOR PLAY AREA AND PARKING AT	P/3113/08/NR	EDGWARE	GRANT	20

REAR.

2/05	116 WHITCHURCH LANE, EDGWARE FIRST FLOOR SIDE TO REAR EXTENSION; CONVERSION TO TWO FLATS; EXTERNAL ALTERATIONS	P/3038/08/NR	CANONS	GRANT	26
2/06	LAND AT REAR OF LAUREL COTTAGE, CHURCH LANE, PINNER OUTLINE APPLICATION: (ALL MATTERS RESERVED) SINGLE AND TWO STOREY DETACHED DWELLING HOUSE WITH ACCOMODATION IN ROOFSPACE; INTEGRAL GARAGE AND OFF STREET PARKING	P/2724/08/SB5	PINNER	GRANT	33
2/07	LAND ADJACENT TO 1 MAY TREE LANE, STANMORE DETAILS OF APPEARANCE, LANDSCAPING AND SCALE PURSUANT TO CONDITION 2 OF OUTLINE PLANNING PERMISSION P/1897/05DOU GRANTED 14/09/05 FOR ERECTION OF SINGLE/TWO STOREY DETACHED HOUSE	P/3007/08/GC	STANMORE PARK	GRANT	41
2/08	53 BRANCKER ROAD, HARROW SINGLE/TWO STOREY SIDE AND REAR EXTENSIONS	P/2713/08/GC	KENTON EAST	GRANT	47
2/09	347-349 STATION ROAD, HARROW CHANGE OF USE FROM BANK (USE CLASS A2) TO ADULT GAMING CENTRE (SUI GENERIS)	P/2444/08/LM	GREENHILL	GRANT	53

2/10	439 ALEXANDRA AVENUE, HARROW UPPER GROUND AND LOWER GROUND FLOOR REAR EXTENSION (TWO STOREY EXTENSION WITH SINGLE STOREY PROJECTION), NEW EXTRACT FLUE AT REAR, 6 x AIR CONDITIONING UNITS ON ROOF OF SINGLE STOREY PROJECTION WITH SCREEN AROUND ROOF EDGE	P/2701/08/SB5	RAYNERS LANE	GRANT	59
2/11	31 HONISTER GARDENS STANMORE SINGLE STOREY FRONT; SINGLE/TWO STOREY SIDE TO REAR; SINGLE STOREY REAR EXTENSIONS	P/2973/08/RD	BELMONT	GRANT	66
2/12	PREMIER HOUSE, 1, CANNING ROAD, WEALDSTONE CHANGE OF USE OF FIRST FLOOR OF BUILDING FROM LIBRARY (CLASS D1) TO FUNCTION ROOM (SUI GENERIS). SINGLE STOREY FIRST FLOOR EXTENSION ON FRONT (WEST) ROOF TERRACE & NORTH SIDE (CANNING ROAD ELEVATION) TO PROVIDE ADDITIONAL 300SQM FLOORSPACE FOR USE AS PART OF FUNCTION ROOM (CLASS D2).	P/1950/08/KR	MARLBOROUGH	GRANT	71
2/13	152 PINNER ROAD, HARROW CHANGE OF USE OF RETAIL SHOP (CLASS A1) TO TAKE-AWAY (CLASS A5)	P/2964/08/KR	HEADSTONE SOUTH	GRANT	78

2/14	16 MARTHORNE CRESCENT, HARROW CONVERSION TO TWO FLATS; SINGLE STOREY FRONT AND REAR EXTENSIONS	P/3073/08/KR	WEALDSTONE	GRANT	83
2/15	90 KINGSFIELD AVENUE, HARROW SINGLE STOREY SIDE TO REAR EXTENSION	P/3198/08/KR	HEADSTONE SOUTH	GRANT	89
2/16	HARROW MUSEUM AND HERITAGE CENTRE, HEADSTONE MANOR RECREATION GROUND, PINNER VIEW, HARROW LISTED BUILDING CONSENT: REPAIR, RESTORATION & STRENGTHENING OF HISTORIC BRIDGE; RECONSTRUCTION & REPAIR OF ADJACENT MOAT RETAINING WALLS; REPLACEMENT OF PARAPET FENCING & GATES; AND ERECTION OF NEW FENCING & GATES TO BRIDGE AND MOAT EMBANKMENTS	P/3521/08/LC3	HEADSTONE NORTH	GRANT	93
2/17	11 RAYNERS LANE, HARROW CONVERSION TO TWO FLATS, RESITING OF VEHICLE ACCESS, PARKING AT FRONT AND REAR; EXTERNAL ALTERATIONS	P/2955/08/EJ	ROXBOURNE	GRANT	97
2/18	ABERCORN ARMS, 78 STANMORE HILL, STANMORE SINGLE STOREY SIDE TO REAR AND FIRST FLOOR REAR EXTENSIONS TO PROVIDE RESTAURANT (CLASS A3) / ANCILLARY FUNCTION ROOM (SUI GENERIS), EXTERNAL	P/2383/08/ML1	STANMORE PARK	GRANT	105

ALTERATIONS

2/19	<p>ABERCORN ARMS, 78 STANMORE HILL, STANMORE LISTED BUILDING CONSENT: SINGLE STOREY SIDE TO REAR AND FIRST FLOOR REAR EXTENSIONS TO PROVIDE RESTAURANT (CLASS A3) / ANCILLARY FUNCTION ROOM (SUI GENERIS), EXTERNAL ALTERATIONS</p>	P/2386/08/LH	STANMORE PARK	GRANT	105
2/20	<p>ABERCORN ARMS, 78 STANMORE HILL, STANMORE CHANGE OF USE OF STABLE BLOCK FROM STORAGE TO PROVIDE ANCILLARY STAFF RESIDENTIAL ACCOMMODATION, WITH EXTERNAL ALTERATIONS</p>	P/2805/08/ML1	STANMORE PARK	GRANT	117
2/21	<p>ABERCORN ARMS, 78 STANMORE HILL, STANMORE LISTED BUILDING CONSENT: CHANGE OF USE OF STABLE BLOCK FROM STORAGE TO PROVIDE ANCILLARY STAFF RESIDENTIAL ACCOMMODATION, WITH EXTERNAL ALTERATIONS</p>	P/2810/08/LH	STANMORE PARK	GRANT	117

SECTION 1 – MAJOR APPLICATIONS

None

5 Any plant and machinery, including that for fume extraction, ventilation, refrigeration and air conditioning, which may be used by reason of granting this permission, shall be so installed, used and thereafter retained as to prevent the transmission of noise, vibration, and odour/fume into any neighbouring premises.

REASON: To ensure that the proposed development does not give rise to noise and odour/fume nuisance to neighbouring residents.

6 The development hereby permitted, as detailed in the submitted and approved drawings, shall be built to ensure level access to the restaurant, and thereafter retained to that standard.

REASON: To ensure the provision of level access in accordance with the policies of the Harrow Unitary Development Plan.

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:

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

EM19 Change of Use of Shops in Non-Designated Parades

EM25 Food, Drink and Late Night Uses

T13 Parking Standards

2 INFORMATIVE:

The applicant's attention is drawn to the Council's policy to encourage developers to provide facilities for the separate storage and collection of different colour bottles for the purpose of recycling. The applicant should also note that such collections are carried out free of charge by the Council. Storage arrangements should be agreed with the Council's Cleansing and Transport Services Manager.

3 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.

4 INFORMATIVE:

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:

Access for All: http://www.harrow.gov.uk/downloads/AccessforallSPD_06.pdf

Accessible Homes: <http://www.harrow.gov.uk/downloads/AccessibleHomesSPD.pdf>

5 INFORMATIVE:

Notwithstanding the note on your submitted plan(s), this decision has been made on the basis of measurements scaled from the plan(s), unless a dimensioned measurement overrides it.

6 INFORMATIVE:

The applicant is requested to liaise with the Council's Highways Enforcement Section with regard to the provision of a litterbin, or appropriate alternative, outside the premises. The applicant is asked to ensure that this is emptied at regular intervals and that the Public Highway outside the premises is kept litter-free.

7 INFORMATIVE:

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. They further recommend, in line with best practice for the disposal of Fats, Oils & Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewerage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 020 8507 4321.

8 INFORMATIVE:

The applicant is reminded of the duties set out in the Disability Discrimination Act 1995 with regard to employment and service provision. An employer's duty to make reasonable adjustment is owed to an individual employee or job applicant. However, the responsibility of service providers is to disabled people at large, and the duty is anticipatory. Failure to take reasonable steps at this stage to facilitate access will therefore count against the service provider if or when challenged by a disabled person from October 2004.

The applicant is therefore advised to take full advantage of the opportunity that this application offers to improve the accessibility of the premises to people with mobility and sensory impairments.

9 INFORMATIVE:

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

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

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1) Change of Use of Shops in Non-Designated Parades (D4, EM19 & T13)
- 2) Residential Amenity, Food, Drink and Late Night Uses (D4, EM25)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application was deferred from the Strategic Planning Committee of 5th November 2008 for further investigation into:

- a) Traffic implications
- b) Crime and disorder implications
- c) Government position on the reduction in the number of takeaways.

The requested information is that:

- a) The existing waiting restrictions are sufficient to cope with the proposed change in use
- b) There would be no additional impact with respect to crime and disorder
- c) There is no material planning policy related to the reduction in the number of takeaways.

a) Summary

Statutory Return Type: Change of Use
Car Parking: None
Council Interest: None

b) Site Description

- Three storey mid terrace property. Ground floor is currently a vacant motorcycle sales and repair shop (sui generis) in a non-designated parade in North Harrow District Centre
- Neighbouring properties are both shops (a tile shop and convenience store)
- Upper floors of the parade are currently residential
- Access to the rear of the shops is via the alley way adjacent to no. 557 Pinner Road

c) Proposal Details

- Change of use from motorcycle shop (sui generic) to A3/A5. It is confirmed that a motorcycle shop does not fall within use Class A1.
- The establishment will accommodate 12 seats and 3 tables
- Single-storey rear extension, 6.5m deep at boundary with No. 549 Pinner Road and 4.5m wide. Alterations to escape stair for first floor flat
- New Shopfront
- Extract flue from kitchen at rear of proposed restaurant would be a 'balanced flue' system at ground floor level on the rear elevation

Revisions to Previous Application:

Following the previous decision (P/3614/07/DFU) the following amendments have been made:

- Single-storey rear extension proposed
- 'Balanced' extract flue at ground floor rear of building as opposed to external flue at rear of building extending above roof eaves

d) Relevant History

P/3614/07/DFU	Change of use of retail shop (class A1) to restaurant/takeaway (class A3/class A5) new shop front; extraction flue on rear elevation	WITHDRAWN 18-MAR-2008
---------------	--	--------------------------

e) Pre-Application Discussion

- None

f) Applicant Statement

- Design would increase sales and storage area; amended first floor escape access would be made secure

g) Consultations

Environmental Health: Extract system appears sufficient. Access to mechanical parts must be ensured to allow proper maintenance.

Waste Management: Developer should allow for the provision of three 1100 litre bins, one for recycling, one for residual waste and one for food waste

Highways Engineers: No Objection

Site Notice: | General Notification | Expiry: 06-JUN-08

Notifications:
Sent: 48 | Replies: 36 | Expiry: 30-MAY-08

Summary of Responses:

Loss of retail; excessive number of food outlets; inadequate parking; noise and disturbance; increased litter; pervasive odours

APPRAISAL

1) Change of Use of Shops in Non-Designated Parades

Policy EM19 states that, in non-designated parades in district centres, Council would normally permit Change of Use from any retail (A1) to non-retail use provided the use is appropriate to a town centre and the premises can be adequately serviced.

Notwithstanding this, the current authorised use of the ground floor of the property is as for motorcycle sales and repair, which is classified as a sui generis and not a retail use. In short, policy EM18, which seeks to protect shops does not apply given the current use.

The proposal would have no impact on the proportion of the frontage in non-retail use since it is already a non-retail use. It is considered that a restaurant/take-away use in this location would be appropriate in the town centre.

Access to the rear of the premises for servicing and deliveries is via the access road adjacent to 557 Pinner Road. The premises can be adequately serviced without causing harm to highway safety and convenience. The highways engineers have expressed no objection to the proposal and the change of use is not expected to cause any disruption to the free flow of traffic.

2) Residential Amenity, Food, Drink and Late Night Uses

Policy EM25 seeks to ensure that proposals for food & drink and late night uses do not have a harmful effect on residential amenity and in assessing applications regard will be had, inter alia, to the location of the premises, the proximity of residential property, the type of use proposed, soundproofing, parking/servicing and fume extraction. The premises are located on a London Distributor road, are 600m from North Harrow underground station and are served by local buses. A high proportion of customers are therefore expected to be pedestrians. In such a location the degree of ambient noise and general disturbance may be expected to be greater than surrounding residential areas both during the daytime and, albeit to a lesser degree, also during evenings and weekends. Consideration must also be given to the living conditions of the occupiers of flats/maisonettes above ground floor level in this parade and the houses. It is however, considered that the increased activity as a result of this proposal would not be such that would justify withholding planning permission. The condition attached to this permission limits the hours of use to 10.30 hours to 23.00 hours, Monday to Saturday inclusive, and 10.30 hours to 22.30 hours on Sundays which is deemed acceptable for this location.

The Environmental Health Department has been consulted and have recommended that full details of the proposed extraction system are submitted and approved prior to the commencement of the use to ensure that the development would not have a detrimental impact on the residential amenities of neighbouring occupiers.

The plans show adequate storage space for three 1100 litre refuse/recycling bins at the rear of the property, although conditions are attached requiring details of refuse storage to be approved.

3) S17 Crime & Disorder Act

It is considered that the design of the development would not lead to an increase in perceived or actual threat of crime.

4) Consultation Responses

Street litter – not a material planning consideration
Other issues addressed in appraisal

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.

10 HILLCREST AVENUE, PINNER

Item: 2/02

P/3196/08/MT

Ward PINNER SOUTH

TWO STOREY SIDE EXTENSION; SINGLE STOREY REAR EXTENSION AND SINGLE STOREY SIDE EXTENSION

Applicant: Mr. & Mrs. G Orengo

Statutory Expiry Date: 28-NOV-08

RECOMMENDATION

Plan Nos: 08/10Hillcrest Rev A (Received 3rd October 2008) and Site Plan (received 23rd September 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

REASON: To safeguard the appearance of the locality.

3 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 window(s)/door(s) shall be installed in the flank wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION - HOUSEHOLDER APPLICATION:

The decision to grant planning permission has been taken having regard to the policies and proposals in 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:

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

Supplementary Planning Guidance: Extensions: A Householders' Guide (March 2008)

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:

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

4 INFORMATIVE:

Notwithstanding the note on your submitted plan(s), this decision has been made on the basis of measurements scaled from the plan(s), unless a dimensioned measurement overrides it.

5 INFORMATIVE:

The applicant is advised that there are public sewers crossing this site, and no building works will be permitted within 3 metres of the sewers without Thames Water's approval. Should a building over/diversion application form, or other information relating to Thames Waters assets be required, the applicant is advised to contact Thames Water Developer Services on 0845 850 2777.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area (D4, SPG)
- 2) Residential Amenity (D4, D5, SPG)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is reported to committee following the receipt of a petition in objection to the proposal containing 14 signatures.

a) Summary

Statutory Return Type: Householder Development

Council Interest: None

b) Site Description

The subject site is on the southern side of Hillcrest Avenue.

- The site contains a two-storey detached dwelling with an attached garage on the eastern side of the dwelling.
- The property to the east No. 9 Hillcrest Avenue contains a two-storey detached dwelling with attached garage on the western side of the dwelling adjacent to the subject site. The dwelling has a single storey rear extension in place of an original bay window adjacent to the boundary shared with No. 8 Hillcrest Avenue.
- The property to the west No. 11 Hillcrest Avenue contains a two-storey detached dwelling with attached garage on the eastern side of the dwelling. The dwelling has a single storey rear extension.
- The street in the vicinity of the site is generally characterised by two-storey detached dwellings with space between dwellings. The front and rear building alignments of dwellings on the southern side of the street are relatively consistent. The dwellings on the northern side of the street are orientated at an angle to the street frontage.

c) Proposal Details

Two-Storey Side Extension

- The proposal includes a two-storey side extension to the eastern side of the dwelling.
- At ground floor level the extension would provide a utility room and at first floor level it would provide an ensuite bathroom.
- The proposal would have a width of 2.085 metres and be abutting the side boundary adjacent to No. 9 Hillcrest Avenue.
- The proposal would have a depth of 4.175 metres and be set back from the main front wall of the dwelling by 5.0 metres and would not extend beyond the rear main wall of the dwelling.
- The proposed extension would have a subordinate pitched roof with a height at the boundary of 5.65 metres rising to a maximum height of 7.5 metres at a distance of 2.35 metres from the boundary.
- The proposed extension would have no flank windows.
- The extension would contain two windows on the rear elevation and one window on the front elevation.

Single Storey Rear Extension

- The extension would project 3.0 metres beyond the rear main wall.
- The extension would be set in 0.25 metres from the side boundary shared with No. 9 Hillcrest Avenue.
- The extension would have a pitched roof with a height of 3.2 metres at the eaves and 4.2 metres adjoining the rear wall of the dwelling.
- The rear elevation would contain one large window and a large area of glass doors.
- The rear roof slope would contain four roof lights.

Item 2/02 : P/3196/08 continued/...

Single Storey Side Extension

- The extension would be on the western side of the dwelling adjacent to No. 11 Hillcrest Avenue.
- The extension would have a width of 1.1 metres and a depth of 1.4 metres and would be located in front of an existing projection on the side elevation. It would not project beyond the existing side projection.
- It would be set in 0.8 metres from the side boundary shared with No. 11 Hillcrest Avenue.
- It would have a pitched roof with a height of 2.25 metres at the eaves and 3.15 metres adjoining the side wall of the dwelling.

Revisions to Previous Application:

Following the previous decision (P/0990/08) the following amendments have been made: The depth of the proposed two-storey side extension has been reduced from 4.175 to 4.03 metres (14.5cm reduction) to ensure compliance with the 45° code (which was not achieved in the previous application).

d) Relevant History

P/0990/08/DFU	Two storey side extension	REFUSED 15-SEP-08
---------------	---------------------------	----------------------

Reason for Refusal:

The proposal, by reason of the orientation and relationship with number 9 Hillcrest Avenue does not comply with the 45° code as set out in Harrow's Supplementary Planning Guidance, Extensions: 'A Householders Guide' and would materially affect the amount of daylight and sunlight in the protected kitchen window on the flank wall of the neighbouring property to the detriment of the residential amenities of the occupiers thereof, contrary to HUDP policy D4.

P/2182/08/DFU	Single Storey Side to Rear Extension	GRANTED 19-AUG-08
---------------	---	----------------------

f) Applicant Statement

None.

g) Consultations

Pinner Association: No response

Thames Water: There are public sewers crossing this site, and no building works will be permitted within 3 metres of the sewers without Thames Water's approval. Should a building over/diversion application form, or other information relating to Thames Waters assets be required, the applicant should be advised to contact Thames Water Developer Services on 0845 850 2777.

Site Notice: Displayed: 09-OCT-08 Expiry: 30-OCT-08

Notifications:

Sent: 13

Replies: 5 plus one petition
containing 14 signatures

Expiry: 30-OCT-08

Summary of Responses:

Inadequate space around the building; construction to the boundary; inconsistency with the character and appearance of the existing detached dwelling and those in the street; precedent; inconsistency and double standards (planning permission refused for a two-storey side extension at No. 4 Hillcrest Avenue); overdevelopment; size; the likely destruction of trees and pavements in the street; likely installation of a concrete front garden; traffic and congestion due to construction vehicles; overshadowing and loss of light.

APPRAISAL

1) Character and Appearance of the Area

Policy D4 in Part 2 of the Harrow Unitary Development Plan (2004) requires high standards of design in all new development, including extensions to existing buildings. The policy requires that the design of new development be considered in the context of its site and surroundings and have regard to the scale and character of the surrounding environment. Paragraph B.1 of the Council's Supplementary Planning Guidance (SPG) states that side extensions should reflect the pattern of development in the street scene and that these proposals will be assessed against the pattern of development in the immediate locality and the potential for them to dominate the appearance of the street scene. Paragraphs B.7 and B.9 relate specifically to detached and semi-detached houses and states that the primary considerations are the character of the locality and space around the building.

In relation to maintaining a gap between the extension and the side boundary the existing garages for both No. 9 and No. 10 Hillcrest abut the side boundary in this location. It is considered however that as No. 10 is set in from the western side boundary and that a character of space between buildings would be maintained in this location.

The proposed two-storey side extension would be set back from the main front wall of the dwelling by 5.145 metres and would have a subordinate pitched roof. As the proposed extension would be subordinate to the dwelling and be well set back from the main front wall, it is considered that the extension would not be in a position to dominate the appearance of the dwelling or the street scene and would not lead to a terracing effect. In accordance with the requirements of the SPG the proposal would have a recessed gutter detail along the flank elevation and a traditional eaves detail at the front. And would therefore be in keeping with the character of the street and would not overhang the boundary with No. 9.

The proposed single storey rear extension would have a pitched roof consistent with the recommendations of the SPG. As the proposed extension would be behind the existing garage and the dwelling it is considered that the extension would not be in a position to dominate the appearance of the dwelling or the street scene.

A condition has been recommended requiring the materials to be used in the construction of the external surfaces of the extension to match those used in the existing building.

The proposed extension would be consistent with the character and appearance of the original dwelling and the street scene in accordance with policy D4 of the Harrow UDP and the SPG.

2) **Residential Amenity**

Policy D5 in Part 2 of the Harrow Unitary Development Plan (2004) and Part 3 of the SPG require that the amenity, including the loss of privacy, light and outlook of occupiers of existing and proposed dwellings be safeguarded. However the relevant planning policies do not protect views across properties.

The property No. 9 Hillcrest Avenue has a protected kitchen window (obscure glazed) adjacent to the eastern flank wall of the dwelling at No. 10. The proposed two-storey side extension would not interrupt an upward plane angled at 45° from the lower edge of the glazed area of the kitchen window. The proposal would therefore comply with the Council's SPG and policy D5 of the Harrow UDP and would not result in an unreasonable loss of light to this protected kitchen window, and therefore address the reason for refusal under reference P/0990/08/DFU.

The proposed single storey rear extension is the same as that which has already been granted permission under reference P/2182/08. It would have a depth of 3.0 metres beyond the rear main wall of the dwelling, which would be approximately 3.25 metres beyond the rear main wall of No. 11 and 2.5 metres beyond the rear main wall of No. 9. In relation to No. 11 the rear extension would be set in 2.0 metres from the side boundary, which would comply with the two for one rule in the SPG. The height of the eaves on the boundary with No. 9 would exceed the maximum height of 3.0 metres in the SPG, but it is considered that the impact of this extra height of 25cm would be mitigated as the rear corner of No. 9 is set in 1.69 metres from the shared boundary. As well as this, the site circumstances are that the gardens slope away from the rear therefore any such extension at the rear would be likely to be slightly higher than 3.0 metres. The proposal would contain a window and set of doors facing the rear garden, these would primarily overlook the garden of the dwelling and therefore not cause any unreasonable impacts to the privacy of the neighbours.

The single storey side extension adjacent to No. 11 Hillcrest Avenue would be adjacent to the garage and therefore would not have any impact on the amenities of neighbouring occupiers.

The proposed extensions would have no flank windows. The proposed windows would look to the front and rear of the dwelling and therefore not cause any unreasonable impacts to the privacy of the neighbours.

In relation to potential amenity impacts of the proposal, it is considered that the proposal would not be likely to result in unreasonable impacts to the amenity of the surrounding neighbours, including privacy, overshadowing and loss of outlook and therefore refusal of the application on these grounds is not justified.

5) S17 Crime & Disorder Act

The proposal is not expected to have any impact in relation to this legislation.

6) Consultation Responses

Material planning concerns addressed in the report above. The following issues raised in objections are not material planning considerations: Inconsistency and double standards; the likely destruction of trees and pavements in the street; likely installation of a concrete front garden; precedent.

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.

32 - 32A STREATFIELD ROAD, HARROW **Item: 2/03**
P/3015/08/FOD
Ward QUEENSBURY

RETENTION OF DETACHED OUTBUILDING IN EACH REAR GARDEN OF 32 AND 32A STREATFIELD ROAD

Applicant: Mr Shailesh Teli
Agent: Mr A Modhwadia
Statutory Expiry Date: 14-NOV-08

RECOMMENDATION

Plan Nos: 1842-S/01, 02, 03

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

1 The outbuildings hereby permitted shall not be used for any other purpose other than for a purpose which is incidental to the enjoyment of the dwelling house.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality.

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:

Harrow Unitary Development Plan:

D4, D5

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area (D4, D5)
- 2) Residential Amenity (D5)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is reported to Committee at the request of a Nominated Member.

a) Summary

Statutory Return Type: Householder Development
Council Interest: None

b) Site Description

- The site features a two-storey semi-detached building on the southern side of Streatfield Road with hardstanding to the front of the property.
- The property is currently has recently been extended and is currently being internally re-arranged as a result of planning approval P/0187/07, which approved the extension of the dwelling and conversion to two flats.

c) Proposal Details

- Retention of outbuildings at the rear of the property, one sited half way down the garden on the western boundary, the other located on the southern boundary of the property, as follows;
- Outbuilding A, located on the western boundary (in the rear garden of No.32) is 2.55 metres in height, extends 4.85 metres southwards, 300mm from the western boundary and is 3.45 metres wide. It features a single white uPVC door and white uPVC windows on the southern and eastern elevations.
- Outbuilding B, located on the southern boundary (in the rear garden of No.32A) is 2.6 metres in height, 4.05 metres wide and 4.85 metres deep. It features a single white uPVC door and a window on the western elevation.
- The outbuildings are built on a raised concrete platform, approximately 200mm in height.
- The rear garden is enclosed by open fencing on the western boundary, open fencing and some vegetation on the eastern boundary and mature vegetation on the southern boundary.

d) Relevant History

P/0187/07/DFU	Two storey side to rear and single storey rear extension, conversion of dwelling house into two self contained flats	01-JUN-07 GRANT
P/1801/07/DDP	Submission of details of front garden hardsurfacing and planting pursuant to Condition 5 of planning permission P/0187/07/DFU	27-AUG-08 APPROVE

e) Pre-Application Discussion

- Applicant advised by Enforcement to apply for retention of the outbuildings described in this application

f) Applicant Statement

- None

g) Consultations

Advertisement: General Notification Expiry: 30-OCT-08

Notifications:

Sent: 5 Replies: 5 Expiry: 16-OCT-08

Summary of Responses:

The outbuildings would be used for residential purposes; would that the outbuildings would increase the chances of flooding; concrete buildings are not visually pleasing; objections to the amount of concrete used in the outbuildings and rear gardens; encroachment of a concrete path on the neighbouring land.

APPRAISAL

1) Character and Appearance of the Area

The outbuildings it is proposed to retain are to the rear of the property and are not visible from any public viewing points. Whilst it is acknowledged that the use of concrete garden sheds may not be consistent with the traditional garden shed associated with the semi-detached suburban dwelling house, it is considered that many of the dwellings in the locality and the borough now display outbuildings to the rear of the property of brick or block construction. The outbuildings are relatively modest in scale and only occupy approximately 12.5% of the area of the rear garden. As a result, it is considered that the outbuildings would respect the scale and character of the original dwelling house and that of the residential area in accordance with Policy D4 of the HUDP (2004).

2) Residential Amenity

It is acknowledged that outbuilding A is located 300mm from the boundary of the property to the west. However, the relatively modest scale of this element would mean that any overshadowing or overbearing impact of the rear garden of No.30 would be minimal. In any case overshadowing of the rear garden could not be considered sufficient reason for refusal. As the use of the outbuildings would be restricted to uses incidental to the enjoyment of the dwelling house, no overlooking of the neighbouring properties would occur. Outbuilding B would be located close to the eastern and southern boundaries. However, mature vegetation already obscures and overshadows much of the area the rear of the property. It is therefore considered that outbuilding B would not have any additional impact on the residential amenity of the neighbouring properties, in accordance with Policy D5 of the HUDP (2004).

3) S17 Crime & Disorder Act

It is considered that the proposed development would not have any adverse crime or safety concerns.

4) Consultation Responses

In relation to the objection to the proposal being used for residential purposes, on inspection of the site it was evident that the outbuildings may previously have been used for habitation. There is no current evidence of such use. It is suggested to attach a condition requiring the use of the outbuildings as incidental to the use of the dwelling house.

The outbuildings are not within a flood zone, nor are they built over a culverted watercourse. No comments have been received from the Council's Drainage Division in relation to this issue. Although the outbuildings are built on a concrete base and the outbuildings have increased the amount hard standing in the rear garden, any assessment that the outbuildings would increase the chances of flooding in the area would merely be conjecture and could not be substantiated. It is therefore considered that a refusal of the application on these grounds could not be upheld.

The aesthetic merits of the outbuildings have been assessed in the report above.

If encroachment onto neighbouring land has occurred, this is a civil matter beyond the remit of the planning Authority and should be dealt with within the provisions of the Party Wall etc. Act (1996)

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.

41 & 42 SOUTH PARADE, MOLLISON WAY, EDGWARE

Item: 2/04

P/3113/08/NR

Ward **EDGWARE**

USE OF PREMISES AS CHILDREN DAY CARE NURSERY (CLASS D1) WITH OUTDOOR PLAY AREA AND PARKING AT REAR.

Applicant: Ransals Ltd

Agent: Mr H Patel

Statutory Expiry Date: | 21-NOV-08

RECOMMENDATION

Plan Nos: PL01 Rev B; PL02 Rev B; Site Plan; Design and Access Statement

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 use hereby permitted shall not be open to customers outside the following times:-07.30 hours to 18.30 hours, Monday to Friday inclusive, and at no time on Sundays or Bank Holidays, without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

3 The premises shall be used for the purpose specified on the application and for no other purpose, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

REASON:

(a) To safeguard the amenity of neighbouring residents and the character of the locality.

(b) To safeguard the character and viability of the shopping parade.

(c) In the interests of highway safety.

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: 3A.24 Education Facilities

Harrow Unitary Development Plan:

C2 Provision of Social and Community Facilities

C3 Nursery Provision in Residential Premises and Areas

C17 Access to Leisure, Recreation, Community and Retail Facilities
D4 Standard of Design and Layout
EP25 Noise
T13 Parking Standards
Supplementary Planning Document: Access For All (2006)

2 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

3 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.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Community Services and Nursery Provision (3A.24) (C2, C3)
- 2) Character and Appearance (D4)
- 3) Residential Amenity (D4, EP25)
- 4) Traffic and Parking (T13)
- 5) Accessibility (C17, SPD)
- 6) S17 Crime & Disorder Act (D4)
- 7) Consultation Responses

INFORMATION

This application is reported to Committee because of a petition in objection from local residents.

a) Summary

Statutory Return Type: Change of Use
Council Interest: None

b) Site Description

- Three-storey terraced parade on the south side of Mollison Way, with commercial units on the ground floor and residential flats above.
- The application property is a ground floor double unit, currently occupied by a doctor's surgery, whilst the first and second floors of the building are a residential flat.
- The property has a single-storey rear extension with a depth of 10 metres and a hard surfaced parking area beyond, with space for 3 cars.
- The neighbouring property, No.40 South Parade is occupied by a delicatessen (A3), with a residential flat above.
- The neighbouring property to the west, No.43, is occupied by an estate agent's (A2), with a residential flat above.
- The remainder of the parade comprises a mixture of uses, including retail, restaurants and a public house.
- The residential dwellings on Lawrence Crescent are located to the rear of the property.
- To the rear of the property is a service road serving the parade and there is also a service road to the front of the property, providing parking for visitors to the parade.

c) Proposal Details

- Use of former doctor's surgery (D1) as children's day care nursery (D1).
- Provision of soft surfaced outdoor play area at rear, with 2.0 metre security fence/trellis.
- Provision of refuse storage area at rear, abutting service road.
- One car parking space at rear to be retained.

d) Relevant History

EAST/1006/99/FUL	Change of use: Class A1 to D1 (retail to doctors surgery) single storey rear extension and shopfront	GRANT 07-FEB-00
EAST/684/01/FUL	Single storey rear extension to doctor's surgery	GRANT 19-SEP-01

e) Pre Application Discussion

- None

f) Applicant Statement

- Design and Access Statement.

g) Consultations:

Site Notice: 14-OCT-08 Expiry: 04-NOV-08

Notifications:
Sent: 44 Replies: 3 Expiry: 27-OCT-08

Summary of Response:

One petition of 8 signatures in objection: Concerns over whether the proposal would result in a safe environment for children, traffic and parking concerns.

One letter and one petition of 15 signatures in support: Day nursery would be beneficial to the community, would be good to see something happen in this empty property, would add to the vibrant mixture of uses along the parade.

APPRAISAL

1) Community Services and Nursery Provision

UDP policy C2 states that the Council will seek the provision of new facilities in areas identified to be in need of such facilities or facilities required to meet the needs of particular communities. This policy sets out the main factors to consider in determining whether proposals for community facilities are acceptable. These include public transport accessibility, proximity to client groups, availability/suitability of alternative premises and suitability of premises for other related uses.

It is considered that the property is reasonably well served by public transport. Local buses pass along Mollison Way, immediately to the front of the premises and Queensbury Underground Station is a short walk away. Notwithstanding this, it is considered that the majority of children attending the nursery would live close to the property, many of whom are likely to arrive by foot. The applicant's Design and Access Statement states that there are 2 day care nurseries in the area, 2 miles from the application site, with one of these has recently closed and located further away. It would therefore seem that there is a need for this kind of community service in the area.

The proposal would result in the loss of a property in operation as a doctor's surgery, however it is noted that a property on North Parade has recently been granted planning permission for use as a doctor's surgery and the loss of a doctor's surgery is therefore not considered objectionable.

Although policy C3 only relates to changes of use of residential properties to nurseries, it is considered that the criteria relating to the provision of a safe environment for children is relevant to this application. The proposal involves the provision of a soft surface outdoor play area at the rear. Concerns have been raised by residents that this play area may not be a safe environment for the children visiting the nursery. It is considered that, provided the play area is staffed at all times, it would provide a safe environment for the children to play in. It is considered necessary to impose a condition requiring a 2.0 metre high close-boarded fence to be placed around the enclosure, in order to ensure that this area is secure. It is also considered that the front of the property would be adequate for the dropping off and picking up of children, in relation to their safety.

2) Character and Appearance

The proposal would result in very few external alterations to the property. It is considered that the proposed soft surfaced play area at the rear of the property would not be detrimental to the character of the property or the area. The proposed location of refuse bins at the rear of the property, adjacent to the service road, would be a satisfactory arrangement. The proposal is therefore considered to be acceptable in relation to policy D4.

3) Residential Amenity

There are a number of residential properties located close to the property, including flats above the parade. Mollison Way is a reasonably busy thoroughfare, and the occupants are likely to experience a high level of background noise as a result. The parade is also occupied by a variety of commercial uses. Given the location, it is considered that the proposed use would not result in a significant adverse impact on the amenity of the flats above the parade. The use of the property, including the use of the outdoor play area at the rear, would also be limited to during the day, as the proposal is to open between 07.30 and 18.30 Monday to Friday only. It is considered that this would be acceptable, subject to an appropriate condition restricting hours of use.

Residential dwellings are also located to the rear of the property, on Lawrence Crescent. The rear walls of these properties are located approximately 30 metres beyond the rear of the application site. This distance is considered adequate to ensure that no adverse amenity impacts occur as a result of the location of the outdoor play area. It is considered that the proposal would not have an adverse impact on the ability of the residents of these dwellings to enjoy their gardens.

4) Traffic and Parking

The applicant's Design and Access Statement states that the number of registered full time children would be 58. Given the nature of the use proposed, the drop off and pick up times are likely to be staggered throughout the day. The children would be dropped off and picked up from the front of the property, where parents can park in the front service road. It is considered that this front service road would provide an adequate pick up and drop off point to serve the proposed use. Given the staggered nature of the comings and goings, it is considered that the proposed use would not give rise to an unreasonable increase in traffic to the property, particularly given that the existing use is a substantial doctor's surgery. One parking space at the rear would staff parking and this is also considered adequate. The Council's Highways Engineer raises no objections and the proposal is therefore considered to be acceptable in this regard.

5) Accessibility

As the property was previously a doctor's surgery, it already has a ramped front entrance. The proposed internal alterations would result in adequate circulation space within the building, with all internal doors at least 800mm wide and corridors 1200mm wide. Disabled access would be provided throughout, including to the outdoor play area, and two accessible toilets would also be provided. It is therefore considered that the proposed use would meet the requirements of the SPD and would comply with policy C17.

6) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

7) Consultation Responses:

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

- N/A.

CONCLUSION

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

116 WHITCHURCH LANE, EDGWARE

Item: 2/05

P/3038/08/NR

Ward CANONS

FIRST FLOOR SIDE TO REAR EXTENSION; CONVERSION TO TWO FLATS;
EXTERNAL ALTERATIONS

Applicant: Mrs Mousari

Agent: D R Joyner

Statutory Expiry Date: | 30-OCT-08

RECOMMENDATION

Plan Nos: 4460 Issue 2; 4462 Issue 9; Design and Access Statement

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

REASON: To safeguard the appearance of the locality.

3 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 2 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

5 The development hereby permitted shall not be occupied or used until the forecourt parking space shown on the approved plans has been made available for use. The space shall be allocated and retained for use by the occupants of the ground floor flat only and shall be used for no other purpose without the prior written permission of the Local Planning Authority.

REASON: To ensure suitable parking provision for people with disabilities in association with the provision of 'Lifetime Homes Standards' housing.

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

REASON: to safeguard the appearance of the locality.

7 The development hereby permitted, as detailed in the submitted and approved drawings, shall be built to Lifetime Home Standards, and thereafter retained to those standards.

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

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:

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

T13 Parking Standards

H10 Maintenance and Improvement of Existing Housing Stock

Supplementary Planning Guidance: Extensions: A Householder Guide (2008)

Supplementary Planning Document: Accessible Homes (2006)

London Plan:

3A.1 Increasing London's Supply of Housing

3A.2 Borough Housing Targets

3A.3 Maximising the Potential of Sites

3A.4 Efficient Use of Stock

3A.5 Housing Choice

2 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

3 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.

4 INFORMATIVE:

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

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

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Conversions of Houses and Other Buildings to Flats (D4, H10, 3A.1, 3A.2, 3A.3, 3A.4)
- 2) Character and Appearance of the Area (D4, D5, D9, SPG)
- 3) Residential Amenity (D5, SPG)
- 4) Traffic and Parking (T13)
- 5) Accessible Homes (3A.5, SPD)
- 6) S17 Crime & Disorder Act (D4)
- 7) Consultation Responses

INFORMATION

This application is reported to the Committee at the request of a Nominated Member.

a) Summary

Statutory Return Type: Minor Dwellings
Lifetime Homes: 1
Council Interest: None

b) Site Description

- Two-storey semi-detached dwelling on the south side of Whitchurch Lane, occupying the south-western corner of the junction with Winton Gardens.
- The application property currently has single-storey front, side and rear extensions.
- The front garden of the property is currently predominantly hard surfaced with a vehicular access to the highway.
- The rear garden of the application property has a depth of approximately 15 metres.
- The adjoining property at No.114 has a single-storey rear extension abutting the rear extension on the application property.
- Whitchurch Lane is characterised by semi-detached housing, whilst Winton Gardens is comprised of two-storey purpose built blocks of flats.

c) Proposal Details

- First floor side extension over the existing side extension, with a sideways projection of 3.8, in line with the main front wall of the property.
- First floor rear extension over the existing rear extension, with a rearward projection of 3.2 metres, set 6.6 metres from the boundary with No.114 and 500mm from the flank wall of the proposed side extension.
- Conversion of the property into two self-contained two bedroom flats.
- Conversion of the existing garage into a habitable room to form part of the ground floor flat.
- The proposal is to provide a parking space for one car in the front garden, with soft landscaping occupying the rest of the frontage.
- Refuse storage will be provided within the rear garden of the property.
- Access to the property is via the original front door in the front elevation, with entrance doors to the proposed two flats provided internally.
- The existing garden will be divided into two to provide amenity space for both flats.

Revisions to previous refusal (ref P/0255/08):

- First floor rear extension set in 500mm from flank wall of first floor side extension.
- Forecourt car parking reduced from two spaces to one, with soft landscaping proposed on the rest of the front garden.
- Proposed flats reduced from one 3 bedroom flat and one 2 bedroom flat, to two 2 bedroom flats.
- Ground floor flat now complies with Lifetime Homes Standards.

d) Relevant History

EAST/44447/92/FUL	Single storey rear, two storey side and single storey front extension	GRANTED 21-APR-92
P/3013/07/DCP	Certificate: first floor extension over existing side extension as previously approved ref: LBH/44447/92/FUL on 21/04/92	REFUSED 19-DEC-07
P/0255/08/DFU	First floor side to rear extension, conversion to two flats	REFUSED 12-MAR-08

Reasons for Refusal:

- 1) The proposed extension, by reason of excessive bulk, prominent siting and unsatisfactory design, would be unduly overbearing and obtrusive in the street scene and would be detrimental to the appearance of the dwelling and the character and appearance of the locality, contrary to policy D4 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance: Extensions: A Householders' Guide (2003).
- 2) The proposed parking arrangement on the forecourt, with no scope for soft landscaping would be visually obtrusive, provide an unsatisfactory car parking layout and detract from the character and appearance of the property, the area and the amenities of the future occupiers of the site, contrary to policies D4, D9 and T13 of the Harrow Unitary Development Plan (2004).
- 3) The proposal would give rise to an over intensive use of the site by reason of the excessive size of the proposed flats, which would result in an unreasonable increase on residential activity and associated disturbance, to the detriment of the amenity of neighbouring occupiers and the character of the area, contrary to policies D4 and EP25 of the Harrow Unitary Development Plan (2004).
- 4) The proposed development would not be fully accessible and would fail to make adequate provision for people with disabilities, contrary to policy 3A.5 of the London Plan (2004) (amended February 2008) and Supplementary Planning Document - Accessible Homes (2006).

e) Pre Application Discussion

None

f) Applicant Statement

Design and Access Statement

g) Consultations:

Site Notice: 16-SEP-08 Expiry: 07-OCT-08

Notifications:

Sent: 12 Replies: 0 Expiry: 16-OCT-08

Summary of Response:

None received.

APPRAISAL

1) Conversions of Houses and Other Buildings to Flats

The proposal is to convert the property into two self-contained flats. Both flats would incorporate two bedrooms. Both flats would have access to adequate areas of rear amenity space, with some 72m² proposed for the ground floor flat and 86m² for the first floor flat. It is considered that adequate amenity space would be provided for the occupiers of the proposed flats.

The proposed internal arrangements meet the provisions of the Environmental Health Standards. All room sizes satisfying the minimum space standards and being arranged sympathetically to avoid any issues of stacking.

2) Character and Appearance of the Area

The proposed first floor side extension would project out to the side up to the width of the existing single-storey side extension with no 1.0 metre set back at front. However, paragraph B.11A of the Council's SPG on householder extensions allows this situation where there is a variation in building line and at least 1.0 metre to the flank boundary. The extension would be sited some 3.0 metres from the side boundary with Winton Gardens and would therefore not be overly prominent in the street scene and would be in keeping with the original property in terms of scale. Similar extensions exist along Whitchurch Lane and it is considered that, given that the space around the building would be maintained, the proposed extension would have an acceptable street scene impact.

The first floor rear extension would be set in 500mm from the flank wall of the proposed side extension, as per SPG requirements. This would result in an extension that is subordinate to the side extension and, given the proposed depth of 3.2 metres and width of 3.5 metres, it would be a modest feature in relation to the scale of the property. The proposed extensions are therefore considered to comply with Policy D4.

The proposal incorporates refuse storage within the rear garden areas. Given the proposed two units on site, there are likely to be a minimum of six refuse bins and these can be accommodated within enclosures in the rear gardens of the flats, with access down the side of the property to enable the bins to be brought out on collection day.

The proposal is to provide one hard surfaced parking space in the front garden, with associated soft landscaping. It is considered that there would be adequate space in the front garden to provide the necessary soft landscaping required to comply with policy D9, subject to a condition requiring the details of landscaping to be approved prior to the commencement of the development.

3) Residential Amenity

The proposed first floor side extension would be sited some 23 metres from the nearest residential properties at Nos.118 and 120 Whitchurch Lane and would therefore not have an adverse amenity impact on the occupiers of neighbouring residential properties. The proposed first floor rear extension would comfortably comply with the 45 degree code from the adjoining property at No.114 and would therefore be acceptable.

As discussed above, it is considered that the proposed conversion would provide adequate accommodation for the future occupiers. It is also considered that the change from one dwelling to two 2 bedroom flats, would not result in an unacceptable increase in intensity of use and no adverse amenity impacts are therefore expected to occur as a result of the proposal.

4) Traffic and Parking

The Council's UDP sets maximum car parking standards and as such there is no minimum. The proposed situation onsite would allow for one off-street parking space in the front garden. This part of Whitchurch Lane is subject to localised parking restrictions and the Council's Highways Engineer has suggested that the scheme would be acceptable. The property is within walking distance of Canons Park Underground Station and local bus services and the area is therefore reasonably well served by public transport.

5) Accessible Homes

Since September 2007 the Council's UDP has been replaced with London Plan Policy 3A.5 which requires all new homes to be designed and built to Lifetime Homes Standards. As this is a conversion, compliance with Lifetime Homes Standards is not required, however, as a disabled parking space is provided, it is considered that the ground floor flat should comply with the SPD.

The proposed ground floor flat complies with all 16 points of the Lifetime Homes Standards and the proposal is therefore considered acceptable in this regard.

6) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

7) Consultation Responses:

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

- N/A.

CONCLUSION

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

**LAND AT REAR OF LAUREL COTTAGE, P/2724/08/SB5
CHURCH LANE, PINNER**

Ward PINNER

OUTLINE APPLICATION: (ALL MATTERS RESERVED) SINGLE AND TWO STOREY
DETACHED DWELLING HOUSE WITH ACCOMODATION IN ROOFSPACE;
INTEGRAL GARAGE AND OFF STREET PARKING

Applicant: Mr Michael Potts
Agent: Mr Garry Burgess
Statutory Expiry Date: | 16-OCT-08

RECOMMENDATION

Plan Nos: Indicative drawings:- GG/01; 02; 03; Design and Access Statement

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

1 Application for the approval of the reserved matters shall be made to the local planning authority before the expiration of 3 years from the date of this permission. The development hereby permitted shall commence before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

REASON: To comply with the provisions of Section 92 of the Town & Country Planning Act 1990.

2 Approval of the details shown below (the "reserved matters") shall be obtained from the local planning authority in writing before any development is commenced:

- (a) layout
- (b) scale
- (c) appearance
- (d) access
- (e) landscaping

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3 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 completed in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance of the locality.

4 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 which would otherwise fall within Classes A, B, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out without the prior written permission of the local planning authority.

REASON: To safeguard the character of the area by restricting the amount of site coverage and size of dwelling in relation to the size of the plot and availability of:

a: amenity space

b: parking space

and to safeguard the amenity of neighbouring residents.

5 The dwellinghouse hereby approved shall be built to Lifetime Home Standards, and thereafter retained to those standards.

REASON: To ensure provision of 'Lifetime Home' / Wheelchair' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

6 No demolition or site works in connection with the development hereby permitted shall commence before:-

(a) the frontage.

(b) the boundary.

of the site is enclosed by a close boarded fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety.

7 The development hereby permitted shall not commence until a scheme for:-

(a) The storage and disposal of refuse/waste

(b) and vehicular access thereto

has been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure adequate standards of hygiene and refuse/waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties.

8 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site, in accordance with details to submitted to, and approved in writing by, the Local Planning Authority.

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

(Please note: guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>).

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding.

9 The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided.

10 Development of any buildings hereby permitted shall not be commenced until surface water drainage works have been carried out in accordance with details to submitted to and approved in writing by the Local Planning Authority. Prior to submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system (SuDs) in accordance with the principles of sustainable drainage systems set out in Appendix E of PPG25, and the results of the assessment shall be provided to the Local Planning Authority with the details. Where a SuDs scheme is to be implemented, the submitted details shall:

- a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters; and
- b) specify the responsibilities of each party for the implementation of the SuDs scheme, together with a timetable for that implementation; and
- c) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details.

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding.

11 The development of any buildings hereby permitted shall not be commenced until surface water attenuation/storage works have been provided in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained.

REASON: To prevent the increased risk of flooding.

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:

3A.1: Increasing London's supply of housing

3A.2: Borough housing targets

3A.4: Efficient use of stock

3A.5: Housing choice

Planning Policy Statement 3: Housing

Supplementary Planning Guidance, Extensions; A Householders Guide (2008)

Supplementary Planning Guidance, Designing New Development (2003)

Supplementary Planning Document 'Accessible Homes'" (2006)

Supplementary Planning Document 'Access for All'" (2006)

Harrow Unitary Development Plan:

- D4 The Standard of Design and Layout
- D5 New Residential Development - Amenity Space and Privacy
- D9 Streetside Greenness and Forecourt Greenery
- D10 Trees and New Development
- D14 Conservation Areas
- D15 Extensions and Alterations in Conservation Areas
- D20 Sites of Archaeological Importance
- D21 Sites of Archaeological Importance
- D22 Sites of Archaeological Importance
- H10 Maintenance and Improvement to Existing Housing Stock
- T13 Parking Standards

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:

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

4 INFORMATIVE:

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

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
- Beginning development in breach of a planning condition will invalidate your planning permission.

- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area and Impact on Conservation Area (D4, D9, D14, D15, SPG)
- 2) Residential Amenity (D4, D5, SPG)
- 3) Parking Standards (T13)
- 4) Accessibility (London Plan 3A.5, SPD)
- 5) Trees (D10)
- 6) Archaeological Importance (D20, D21, D22)
- 7) Housing Provision and Housing Need (H10, London Plan: 3A.1, 3A.2, 3A.4, 3A.5)
- 8) S17 Crime & Disorder Act (D4)
- 9) Consultation Responses

INFORMATION

This application is reported to Committee as a petition containing 14 signatures objecting to the proposal has been received.

a) Summary

Statutory Return Type:	Minor Dwellings
Conservation Area:	Adjacent to Pinner High Street
Car Parking	Standard 1.8
	Justified 2
	Provided 2
Lifetime Homes:	One
Council Interest:	None

b) Site Description

- Application site forms part of the rear garden of Laurel Cottage, the rear boundary to which fronts Grange Gardens;
- There is an existing vehicle access from Grange Gardens that serves the existing detached garage located in the rear garden;
- Grange Gardens is characterised by residential development, predominately 2 storey high, varying in character, built form and appearance;
- Adjacent neighbouring plots nos.7 and 11 Grange Gardens form part of an infill development comprising of detached dwellinghouses that were built in the 1980's;
- Neighbouring dwelling no.7 is a detached bungalow with a two storey element located on the southern side (nearest to the subject site);
- Neighbouring dwelling no.11 is a two storey detached dwelling with a single storey rear projection;
- This part of Pinner falls within a controlled parking zone;
- Application site falls within an area of archaeological importance.

c) Proposal Details

- Outline application with all matters reserved;
- Illustrative layout indicates redevelopment of the land to the rear of Laurel Cottage to provide a single and two storey detached, 4/5 bedroom dwelling house, with vehicular access from Grange Gardens.

Revisions to Previous Application:

- N/A

d) Relevant History

- None

e) Pre-Application Discussion

- None

f) Applicant Statement

- Please refer to the Design and Access Statement

g) Consultations

CAAC: The principle of development here is accepted but the scale proposed is too great for the plot. Proposals would be on rising ground next to a bungalow making the new build very noticeable. There is not enough information to comment any further.

The Pinner Association: no comments received

English Heritage: The site is sufficiently far from the scheduled ancient monument, there are no concerns about this application and therefore offer no advice or comment;

Drainage and Engineering: No objections subject to standard conditions attached

Highways Engineer: No objection

Advertisement: | Character of Conservation Area | Expiry: 18-SEP-08

Notifications:

Sent: 20

Replies: 13

Expiry: 11-SEP-08

+ 1 petition with 14 signatures

Summary of Responses:

- Proposal would be out of character with existing properties in Grange Gardens;
- Loss of amenity due to the bulk of the proposed building, which would be at odds with the bungalow next door no.7;
- Will infringe the 45 degree code;
- Would lead to overdevelopment of the site;
- Will cause traffic congestion;
- Exacerbate existing parking problems;
- Loss of trees;
- Detrimental impact on views from Church Lane;
- Cause loss of privacy;

APPRAISAL

1) Character and Appearance of the Area and Impact on Conservation Area

This proposal is for an outline application with all matters reserved. The surrounding area is predominately characterised by two-storey dwelling houses, varying in character and appearance. The building lines also vary and are staggered to follow the shape of the highway. The application site forms part of the rear garden of Laurel Cottage, which is sited in between two plots, that have already been developed on. In the context of the established pattern of development, along Grange Gardens, the principle of a two-storey dwelling house in this location is considered to be acceptable. The proposal would continue the building line at this point and enhance the streetscene. It would not affect the conservation area.

2) Residential Amenity

Scale and Layout are reserved matters and therefore the detailed impact on residential amenity would form part of the considerations in the submission of the approval of these reserved matters. Notwithstanding this, it is noted that the rear corner of the proposed property shown on the indicative layout of the proposal would intercept the 45° line taken from the nearest first floor rear corner of the neighbouring dwelling at no.11. It is considered that as layout is a reserved matter, this can be dealt with accordingly at the stage of the approval of details, and as such a refusal on this basis is not justified. The facing flank windows of both neighbouring dwellings nos.7 and 11 are not considered to be protected for the purposes of Council's guidelines and accordingly would not warrant refusal.

3) Parking Standards

The submitted Design and Access statement indicates that the overall design would incorporate an integral garage with a vehicular hardstanding in front of the new garage and therefore the proposal would have provision for two off street parking spaces. The layout of the parking spaces would form part of the consideration in the submission of the approval of the reserved matters. The Council's Highways Engineer has raised no objections against the development and therefore the indicative parking provision is considered to be acceptable.

4) Accessibility

The applicants Design and Access statement contends that the final proposals when submitted for full town planning approval would be designed to comply with Lifetime Homes standards.

5) Trees

The site is overgrown with small to medium sized Hazel, ornamental Apple, Elderberry and Cypress trees. The site is not subject to a Tree Preservation Order and the trees on the site have a 'C' retention grade and as such do not represent a material constraint for the proposed development.

6) Archaeological Importance

The proposal would be sufficiently sited away from the ancient scheduled monument and it would therefore not have any material impact.

7) Housing Provision and Housing Need

The proposal would be in accordance with the objectives set out in the London Plan and the Council's UDP policies to increase housing supply in the borough.

8) S17 Crime & Disorder Act

The proposed development is not considered to have a material impact upon community protection.

9) Consultation Responses

Dealt with above.

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.

LAND ADJACENT TO 1 MAY TREE LANE, STANMORE

Item: 2/07

P/3007/08/GC

Ward: STANMORE PARK

DETAILS OF APPEARANCE, LANDSCAPING AND SCALE PURSUANT TO CONDITION 2 OF OUTLINE PLANNING PERMISSION P/1897/05DOU GRANTED 14/09/05 FOR ERECTION OF SINGLE/TWO STOREY DETACHED HOUSE.

AGENT: Dusek Design Associates Ltd – Mr. Phillip Dusek

APPLICANT: Shield Homes Limited

Statutory Expiry Date: 27-OCT-08

RECOMMENDATION

Plan Nos: 1070/P/1 Rev D, 2 Rev B, Design and Access Statement

APPROVE the details for the development described in the application and submitted plans, subject to the following condition(s):

1 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 completed in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance of the locality.

2 No demolition or site works in connection with the development hereby permitted shall commence before:-

(a) the frontage.

(b) the boundary.

of the site is enclosed by a close boarded fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety.

3 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site, in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

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

(Please note: guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>).

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding.

4 The development shall not be carried out except in complete accordance with the approved plans.

REASON : To ensure a satisfactory form of development.

INFORMATIVES

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

1 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:

Harrow Unitary Development Plan:

D4, D5, D9, SPG - Extensions : A Householders Guide (2008)

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:

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

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1) Scale and Character and Appearance of the Area (D4, D5 & SPG)
- 2) Residential Amenity (D4, D5 & SPG)
- 3) Landscaping (D4 & D9)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Minor Dwellings

Council Interest: None

b) Site Description

- Subject site is on the south side of Woodward Gardens.
- The 470m² plot is created by the subdivision of the large garden belonging to 'Linksway' on Maytree Lane
- 'Linksway' has independent access from Maytree Lane
- Woodward Gardens currently comprises 5 detached dwellings under LBH/25903 and a recently built detached dwelling opposite the site to the rear 77 Gordon Avenue (granted planning permission under P/3016/04/DFU)
- A 2.2m high 'evergreen' hedge bounds the site.

c) Proposal Details

- Approval of reserved matters (scale of the buildings, appearance of the buildings and landscaping of the site) to Outline permission P/1897/05/DOU.
- Two storey house proposed with single storey front projection containing single garage.
- Brick elevations with contrasting brick features and timber boarding proposed.
- Tile roof with hipped ends and front gable feature shown.
- Garage and adjacent parking space proposed.

d) Relevant History

LBH/25902	Four detached houses with garages and access road	GRANTED 23-JAN-85
LBH/25903	Six detached houses with garages and access road	GRANTED 23-JAN-85
P/3364/04/DOU	Outline: Single and two storey detached house with access to Woodward Gardens	REFUSED 24-FEB-05

Reason for Refusal:

The single storey element of the proposed new detached house, by reason of excessive forward projection, would not respect the existing building line or pattern of development and would appear incongruous and obtrusive in the streetscene, to the detriment of the established character of the area, and the visual amenities of the adjacent occupiers.

P/1897/05/DOU	Outline: Single and two storey detached house with access to Woodward Gardens (siting and means of access determined)	GRANTED 14-SEP-05
---------------	---	----------------------

e) Pre-Application Discussion

- None

f) Applicant Statement

- Design and Access Statement

g) Consultations

Highways Engineer: No objection
Landscape Architect:

Notifications:

Sent: 11

Replies: 10 and 1 petition Expiry: 29-OCT-08
with 11 signatures

Summary of Responses:

- Residents of Woodward Gardens were not notified of the decision to grant Outline Planning Permission on 14 September 2005.
- Site circumstances in Woodward Gardens have materially changed since the granting of Outline Planning Permission in 2005 and as a result the development would now have a greater impact on the area.
- Overdevelopment of the site and overcrowding of Woodward Gardens.
- Overshadowing of 2 Woodward Gardens.
- Two access points proposed would be detrimental to other properties on Woodward Gardens in terms of access, parking and dangerous blind spots placing children at risk.
- The addition of another house in Woodward Gardens bring an increase in traffic and reduce parking, further restricting already difficult access and vehicle manoeuvring conditions.
- The garage and single storey element of the development would project forward significantly beyond the established building line and would be incongruous and obtrusive in the streetscene to the detriment of the established character of the area and amenity of adjacent occupiers. This was a reason for refusal of the previous application.
- The ridge height of the new dwelling is significantly higher than that of adjacent properties, and would not be in keeping with the design and scale of existing properties in Woodward Gardens.
- The existing dwellings in Woodward Gardens are all predominantly rectangular in shape and larger in size with substantially wider front aspects. The proposed dwelling indicate a narrower building that is not in keeping with the character of existing homes on Woodward Gardens.
- Construction will create congestion, noise pollution and the surrounding greenery and wildlife will be disturbed.

APPRAISAL

1) Scale and Character and Appearance of the Area

The proposed siting of the dwellinghouse and its means of access comply with those aspects which were determined as part of the outline planning permission. Issues relating to the outstanding reserved matters of appearance, landscaping and scale are discussed in this report.

Woodward Gardens is a small close comprising five existing detached dwellings constructed during the late 1980's, with a new dwelling located opposite the site that was granted planning permission in 2004. The existing dwellings are all built in a similar mock Tudor style with gabled roofs. The proposed dwelling has a similar mock Tudor style appearance but differs from the existing dwellings by utilising a hipped roof. While it is accepted that the roof form of a dwelling is important in ensuring that the character of an area is maintained, it is considered that the different roof form proposed for the new dwelling would not have a detrimental impact on the character of the area and the streetscene.

The application site has a smaller width than the existing properties in Woodward Gardens. As such the property and proposed dwelling would have a narrower front aspect when viewed from the street. The general shape and appearance of the dwelling is similar to the existing dwellings in Woodward Gardens with a front projection with hipped end, timber windows and doors, and a rendered finish with vertical tile beams. It is considered that given the narrow nature of the property the hipped roof relates more favourably to the site and would have an acceptable appearance without having a detrimental impact on the streetscene.

2) Residential Amenity

The proposed house complies with the 45° code and related guidance in relation to neighbouring properties. The proposed dwelling is sited 1m from the boundary with No.2 Woodward Gardens, with the dwelling at No.2 being a further 1m in from the boundary, thereby giving a 2m separation distance between the two dwellings. This would satisfactorily safeguard the detached character of these houses, and given the proximity of the two dwellings it is considered that the proposed hipped roof would have less impact on the amenity of the occupiers to No.2 than a gabled roof.

3) Landscaping

The application site is currently occupied by a large lawn space bounded by an existing cypress hedge. The proposal provides dual accesses onto Woodward Gardens and a substantial hard surfaced area for vehicle manoeuvring and an off street parking space. The provision of this level of hard surfacing is similar to the existing hard surfacing to the front of the existing dwellings in Woodward Gardens and is considered to have no unreasonable impact on the character and appearance of the area.

Furthermore, a reasonable section of the hedge is to remain at the front of the property in between the two accesses and along the boundary with No.2 Woodward Gardens. A new hedge is proposed along the boundary with No.1 May Tree Lane and two new trees and an area of shrub planting are proposed to the front of the property. It is considered that overall a reasonable level of landscaping has been provided to maintain the present character and appearance of the area and ensure the proposal would not have a detrimental impact visual amenity.

The Council's Landscape Architect has been consulted and has no objections to the proposed landscaping scheme and the development is therefore considered acceptable in this regard.

4) S17 Crime & Disorder Act

It is not deemed that this application would have any detrimental impact upon community safety and is therefore acceptable in this regard.

5) Consultation Responses

- Approval was granted under outline application P/1897/05/DOU for the siting of a two storey detached dwelling and access on to Woodward Gardens. This application is for the approval of the reserved matters of the outline permission, which relate to the scale, appearance and landscaping of the development. Issues raised in the consultation responses that relate to the siting of the dwelling and access are not the remit of this application and therefore have not been considered as part of this appraisal.
- Other issues discussed in report.

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.

53 BRANCKER ROAD, HARROW

Item: 2/08

P/2713/08/GC

Ward KENTON EAST

SINGLE/TWO STOREY SIDE AND REAR EXTENSIONS

Applicant: Mr M Hirani

Agent: K Sisodia

Statutory Expiry Date: | 30-SEP-08

RECOMMENDATION

Plan Nos: KS/01/07 Rev C (received 30/09/2008), Site Plan

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

REASON: To safeguard the appearance of the locality.

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

REASON: To safeguard the amenity of neighbouring residents.

4 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 window(s)/door(s) shall be installed in the flank wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION -
HOUSEHOLDER APPLICATION:

The decision to grant planning permission has been taken having regard to the policies and proposals in 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:

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

T13

Supplementary Planning Guidance: Extensions: A Householders' Guide (March 2008)

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:

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

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area (D4 & SPG)
- 2) Residential Amenity (D4, D5 & SPG)
- 3) Parking (T13)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

This application is reported to Committee as a petition of objection has been received. It was deferred from the meeting of 19th November 2008 for a Member Site Visit on 13th December 2008.

a) Summary

Statutory Return Type: Householder

Council Interest: None

b) Site Description

- Two storey, end of terrace dwelling located on the eastern side of Brancker Road.
- The property has an existing single storey rear extension, an existing single storey front porch extension and an attached garage to the side, abutting the flank boundary shared with No.51.
- The adjacent property at No. 51 has an existing single storey rear extension and a detached garage abutting the flank boundary with No.53.
- The adjacent property at No.55 has an existing single storey rear extension.

c) Proposal Details

- Single storey side extension to a width of 3m and a depth of 1m with a mono-pitched roof over, linking into the front of the proposed two storey side extension.
- Two storey side extension to a width of 3m abutting the boundary with No.51, and projecting to a depth of 5.65m, linking into the rear aspect of the proposal, and with a subordinate pitched roof over.
- Two storey rear extension projecting to a depth of 2m, a width of 4m abutting the boundary with No.51 and with a pitched roof over.
- Single storey rear extension to a height of 3m with a flat roof over.
- The single storey rear extension would project to a depth of 4m for a width of 5.8m from the boundary with No.51, at which point the rear building line would be stepped in to project 3m in depth for a width of 3.05m from the boundary with No.55.

Revisions to Previous Application:

Following the previous decision (P/1252/08/DFU) the following amendments have been made:

- The proposed single storey front extension has been deleted.
- The proposed two storey side extension has been set back from the main front wall of the dwelling by 1m with a single storey side extension occupying the space between the main front wall of the dwelling and the two storey side extension.
- The depth and the width of the two storey rear extension have been reduced.
- The depth of the single storey rear extension abutting the boundary with No.51 has been reduced by 0.8m.

d) Relevant History

P/1252/08/DFU	Single storey front and rear, two storey side to rear extensions	REFUSED 18-JUN-08
---------------	--	----------------------

Reasons for Refusal:

The proposed extensions, by reason of their siting, excessive scale and bulk, and forward and rearward projection, would be unduly dominant, obtrusive and overbearing, to the detriment of the visual and residential amenities of the occupiers of the adjoining properties and the character and appearance of the property and the area, contrary to Policies D4 and D5 of the Harrow Unitary Development Plan (2004) and the provisions of Supplementary Planning Guidance 'Extensions: A Householders Guide' (2008).

e) Pre-Application Discussion

- None

f) Applicant Statement

- None

g) Consultations

- None

Notifications:

Sent: 8

Replies: 1 petition with 6
signatures

Expiry: 04-SEP-08

Summary of Responses:

The property is rented out and is likely to be made into 6 bedrooms rather than the 4 proposed on the plans, with more need for car parking, but less car parking available, further worsening an already problematic overcrowded parking and traffic congestion situation. Vehicles associated with the construction will clog up roads and driveways which is unsafe and dangerous for emergency services. Tenants have no or little consideration for families in the area. Skips and rubbish associated with these rebuilds affects everyone within 4-5 houses on either side with wind blown rubbish and construction noise 7 days a week and blocking driveways, restricting access to property.

APPRAISAL

1) Character and Appearance of the Area

The front wall of the proposed single storey side extension would continue the line of the front wall of the existing dwelling and would run to a depth of 1m with a monopitched roof over, linking into the proposed two storey side extension. The extension would include a window in the front elevation in place of the garage door of the existing detached garage. This element of the proposal is considered to have no detrimental impact on the character and appearance of the dwelling and the street scene.

Council's SPG states that two storey side extensions attached to end of terrace properties are normally acceptable without a set-back or subordinate roof as a reflection of the established character of the dwelling. As such, the 1m setback of the proposed two storey side extension and the subordinate pitched roof over are considered to have no detrimental impact on the street scene or the existing dwelling and are acceptable in terms of appearance.

The proposed two-storey rear extension would have a subordinate pitched roof over and with a width of 4m and a depth of 2m, this element of the proposal is considered sufficiently subordinate in size to respect the original dwelling and would not be considered excessively bulky in appearance.

The single storey rear element of the proposal is of a standard design and is considered to have no detrimental impact in terms of the character and appearance of the original dwelling and the locality.

2) Residential Amenity

There is one window at first floor level in the flank wall of No.51. This window serves a staircase so is therefore not a protected window, and being set away 3.25m from the flank boundary, would not suffer an unreasonable loss of light as a result of the proposed two storey side extension.

The proposed single storey rear extension would project 4m beyond the rear wall of both No.51. However, No.51 has an existing attached garage sited along the boundary shared with No.53.

This garage projects 4.7m beyond the rear main wall of the dwelling. The rear wall of the proposed single storey rear extension at No.53 would project no further than the rear wall of the garage on No.51, and as such would not result in an unreasonable impact on the amenities of the occupiers of No.51.

The single storey rear extension would project 3m beyond the rear main wall of the adjacent property at No.53. This would be 600mm more than the 2.4m suggested by the Council's SPG for single storey rear extensions on terraced dwellings, however, the extension would match the depth of the existing single storey rear extension at No.55 and is therefore considered to have no detrimental impact on the amenities of the occupiers of No.55. Furthermore, the building line of the rear wall of the proposed single storey rear extension would be stepped out to a depth of 4m at a point 3.05m off the flank boundary with No.55, thereby complying with the '2 for 1' rule under paragraph C.5 of the SPG.

The proposed two-storey rear extension would project 2m beyond the rear main wall of adjacent dwellings. The extension would not interrupt the 45° horizontal splay from either of the adjacent properties. Although the extension would abut the flank boundary with No.51 with which it is sited directly south of, there would be a separation distance of 3.1m between the extension and the adjacent dwelling. Given the separation distance and the relatively shallow depth of the extension, this element of the proposal would not be obtrusive and overbearing and is not considered to have an unreasonable impact on the visual or residential amenities of the occupiers of No.51.

3) Parking

The proposal would result in the existing garage being replaced by a habitable room in the new side extension. As a result, off street parking would need to be provided within the hardsurfaced front garden of the site. The proposal would allow for a hardsurfaced forecourt area 5m in depth from the front wall of the dwelling to the back of the footpath, and a width of 9m. It is considered that there is adequate space for a car to be parked in a front to back arrangement in front of the dwelling without encroaching on the public footpath.

It is considered that the loss of the garage would not have a detrimental impact on parking, as adequate parking provision for the development would remain on site.

4) S17 Crime & Disorder Act

It is considered that the design of the development would not lead to an increase in perceived or actual threat of crime.

5) Consultation Responses

While the consultation responses suggest that the dwelling may eventually be used as a 6 bedroom dwelling, this application shows a four bedroom single-family dwellinghouse only. The issue of car parking has been dealt with in the report above.

The issues of negligent refuse storage and construction impacts are not material planning considerations and therefore have not been considered as part of this appraisal.

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.

347-349 STATION ROAD, HARROW

Item: 2/09

P/2444/08/LM

Ward GREENHILL

CHANGE OF USE FROM BANK (USE CLASS A2) TO ADULT GAMING CENTRE (SUI GENERIS)

Applicant: Mr Amarjit Mann

Agent: Mr Robert Gillard

Statutory Expiry Date: | 07-OCT-08

RECOMMENDATION

Plan Nos: AB-HAR-347-001A and AB-HAR-347-002A and Design and Access Statement

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 use hereby permitted shall not be open to customers outside the following times:-

(a) 10.00 hours to 22.00 hours, Monday to Saturday inclusive,

(b) 10.00 hours to 18.00 hours on Sundays,

without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

3 The window glass of the existing shopfront shall not be painted or otherwise obscured, and the shopfront shall contain a window display, details of which, including lighting, shall be submitted to and approved by the Local Planning Authority before commencement of the use hereby permitted. The display shall be installed as approved, and retained in that form thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the unit does not detract from the vitality of the shopping centre by its appearance in the street scene.

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:

Harrow Unitary Development Plan:

D4, D5, D7, D12, EM16, EM26, T13)

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

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

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Amenity and Change of Use (D4, D5, D7 and EM16, EM26)
- 2) Character and Appearance and Design of Listed Building (D12)
- 3) Traffic and Parking (T13)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

This application is reported to the Committee at the request of a Nominated Member.

This application was considered at the Development Committee Meeting on the 19th of November 2008 where the Committee resolved to defer the application at the Office's request for further consideration and to await a further consultation response.

a) Summary

Statutory Return Type: Change of Use
Building Status: Locally Listed Building
Council Interest: None

b) Site Description

- Use would consist primarily for amusement with prize machines (fruit machines).
- The site is located in the Harrow Metropolitan Town Centre within a secondary shopping frontage
- Three-storey building on the western side of Station Road and a locally listed building
- Ground floor of No. 347 is currently vacant, but was last used as a bank (Class A2 use).

- In the immediate vicinity of the subject site the ground floor commercial uses are predominately a mixture of classes A1 (shops), A2 (financial and professional services) and A3 (cafes and restaurants). There also include an A4 (pubs and bars) use.
- An adult gaming centre is located at 8 St Anns Road (Primary Shopping Frontage) allowed on appeal and 259 Station Road (Secondary Shopping Frontage)

c) Proposal Details

- The proposal would involve the change of use from Class A2 (Bank) to Sui Generis (Adult Gaming Centre)
- There would be no external alterations except for two retail window displays which would be created on either side of the central access.
- Opening hours proposed for Mon – Sat 1000 hours until 2200 hours; Sunday and Bank Holidays 1000 hours until 1800 hours.
- The use would consist primarily of fruit machines.

d) Relevant History

LBH/42109	Change of Use from retail (Class A1) to financial and/professional services (Class A2)	GRANT 07-FEB-91
-----------	--	--------------------

f) Applicant Statement

- Building currently vacant and no serious offers within last year
- Essential that this facility is located in reasonably good pedestrian flows in shopping centres
- Used by shoppers in course of shopping trip
- Premises to be soundproofed and rated for persons over-18 only
- Would not affect the vitality and viability of town centre and would function and bring in shoppers in much same way as retail may
- 8 appeal decision allowed for similar uses are referred to

g) Consultations

- **Crime Prevention Design Advisor (Harrow Police)** – There are stringent security requirements around licensed premises in Harrow, which include CCTV, intruder/panic alarms, gaming machine security and physical security of buildings. These will be addressed by the Licensing Authority and Metropolitan Police at that stage. Other than that, I have no further comments about the proposal.
- **Highways Engineer** – No Objection

Notifications:

Sent: 26

Replies: 2

Expiry: 05-SEP-08

Summary of Responses:

- Harrow already has a number of premises and plenty of floor space dedicated to adult gaming in St Anns Road and on Station Road
- Additional gaming premises will not attract families, new shoppers or visitors to the town centre
- There needs to be more diversity in Harrow town centre rather than more of what is there already. These premises should be used for other purposes which would be useful to residents and which might attract other shoppers to Harrow e.g. butcher, pet shop, specialist food, sports goods etc.
- Introduction of this use would exceed the 50% frontage permitted within a Secondary Frontage under Policy EM17 within the HUDP.
- Change of use would create a harmful concentration of non retail uses contravening Policy EM17
- Gaming centre would be in close proximity to Harrow Baptist Church and would contravene Policy EM26 that states such uses should not be located near religious buildings.
- Façade would not be in keeping with character of surrounding retail area.

APPRAISAL

1) Amenity and Change of Use

The use of the subject commercial unit is currently classified as Class A2 and although currently vacant, was a Bank. The proposed change would be to a Sui Generis use, an adult gaming arcade. The proposal would not therefore result in any loss of retail floor space.

Policy EM26 states that amusement centres would normally be acceptable only in secondary frontages of Harrow Metropolitan Centre and of the District Centres, subject to criteria a) – g) as set out in Policy EM17 and the following additional criteria:

- a) The premises should not be located in conservation areas or within close proximity to schools, religious buildings, clinics or other health facilities, or hotels; and
- b) The proposed use should not have an adverse impact on the amenity of neighbouring or nearby residential occupiers.

The proposal would comply with the requirements of Policy EM26 and Policy EM17 is considered below.

Policy EM17 of the Harrow Unitary Development Plan (2004) normally allows the change from Class A1 to non retail uses provided that:

- a) The use is appropriate to a Town Centre
- b) The use is primarily for visiting members of public
- c) The use requires an accessible location
- d) The length of the secondary frontage in non retail use at street level in the centre (including any outstanding permissions) would not exceed 50% of the total

- e) The premise can be adequately serviced without causing harm to highway safety and convenience
- f) A window display or other frontage appropriate to the shopping area is maintained; and
- g) A harmful concentration of non retail uses is not created or added to

In instances where the long term vacancy rate exceeds 10% the Council will normally allow any Town Centre use subject to compliance with d) – g) above.

It is considered that the use would be appropriate for the town centre as this type of use would fulfil an associated role to the retail function of the shopping area. This matter has been recognised in a previous planning appeal decision relating to an adult gaming centre in the Harrow Metropolitan Centre in Planning Inspectorate Appeal Reference APP/M5450/A/03/1136623 (London Borough of Harrow reference P1314/03/DFU).

The site is able to be adequately serviced and would not cause adverse impacts to pedestrian traffic or pedestrian levels within the area. The use would be able to provide a window display area across the frontage of the building. A condition (no. 3) has also been attached to ensure that this would be maintained.

Policy EM17 of the Harrow Unitary Development Plan (2004) states that the length of secondary frontage in non-retail use at street level in the Harrow Metropolitan Centre should not exceed 50% of the total. Currently the figure for non-retail use within the Harrow Metropolitan Centre is 50.67%. However, the proposed use would not change the overall percentage of non-retail frontage, as the permitted use of the building is Class A2, which is non-retail use. Therefore, the proposed use would comply with this policy, as no loss of retail frontage would result from this application.

At present, there are at least four other adult gaming centres located within the Harrow Metropolitan Centre at 8 St Anns Road and 259, 312 and 365 Station Road. Further non retail use (gaming centre) in conjunction with the non retail frontage exceeding the maximum of 50%, could provide for material harm to the centre in the form of a general predominance of non retail frontages, particularly a saturation of gaming centres within relative close proximity to each other. However, it is considered that there is considerable retail uses interspersed amongst the non-retail gaming centres to a degree that would mitigate any potential concentration of these centres.

Policy EM26(A) states that Amusement Centres should not be located within close proximity to Religious Buildings. Harrow Baptist Church is located on the opposite side of College Road to the site down a small alleyway (William Carey Way) behind buildings fronting College Road. The Church is located approximately 70 metres from the corner of College and Station Road and approximately 90 metres from the premises. It is considered that the proposed change of use would not have a detrimental effect on this church due to these distances.

The opening hours are listed as 1000 until 2200 Monday to Saturday and 1000 until 1800 on Sundays and Bank Holidays. It is considered that these times are in keeping with the opening times of the varied uses within the vicinity of the premises and it is considered that the opening hours proposed would not have an adverse impact on the amenities of the adjoining occupiers within the vicinity.

Overall, it is considered that the proposed change of use would not have a detrimental impact on the character and vitality and viability of the shopping centre and would comply with Policies EM17 and EM26 of the Harrow Unitary Development Plan (2004). There is no ministerial advice on planning control of amusement centres. However former PPG6 stated that amusement centres are most appropriately sited in secondary shopping areas, as is the case with this proposal. Furthermore, it is noted that over 70% of appeals against amusement centres were successful. This number increases to some 89% where the site is located in a town/retail centre with no residential amenity issue as is the case with this application. It is further noted that the proposal would not result in the loss of any retail floor space.

2) Character and Appearance and Design of Locally Listed Building

The Council Conservation and Design Team have not raised any objection to the proposal. As no external works are proposed and the ground floor façade would be in keeping with the retail use of the building, it is considered that the proposal would not adversely impact on the design of the locally listed building and would be consistent with the objectives of Policy D12 of the HUDP.

3) Traffic and Parking

The premises are located within the Harrow Metropolitan Town Centre approximately 200 metres from the Harrow Bus Centre and the Harrow on the Hill Underground Station and from the St Georges parking building. It is considered that the proposed change of use would not give rise to any traffic increase or parking pressures given the area is well serviced by public transport and stringent parking restrictions apply. It is also considered that there would not be a significant rise in additional traffic as the premise would be utilised as a stopover on a shopping trip and would not directly attract single visits from most customers.

4) S17 Crime & Disorder Act

It is considered that the design of the development would not lead to an increase in perceived or actual threat of crime.

5) Consultation and Notification Responses

- Matters raised have been addressed in the appraisal.

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.

439 ALEXANDRA AVENUE, HARROW

Item: 2/10

P/2701/08/SB5

Ward RAYNERS LANE

UPPER GROUND AND LOWER GROUND FLOOR REAR EXTENSION (TWO STOREY EXTENSION WITH SINGLE STOREY PROJECTION), NEW EXTRACT FLUE AT REAR, 6 x AIR CONDITIONING UNITS ON ROOF OF SINGLE STOREY PROJECTION WITH SCREEN AROUND ROOF EDGE

Applicant: Mr Josh Arora

Agent: GA&A Design

Statutory Expiry Date: | 24-OCT-08

RECOMMENDATION

Plan Nos: 12314_01_PES; PL/030/100 REV D; PL/030/110 REV B; PL/030/111 REV D; Design and Access Statement; Transport Assessment

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

REASON: To safeguard the appearance of the locality.

3 Any plant and machinery, including that for fume extraction, ventilation, refrigeration and air conditioning, which may be used by reason of granting this permission, shall be so installed, used and thereafter retained as to prevent the transmission of noise, vibration, and odour/fume into any neighbouring premises.

REASON: To ensure that the proposed development does not give rise to noise and odour/fume nuisance to neighbouring residents.

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:

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D14 Conservation Areas

D15 Extensions and Alterations in Conservation Areas

EP25 Noise

- T13 Parking Standards
C17 Access to Leisure, Recreation, Community and Retail Facilities Supplementary Planning Document 'Access for All' (2006)

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:

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

4 INFORMATIVE:

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:

Access for All: http://www.harrow.gov.uk/downloads/AccessforallSPD_06.pdf

Accessible Homes: <http://www.harrow.gov.uk/downloads/AccessibleHomesSPD.pdf>

5 INFORMATIVE:

There may be public sewers crossing this site, so no building will be permitted within 3 metres of the sewers. The applicant should contact the Area Service Manager Mogden at Thames Water Utilities at the earliest opportunity, in order to establish the likely impact of this development upon the sewerage infrastructure.

Tel:- 08459 200800.

6 INFORMATIVE:

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

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

- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
- Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area and Impact on Conservation Area (D4, D9, D14, D15, SPG)
- 2) Residential Amenity (D4, D5, EP25)
- 3) Parking Standards (T13)
- 4) Accessibility (C17, SPD)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

This application is reported to the Development Management Committee as petition against the proposed development has been received. The application was deferred by Committee on 19th November 2008 for a Member site visit on 13th December 2008.

a) Summary

Statutory Return Type: Minor Retail and Distribution Services
Conservation Area: Rayners Lane
Council Interest: None

b) Site Description

- Three/ four storey mid-terrace building located on the western side of Alexandra Avenue;
- The lower and upper ground floors forms part a restaurant premises (Class A3); the upper two floors are residential;
- The restaurant premises is unextended and has an existing extraction duct at the rear which is sited on the southern flank elevation of the three storey rear projection;
- The residential unit above has direct access from the front and a secondary means of access at the rear;
- The existing rear yard is used or off street parking for the restaurant and the adjacent neighbouring premises at no.437;
- Parking in the are is controlled, the hours of control vary along the adjacent High Worple;
- Application site falls within Rayners Lane District Centre and this stretch of Alexandra Ave fall within a primary frontage designation;
- The application site also falls within Rayners Lane Conservation Area.

c) Proposal Details

- Single and two storey rear extension to existing restaurant premises;
- The proposed single storey element of the extension would abut and run parallel with the southern site boundary for a depth of 19.45m;

Item 2/10 : P/2701/08/SB5 continued/...

- The extension would have a width of 5.15m and would maintain a gap of 0.85m from the northern site boundary;
- A minimum distance of 4m would be maintained between the proposed rear elevation of the extension and the rear site boundary;
- The proposed two storey element of the extension would be set back 4.55m from the ground floor element;
- The refuse storage for the commercial premises would be incorporated into the proposed extension;
- The refuse storage for the flat above would be site adjacent to the fire escape stairs to this flat;
- Replace existing extract duct; the new system which would extend along the proposed northern flank elevation of the extension, along the flat roof over the extension and extend along the southern flank elevation of the three-storey rear projection and finish above the roof level of this projection;
- 6 new air condenser units are proposed on the rooftop of the single storey element of the extension;
- A screen is proposed around the condenser units.

Revisions to Previous Application:

Following the previous withdrawn application (P/1966/08DFU) the following amendments have been made:

- Reduction in the bulk and scale of the proposed rear extension to allow sufficient area at the rear for parking and servicing of the premises;
- Details of air conditioning units and extraction flue submitted.

d) Relevant History

LBH/31361	Change of use from shop to restaurant	REFUSE 08-JAN-87 ALLOWED ON APPEAL 13-JUL-88
LBH/34454	Extract duct at rear	GRANT 24-FEB-88
P/1966/08DFU	Upper ground and lower ground floor rear extension (two storey) and external alterations	WITHDRAWN 30-JUL-08

e) Pre-Application Discussion

- None

f) Applicant Statement

- Please refer to Design and Access Statement

g) Consultations

CAAC: This provides opportunity to tidy up the rear. A condition could be added to subsequent planning approval to ensure all existing flues are removed. Otherwise comments as before, at July 2008 meeting, which were:
'No objections'

Highways Engineer: No objections

Environmental Health: No objections – if possible it would be of benefit to place a condition on the proposal to ensure that the extract is installed and maintained to ensure it does not cause any noise or odour issue to surrounding premises.

Waste Management: The applicant will need to provide storage capacity for the following:

- Recyclable waste
- Residual waste
- Food waste (at some point in the future)
- The above bins should be 1100 litre capacity each;
- 240 litre blue and residual waste bins should be provided for each flat;
- Storage arrangements need to be clarified;
- All waste collections will be chargeable.

Advertisement: | Character of Conservation Area | Expiry: 02-OCT-08

Notifications:

Sent: 16

Replies: 3

Expiry: 24-SEP-08

+ 1 petition with 20 signatures

Summary of Responses:

- Objection on size;
- Will reduce the amount of available parking;
- Increase volume of traffic, congestion and the need for parking spaces;
- Increase the level of noise and disruption for residents and adjoining business;
- Rayners Lane has so many food outlets and restaurants that it has far exceeded saturation point;
- Impact on the structure of the building;
- Concerns about drainage;
- Overshadowing of neighbouring business.

APPRAISAL

1) Character and Appearance of the Area and Impact on Conservation Area

In terms of design and layout within the context of the commercial/ residential area, the proposed single and two storey rear extension would be obscured from view of the streetscene and would be in keeping with similar developments within the locality, it is not considered that the proposed development would appear unduly bulky or obtrusive to the detriment of the character and appearance of the locality and would preserve the character and appearance of the conservation area.

The applicant has show refuse storage for the restaurant premises and the first floor flat at the rear, which would be accessed from the rear service road, this is considered acceptable in terms of provision and location.

The proposal seeks to replace the existing extract duct with a new system and install 6 new air condenser units on the rooftop of the proposed single storey element of the proposal. The proposed extract duct would be similar in appearance to that of the existing. As for the extension of the extraction flue along the rooftop and the northern flank elevation of the proposed extension, it is considered that this element of the proposal would not be out of character with the existing pattern of development in this commercial location and its impact on the conservation area would be minimal. In addition to this, the proposed screening of the air condenser units on the rooftop would mitigate the visual impact of these units. Based on these factors, the proposed extract duct and air condenser units are considered to be acceptable.

2) Residential Amenity

In assessing the impact on residential amenity the applicant site is flanked at ground floor level by commercial premises at either side and therefore the proposed extension is not considered to materially impact upon the amenities of the occupiers/ users of these premises. Similarly it is considered that there would be no material impact upon the amenities of the residential occupiers of the first floor flat above.

Policy EM25 of the Harrow UDP (2004) seeks to ensure that proposals for food and drink uses and any late night uses do not have an harmful effect on residential amenity, and particular regard will be given *inter alia* to flats above the premises and arrangements for fume extraction, or any other plant or machinery. The latter being further exemplified in Policy EP25.

The applicant site is located centrally within the District Centre and there are existing A3 uses along this particular parade, the extension of this existing premises would increase the pedestrian and vehicle activity to the area but in context of District Centre location associated activity and disturbance is considered to be acceptable.

The proposed extract duct would be located adjacent to existing residential development located above the commercial premises and would replace an existing extraction duct. The Council's Environmental Health officer has raised no objections to the proposed extract duct and the air condenser units subject to a condition to ensure that the extract duct and air condenser units are maintained to ensure it does not cause any noise or odour issue to surrounding premises.

3) Parking Standards

Servicing would be done through the rear service road, which is accessible from High Worple and therefore the proposal would not be detrimental to the free flow of traffic along Alexandra Avenue.

Item 2/10 : P/2701/08/SB5 continued/...

Due to its locality, the site is well serviced by public transport and 'pay and display' on street parking, to which customers can use, which stated above are both factors that favour the proposed application. Coupled with this, the parking restrictions are such that after 6.30pm customers of the proposed establishment should be able to park within close proximity of the site. As well as this, there are no objections on highway or parking grounds by the highways department.

4) Accessibility

The proposed development would not involve any alterations to the shop front entrance to the existing restaurant premises. However, the proposal has shown a disabled WC at entrance level, which is considered to be acceptable. Notwithstanding this, an informative is suggested to give further advice on this.

5) S17 Crime & Disorder Act

The proposed development relates to an extension to an existing premises and is not considered to have a material impact upon community protection.

6) Consultation Responses

- Dealt with above

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.

31 HONISTER GARDENS, STANMORE

Item: 2/11

P/2973/08/RD

Ward BELMONT

SINGLE STOREY FRONT; SINGLE/TWO STOREY SIDE TO REAR; SINGLE STOREY REAR EXTENSIONS

Applicant: Mr & Mrs V & M Chokshi

Statutory Expiry Date: | 27-OCT-08

RECOMMENDATION

Plan Nos: 31HG01/08/01, 02, 03, 05A, 11, 12A, 13B, 14A, 15, 16A

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

REASON: To safeguard the appearance of the locality.

3 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 window(s)/door(s) shall be installed in the flank wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION -
HOUSEHOLDER APPLICATION:

The decision to grant planning permission has been taken having regard to the policies and proposals in 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:

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

Supplementary Planning Guidance: Extensions: A Householders' Guide (March 2008)

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:

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

4 INFORMATIVE:

Notwithstanding the note on your submitted plan(s), this decision has been made on the basis of measurements scaled from the plan(s), unless a dimensioned measurement overrides it.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area (D4, D5, SPG)
- 2) Residential Amenity (D5, SPG)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is reported to Committee at the request of a Nominated Member. It was deferred from the meeting of 19th November 2008 for a Member's site visit on 13th December 2008.

a) Summary

Statutory Return Type: 21- Householder Development

Council Interest: None

b) Site Description

- Rectangular shaped plot on the east side of Honister Gardens near the northern end of a cul-de-sac
- Occupied by a two-storey semi - detached dwellinghouse with original gable ended roof, a front porch and an attached garage with store and utility room at the rear
- Front garden paved and provides car parking area, and rear garden laid to lawn with depth of 11.5-12.5m

- Semi detached houses on each side of the site, and rear garden of 3 Acorn Close behind the site

c) Proposal Details

- Single storey front, single/two storey side to rear and single storey rear extensions.
- Front extension would line up with existing porch, with 1m front projection and matching pitched roof
- Single/two storey side to rear extension adjacent to no. 29 would replace existing garage, utility and store rooms
- 1m set back at first floor level from the front main wall, with subordinate gable ended roof
- Two storey rear element would project 2.275m beyond the main rear wall with a width at the rear of 5.6m, and hipped ended roof over
- Single storey rear extension with depth of 3m adjacent to No. 33, stepping out a further 350mm to a depth of 3.35 m a distance of 3.6m from the boundary
- 3m projection beyond the adjacent garage structure at No. 29
- Pitched roof finish with parapet and hipped element adjacent to No.33

d) Relevant History

HAR/3689/B	Erection of a semi-detached dwelling house	GRANT 12-JAN-53
------------	--	--------------------

e) Pre Application Discussion

- None

f) Applicant Statement

- None

g) Consultations:

- None

Notifications:

Sent:	Replies:	Expiry:
6	2	23-SEP-08

Summary of Response:

overdevelopment relative to the size of the garden; loss of garage would exacerbate parking problems within the street, to the detriment of pedestrians; proposed rear projection would be dominant, completely overshadowing the kitchen and breakfast room, especially as garden is south facing; would result in loss of light; potential encroachment, access problems and risk of damage to garage at No. 29 during construction period, out of character

APPRAISAL

1) Character and Appearance

The proposed single storey front extension would match the existing front porch in terms of forward projection, height, and roof design. It would also maintain the same forward projection as the garage belonging to Nos. 29 Honister Gardens. Several similar developments already exist along the street. Therefore it is considered that the proposed front extension in combination with existing front porch would be appropriate and would comply with policy D4 and the SPG.

The depth of the proposed two-storey side to rear extension has been revised. The proposal is considered to be of an acceptable design which includes a 1m first floor front set back and subordinate gable ended roof to complement the original roof design. Its 2.275 rearwards projection (reduced from 2.7m) would be of an acceptable depth, design and height. The proposed single storey rear projection would be of an appropriate design and size in compliance with the SPG guidance for rear extensions in relation to semi-detached houses.

A rear garden depth of 8.5-9.5m would result with an adequate area of some 90m² so that it is considered that an excessive site coverage or overdevelopment would not result.

2) Residential Amenity

In terms of no. 29, the habitable part of this property is sited some 2.5m away from the application site, and is separated by the rear element of the garage structure which projects some 0.5m beyond the house itself, and the main rear wall of No. 31. Given this relationship, the proposed two storey rear element would project about 1.75m beyond the adjacent rear wall of No, 29, and would more than comply with the 45 degree horizontal code. In addition, its siting due north of No. 29 would obviate the possibility of overshadowing. The rear wall of the proposed single storey rear element would project 3m beyond the adjacent rear walls of Nos. 29 and 33 with a height of 3m along the boundary, complying with the SPG and providing an acceptable impact.

First floor windows in the rear wall of the two storey rear element would be almost 10m from the boundary with 3 Acorn Close to the rear, and would face the rear part of its back garden, at least 20m from the house itself. It is therefore considered that undue loss of privacy would not result, and that, overall, the proposals would provide acceptable relationships with surrounding properties.

3) S17 Crime & Disorder Act

The proposal would not have any implications for this Act.

4) Consultation Responses

- Loss of garage would exacerbate parking problems within the street, to the detriment of pedestrians – one parking space would remain in the front garden
- Potential encroachment, access problems and risk of damage to garage at No. 29 during construction process – these are issues between the residents themselves, and for the Party Wall Act
- Other considerations discussed in report

CONCLUSION

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

Item: 2/12

**PREMIER HOUSE, 1, CANNING ROAD, P/1950/08/KR
WEALDSTONE**

Ward MARLBOROUGH

CHANGE OF USE OF FIRST FLOOR OF BUILDING FROM LIBRARY (CLASS D1) TO FUNCTION ROOM (SUI GENERIS). SINGLE STOREY FIRST FLOOR EXTENSION ON FRONT (WEST) ROOF TERRACE & NORTH SIDE (CANNING ROAD ELEVATION) TO PROVIDE ADDITIONAL 300SQM FLOORSPACE FOR USE AS PART OF FUNCTION ROOM (CLASS D2).

Applicant: Burnley Property Limited

Agent: Mr Alex Brown

Statutory Expiry Date: | 28-AUG-08

RECOMMENDATION

Plan Nos: Location plan, MA/08/01, MA/08/02, MA/08/04, MA/08/05 (received 3 June 2008), MA/08/06A, MA/08/07A (received 26 August 2008), MA/08/03C, MA/08/08B, MA/08/09 & Design and Access Statement (received 19 November 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 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.

3 The use hereby permitted shall not be open to customers outside the following times:-

a: 11am hours to 2.00 am hours, Monday to Saturday inclusive,

b: 12 pm hours to 12.00am hours, Sundays or Bank Holidays, without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

4 No demolition or site works in connection with the development hereby permitted shall commence before:-

(a) the rear parking/service area

of the site is enclosed by a close boarded fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety.

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:

Harrow Unitary Development Plan:

D4, D5, D7, Access for All

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:

In June 2006 Harrow Council adopted a Supplementary Planning Document: "Access for All" containing design guidelines for the provision of safe and convenient access for all disabled groups. This document can be viewed on the Planning pages of Harrow Council's website:

Access for All: http://www.harrow.gov.uk/downloads/AccessforallSPD_06.pdf

4 INFORMATIVE:

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994 which govern health and safety through all stages of a construction project. The Regulations require clients (ie those, including developers, who commission projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Clients have further obligations. Your designer will tell you about these and your planning supervisor can assist you in fulfilling them. Further information is available from the Health and Safety Executive Infoline on 0541 545500.

(Please note that any reference in this informative to "planning supervisor" has no connection with any Planning Officers within Harrow's Planning Services or with the Town and Country Planning Act 1990.)

5 INFORMATIVE:

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

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

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Change of Use (EM16)
- 2) Design and Layout, Retail Areas and Town Centres (D4, D5, D7)
- 3) Car Parking and Access (T13)
- 4) Accessibility (C16, SPD- Access for All)
- 5) Residential Amenity (D5)
- 6) S17 Crime & Disorder Act (D4)
- 7) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	All other minor development	
Council Interest:	None	
Car Parking Standard:	Justified:	Based on merits
	Provided:	2 Disabled car parking spaces

b) Site Description

- Premier House is a five storey mixed use building located on the eastern side of High Street, at the junction of High Street and Canning Road.
- The ground floor of the premises is designated Primary Shopping Frontage and is currently used a library.
- The first floor of the premises was previously granted for lawful use as a Class D1 use relating to the library and associated community uses under EAST/1267/02/LA. The first floor occupancy has been vacant for twelve years and its last known active use was a retail premises (Class A1) relating to a previously approved supermarket at the ground level.

- DA/0303/CFU granted planning permission for use of the first floor premises as a function room (Sui Generis). This planning application has not implemented and therefore the current application also seeks this change of use in addition to the proposed first floor extension.
- The upper three levels are for use as offices.
- To the rear of the site is Gladstone Way with a multi storey car park.
- The site is in within the Wealdstone District Centre.

c) Proposal Details

- The proposal is for the change of use of first floor of building from library (Class D1) to function room (Class D1).
- The proposal also involves the construction of a single storey, first floor extension on front (west) roof terrace and north side (Canning Road elevation) to provide additional 300sqm floor space for use as part of function room (Class D1)
- The proposed first floor front extension would measure 9m in depth and 30m in depth and would be located on the existing first floor roof area along the High Street frontage.
- The proposed plans also indicate internal alterations including new utility areas relating to the proposed use as a function room.
- The proposed extension would have windows to match existing windows on front façade.
- The proposed extension would have a flat roof, have chamfered edges and would be 3m higher than the existing front parapet.
- The proposed materials on the facade would be 'terracotta rainscreen' claddings and the colour would match the facing brickwork of the main building.
- The proposed entrance to the function centre is via the rear courtyard on Gladstone Way.
- The function room would have two full time employees and proposed hours would be Monday to Saturday 11:00 to 02:00 and Sunday and public holidays- 12:00 to 24:00.
- Two disabled car parking spaces would be provided within 20m of the main entrance.
- A 1.2 wide ramped access with a gradient of 1: 20 would be provided to the main entrance.

Revision to Previous Application (P/0303/08):

- Construction of front extension with additional 300 sqm floor space;
- Internal alterations; and
- Addition of ramp to the main entrance and two disabled car parking spaces.

d)	Relevant History		
	EAST/1267/02/LA3	Change of use of ground and first floors: retail and ancillary storage (Class A1) to library (Class D1), healthy living centre (sui generic), youth centre (sui generic), medical centre (Class D1) and nursery (class D1), alterations to building	GRANTED 15-JAN-03
	P/2717/03/DLA	Shopfront at 38/40 High Street, first floor plant room, condenser and duct work at 1 st & 2 nd floor, openings on ground & 1 st floors, openings on ground & 1 st floors to walkway and Gladstone Way	GRANTED 23-JAN-04
	P/1264/05/CFU	Change of use of 1 st floor to offices (Class B1) and/or medical educational services (Class D1)	GRANTED 07-SEP-05
	P/3227/06	Fascia sign with non-illuminated lettering	GRANTED 04-JAN-07
	P/0303/08 CFU	Change of use of 1 st floor of building from retail (A1) use class to function room (sui generic) use class, involving a first floor rear extension to provide a bar, bar storage and an officer along with internal alterations	GRANTED 12-MAR-08

e) Pre-Application Discussion

- None

f) Applicant Statement

- The main access to the function hall is through the service yard.
- The High Street frontage on roof terrace has been designed to minimise visual impact with chamfered corners to the roof and wall.
- The proposed windows are to match the style of the office windows on upper floors, but be much larger and a total height of 2.1m.
- It is proposed that people attending a function will enter on foot via existing service yard which is where the entrance door will be located.
- The handicapped will be able to be driven directly into the service yard and wheelchair users will be able to use the new ramp up to the entrance door.
- All have been set out in compliance with the requirements of the current Building Regulations.
- Designated Paladin Bin has been indicated on the drawing and is screened by a close boarded 1.8m high timber fence and gates.

g) Consultations

Highways Engineer:

- No objection to the proposal.

Access:

- No objection to the proposal.

Advertisement: Site notice Expiry: 29-JUL-08

Notifications:
Sent: 29 Replies: 1 Expiry: 29-JUL-08

Summary of Responses:

- Function room will generate extra noise
- Overlooking
- Loss of Light

APPRAISAL

1) Change of Use

A previous planning application (P/0303/08) granted permission for the change of use to a function room (Sui Generis). As per the approved application, the proposed use of the first floor as a function room is considered to be well suited to the District Centre location of the site. The first floor occupancy has been vacant for many years and any loss of retail would be outweighed by the benefits that the proposed use would bring. This has also been established in the previous uses that been granted on the first floor. The proposed use would be located at first floor and therefore would not result in the loss of retail uses within the primary shopping frontage, consistent with Policy EM16 of the UDP. The proposed use can also be adequately serviced without causing harm to highway safety and convenience via rear access.

2) The Standard of Design and Layout /Design in Retail Areas and Town Centres

The proposed first floor extension and proposed use as a function room would not adversely impact on the character of the town centre. The proposed first floor extension is considered proportionate with the appearance of Premier House with a flat roof and chamfered edges. The proposal would also be consistent with the appearance of Premier House in terms of matching materials and proportionate windows.

3) Car Parking and Access

Council's Highways Engineer has no objection to the proposal. Furthermore, the site is within walking distance to Harrow and Wealdstone railway station and local buses.

4) Accessibility

Policy C16 of the Harrow UDP seeks to ensure that buildings are accessible to all. The adopted Supplementary Planning Document: Access for All provides detailed guidance on how this can be achieved. As outlined in the SPD, the Council would expect appropriate access improvements as part of planning application for changes of use and extensions in order to ensure buildings are accessible to all. The Council's Access Officer has assessed the current proposal and raises no objection. The proposal would have a 1.2m wide ramp with a gradient of 1:20 to the main entrance of the function room on the eastern elevation. Two disabled car parking spaces would be provided within 50m of the new entrance. An accessible W/C would be provided on the first floor to the proposed function centre. The proposal has demonstrated that the provision has been made for people with mobility impairments to access the proposed function room and therefore would be satisfactory with regards to policy C16 of the Harrow UDP.

5) Residential Amenity

The proposed first floor extension and use as a function room is not considered to unreasonably impact upon the amenity of the adjoining properties. The proposed use and first floor extension are appropriate for the town centre use. The proposed extension would not result in any unreasonable loss of light to the adjoining residential properties as the proposal is within the existing building footprint. Associated overlooking and noise with the proposal would not be considered unreasonable given the location of the proposed function centre within the town centre and surrounding retail and community uses. Therefore, it is considered that the proposal would not be contrary to Policy D5 of the Unitary Development Plan and is recommended for grant.

6) S17 Crime & Disorder Act

As per the previously approved scheme, the main entrance with new entrance doors and ramped entrance to the function room is via the rear courtyard fronting Gladstone Way, providing natural surveillance of the site and creating a more active frontage. To ensure the safety and security of the building, a condition has been recommended with the requirement of a detailed schedule of safety and security measures. The proposal is consistent with the guidelines in HUDP Policy D4 and the 'Secured by Design' and 'Safer Places' documents.

7) Consultation Responses

The issues raised in submissions have been discussed in the body of the report.

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.

152 PINNER ROAD, HARROW

Item: 2/13

P/2964/08/KR

Ward HEADSTONE SOUTH

CHANGE OF USE OF RETAIL SHOP (CLASS A1) TO TAKE-AWAY (CLASS A5)

Applicant: Mr Narandra Patel

Agent: Donald Shearer Architects

Statutory Expiry Date: 19-NOV-08

RECOMMENDATION

Plan Nos: 816/BA/001, 816/BA/002 & 816/BA/003 (received 28 August 2008), 816/BA/005 & 816/BA/007 (received 24 September 2008) 816/BA/004B, 816/BA/006A & 816/BA/008A (received 7 November 2008) and Design and Access Statement (received 19 November 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 use hereby permitted shall not be open to customers outside the following times:-

(a) 10.30 hours to 23.00 hours, Monday to Saturday inclusive,

(c) 10.30 hours to 22.30 hours, Sundays or Bank Holidays,

without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

3 Any plant and machinery, including that for fume extraction, ventilation, refrigeration and air conditioning, which may be used by reason of granting this permission, shall be so installed, used and thereafter retained as to prevent the transmission of noise, vibration, and odour/fume into any neighbouring premises.

REASON: To ensure that the proposed development does not give rise to noise and odour/fume nuisance to neighbouring residents.

4 The applicant is advised at the request of the Environment Health officer to ensure that the extract flue that projects above the building is secured.

REASON: To safeguard the amenity of neighbouring residents.

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:

Harrow Unitary Development Plan:

D4, D5, EM20

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:

Thames Water recommends the installation of a property maintained fat trap on all catering establishments. Thames Water further recommends, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 020 8507 4321.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Change of Use of Shops Outside Town Centres (EM20)
- 2) Residential Amenity (D5)
- 3) Car Parking (Schedule 5)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

This is reported to the Committee at the request of a Nominated Member.

a) Summary

Statutory Return Type: Change of Use
Council Interest: None

b) Site Description

- The subject site is located on the northern side of Pinner Road and is located within a row of 10 local shops. The row of local shops is varied in retail uses including grocers, estate agent and vacant shops.
- The subject shop is a retail video shop and the existing shop front has a fascia sign with 'Tip Top Entertainment Ltd'.
- A residential flat (152A Pinner Road) is located above the shop.
- To the front of the site is a hardstanding area. There is no vehicular access to it.
- The surrounding area across Pinner Road to the south is characterised by two storey residential dwellings.

c) Proposal Details

- The proposal is for the change of use of a retail shop (Class A1) to hot food takeaway (Class A5).
- The proposal includes an proposed extract duct to the rear of the site to terminate above the roof eaves.
- The proposed hot food takeaway shop would have eight full time employees and no opening hours have been provided in the application.

- There would be no change to existing floorspace.
- There would be no seating provided in the takeaway shop.
- The proposed hours of operation would be 10:30 am to 11:00pm.

d) Relevant History

WEST/774/99/FUL Change of use: Retail to fast food takeaway (class A1 to A3) with new shopfront and external alterations. REFUSED 09-FEB-00

Reason for Refusal:

The proposal would generate on-street car parking which would be detrimental to the free and safe flow of traffic.

e) Pre-Application Discussion

Informal advice from duty planner

f) Applicant Statement

- There are no external alterations to the existing premises.
- For use as a vegetarian takeaway.
- The existing hard landscaped area will remain to the front of the property, which at present accommodate two off street parking spaces.
- The building is very well served by public transport, with bus rail and Tube facilities within just a few minutes walk in Harrow's urban transport hub.

g) Consultations

Highway Engineer:

- The shopping centre is already active therefore I would not anticipate that this change of use would generate measurable traffic generation as custom is likely to be a by product of established shopping trips. There is no objection to the proposal.

Environmental Health:

- No objection

Site notice:

| Expiry: 20-OCT-08

Notifications:

Sent: 15 Replies: 2

Expiry: 20-OCT-08

Summary of Responses:

- Parking
- Opening hours
- Food waste and potential hygiene issues
- Proposed external duct terminal/ kitchen extract flue

APPRAISAL

1) Change of Use of Shops Outside Town Centres

Policy EM20 outlines that the Council will normally permit changes of use from retail shops (A1) outside town centres if the proposal would not result in the loss of necessary local retail provision; parking is provided in accordance with the Council's standards and the premises can be adequately serviced without causing harm to highway safety and convenience.

In accordance with EM20, the proposed change of use would not result in the loss of necessary retail provision. The subject site is currently used as a video shop and is part of a row of existing local shops. The row of shops is varied in retail uses and the proposal would not result in a loss of necessary retail provision or convenience shopping facility.

The proposed use is a hot food takeaway and the Council's Highways Engineer raises no objection to the proposal in terms of parking and traffic.

The proposed use will be adequately serviced by the existing facilities on site via the service road at the rear and the proposal would not generate considerable increase in traffic. No external alterations are proposed as part of the application.

2) Residential Amenity

The proposal would not unduly change the character of the local centre and will not adversely impact upon the amenity of the adjoining residential properties. The proposed extract duct would be located on the rear elevation and would terminate 2.3m above the eaves level of the first floor flat at approximately the same height as the roof ridge. The flue would be sited almost 8.5m away from the second floor rear dormer window. Therefore, the proposed extract flue would not adversely impact upon the first floor flat. The proposed hours of operation would be consistent with the adjoining uses, and these house are considered to be reasonable and appropriate in this local shopping parade.

3) Car Parking

The Council's Highways Engineer has objection to the proposal. The existing shopping centre is already active and therefore change of use would not generate measurable traffic generation as custom is likely to be a by product of established shopping trips. It is therefore considered that the existing car parking and traffic movements which would be associated with the proposal would not adversely impact upon the existing traffic movements in the locality.

4) S17 Crime & Disorder Act

It is considered that the proposed change of use would not lead to an increase in perceived or actual threat of crime.

5) Consultation Responses

Material planning considerations raised in submissions have been discussed in the body of the report.

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.

6 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 window(s)/door(s) shall be installed in the flank wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

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

REASON: to safeguard the appearance of the locality.

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: 3A.5

Harrow Unitary Development Plan:

D4, D5, D9, H10 and T13

Supplementary Planning Guidance Extensions: A Householders Guide (2008);

Supplementary Planning Document: Accessible Home (2006)

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:

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

4 INFORMATIVE:

Notwithstanding the note on your submitted plan(s), this decision has been made on the basis of measurements scaled from the plan(s), unless a dimensioned measurement overrides it.

5 INFORMATIVE:

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

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

6 INFORMATIVE:

Please note that guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area (D4, D5,)
- 2) Flat conversion (UDP D4, D5, H10, T13, SPDs)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is reported to Committee at the request of a nominated Member.

a) Summary

Statutory Return Type: Minor Dwellings
Lifetime Homes: 0
Council Interest: None

b) Site Description

- Property is located on the eastern side of Marthorne Crescent
- The subject site is occupied by a two storey, end terrace, single family dwellinghouse.
- Streetscene and wider area is characterised by similar residential properties.

Item 2/14 : P/3073/08/KR continued/...

- The subject site is a relatively long site that is narrower at the rear than the front.
- Pedestrian alley way located adjacent to the northern boundary and running around the rear of the site.

c) Proposal Details

- Construction of single storey full width rear extension, 2.4m in depth on the northern aspect for a width of 1.7m, stepping out to 3.3m in depth for the remainder of the width.
- This extension is to have a flat roof of 3m in height.
- Construction of front porch that would measure 2.1m in width and 0.8m in depth with mono pitched roof measuring 3.5m in height.
- Level access to porch entrance with 2.4m ramp and 1:20 slope.
- Conversion of dwellinghouse into two, one bedroom flats: one on the ground floor and one on the first floor.
- Ground floor flat: habitable area 34.4m²
- Bedroom 1– 11.4m²
 - Living/Kitchen area – 23m²
- First floor flat: habitable area approximately 25.92m²
 - Bedroom 1 – 9.7m²
 - Living/Kitchen area –16.23m²
- Rear amenity space to each flat:
 - Ground Floor Flat - approximately 36m²
 - First Floor Flat - approximately 22m²
- Bins to be stored in the rear garden.
- Existing rear garden to be divided between the two flats with access via the pedestrian alley way on the northern aspect of the site for the first floor flat and direct access for the ground floor flat.

Revisions to Previous Application:

Following the previous decision (P/2103/08) the following amendments have been made:

- Reduction from two 2 bedroom flats to two 1 bedroom flats
- Deletion of alterations to the hipped roof to form a gable end and rooflights installed in the front roof slope.
- Deletion of the construction of a 3.9m wide x 2.1m high x 2.8m deep dormer in the rear roof slope.
- Car parking has been deleted and includes the provision of over 50% soft landscaping within the front garden.
- Bins to be stored in rear garden area

d) Relevant History

P/2103/08	Conversion of dwellinghouse into two self contained flats; single storey rear extension; roof alterations including formation of gable end; rear dormer	REFUSED 27-AUG-08
-----------	---	----------------------

Reasons for Refusal:

- The proposed conversion, by reason of inadequate room sizes and rear garden amenity space would provide cramped and substandard accommodation to the detriment of the amenities of future occupiers of the site contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004).
- The proposed front garden layout by reason of siting of the refuse storage and recycling bins on the forecourt and excessive hardsurfacing would be unduly obtrusive detract from the appearance of the property in the streetscene and be detrimental to the visual amenities of the area contrary to policies D4 and D9 of the Harrow Unitary Development Plan (2004).
- The proposed increased intensity in the use of the site and the unacceptable provision of on site parking would encourage additional and injudicious parking to the detriment of the free flow and safety of vehicular traffic and pedestrians on the public highway contrary to Policy T13 of the Harrow Unitary Development Plan (2004).

e) Pre-Application Discussion

- N/A

f) Applicant Statement

- Design and Access Statement received 9 September 2008

g) Consultations

Highways Engineer:

- No objection noting change from 2 x 2 bedrooms to 2 x 1 bedrooms. Please note that the parking space depth is also inadequate given that we require 4.8m rather than the 4.5- 4.6m in existence.

Site notice:

Expiry: 08-OCT-08

Notifications:

Sent: 6

Replies: 1 and 1 petition with 15 signatures Expiry: 08-OCT-08

Summary of Responses:

- Parking; noise and disturbance; increase in refuse/ waste bins, property values

APPRAISAL

1) Character and Appearance of the Area

The property would retain its appearance as a single family dwelling within the streetscene. The proposed front porch and rear extension are of standard designs and considered acceptable in terms of appearance, and would comply with the provisions of the UDP policies and the SPG.

The proposed front garden would retain the existing one car parking space and provide some soft landscaping along the southern boundary. This would be acceptable in terms of appearance within the streetscene.

2) Flat conversion

Conversion of dwellinghouse to two self-contained flats

The proposed conversion would result in two 1-bedroom flats, one on the ground floor and one on the first floor. The proposed room sizes and total habitable floor area for the flats would comply with the Council's guidance on minimum room sizes. Furthermore, the layouts would have similar room uses arranged vertically to help reduce noise transmission between the flats.

Refuse storage/Recycling facilities

The proposed storage of bins would be provided in the rear gardens of the flats via new gate on the existing side access. The proposed refuse/ waste storage would therefore comply with the Council's guidance on storage of refuse/ waste away from the front gardens of houses/ buildings.

Amenity space

The existing rear garden is to be divided between the proposed two flats with side access maintained. The proposed layout would create an area of approximately 36m² for the ground floor flat and 22m² for the first floor flat and this level of amenity space is considered adequate for the size of the proposed flats.

Parking

No parking on the site is proposed. The Council's Highway Engineer has no objection. The proposal is considered to be acceptable due to the site's proximity to good transport links within walking distance including Harrow and Wealdstone railway station and local buses.

Lifetime Homes

No parking is proposed at the premises and therefore Lifetime Home standards would not be applicable.

3) S17 Crime & Disorder Act

The proposal would not have any impact on crime and disorder in the area.

4) Consultation Responses

These issues have been addressed in the above report. The issues associated with the personal circumstances of people living in a property are not material planning considerations. Other issues including property values fall outside the scope of this planning application.

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.

90 KINGSFIELD AVENUE, HARROW

Item: 2/15

P/3198/08/KR

Ward HEADSTONE SOUTH

SINGLE STOREY SIDE TO REAR EXTENSION

Applicant: Mr Kamal Rafique

Agent: Multi Creation

Statutory Expiry Date: | 24-NOV-08

RECOMMENDATION

Plan Nos: Site plan, 2073- 02, 2073- 03 (received 23 September 2008); 2073-04 Rev A & 2073-05 Rev B (received 18 November 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

REASON: To safeguard the appearance of the locality.

3 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 window(s)/door(s) shall be installed in the flank wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

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

REASON: To safeguard the amenity of neighbouring residents.

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:

Harrow Unitary Development Plan:

D4, D5 and Supplementary Planning Guidance: Extensions A Householders Guide (2008)

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:

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

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area (D4, D5, SPG)
- 2) Residential Amenity (D4, D5, SPG)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is reported to the Committee because of a petition against the proposal.

a) Summary

Statutory Return Type: Householder

Council Interest: None

b) Site Description

- The subject site is located on the northern side and has a two storey semi detached dwelling.
- The existing integral garage has been converted to store area and retained garage doors.
- The dwelling has a side extension that extends to the eastern boundary and the dwelling has not been extended to the rear.
- Car parking is accommodated within the front forecourt.
- The subject site adjoins the rear boundaries of 88, 90, 92 & 94 Pinner View.
- The surrounding area is characterised by two storey detached and semi-detached dwellings.

c) Proposal Details

- The proposal is for the single storey side to rear extension.
- The proposed side extension would extend to eastern boundary. It would be 1.1m at its widest, tapering to 0.45m at the end. It will be set 3.45m behind the front most wall.

- Construction of rear extension adjoining 88 Kingsfield Avenue measuring 3m from the rear main wall of the adjoining property
- Construction of rear extension with a depth of 3.7m from the rear main wall of the dwelling and set 3.4m from the western boundary shared with 88 Kingsfield and would extend to the eastern boundary
- Measure 2.65m in height to rear/ side extension
- Front elevation would have window to replace existing garage door.
- Front section of side extension would have monopitched roof to match existing to front elevation
- Eastern flank elevation and western flank elevation would not contain windows
- Rear elevation to have a set of patio doors, door and window.

Revisions to current application:

- Deletion of parapet walls along the boundaries; and
- Reduction of side extension flush with front main wall to set back 3.4m from front main wall.

d) Relevant History

WEST/357/02/CLP	Certificate of Lawful Proposed Development: proposed side dormer velux window in front & rear roof	GRANTED 24-MAY-02
-----------------	--	----------------------

e) Pre-Application Discussion

- N/A

f) Applicant Statement

- N/A

g) Consultations

Site Notice: Expiry: 28-OCT-08

Notifications:

Sent: Replies: 4 responses (3 from same property) and 1 petition (7 signatures) Expiry: 28-OCT-08

Summary of Responses:

- Parking; loss of light; loss of outlook; character of area; overdevelopment; drainage; Party wall Act matters

APPRAISAL

1) Character and Appearance of the Area

The proposed front elevation would reflect the existing front elevation and new window proportionate to the existing. The proposed side extension would be visible from the streetscene. It would have a false monopitched roof to reflect the roof form on the front elevation. This would be consistent with the existing dwelling and surrounding development in the streetscene.

The proposed rear extensions would be proportionate to the existing dwelling. The use of matching materials has also been required via a condition. It is therefore considered that the proposal would not have a negative impact on the character and appearance of the area.

2) Residential Amenity

Paragraph C.2 of the SPG outlines that a single storey rear extension, adjacent to a boundary, of up to 3 metres beyond the rear main wall of adjacent semi detached dwelling would normally be acceptable. A greater depth may be acceptable in accordance with the “two for one” rule.

The proposal would comply with the SPG with a depth of 3m from the rear main wall of the adjoining property at 88 Kingsfield Avenue. The proposal would measure 3.7m in depth from the main rear wall of the dwelling and set 3.4m away from the boundary shared with 88 Kingsfield Avenue. The proposal rear extension would extend to the boundary adjoining the rear gardens of 92 and 94 Pinner View.

Paragraph C.7 outlines that single storey rear extensions should not exceed 3m in height for a flat roof and for a pitched roof 3m at its midpoint. The side to rear extension complies with the maximum height of 3m to the false monopitched roof to front elevation and the remainder of the side to rear extension with a 2.65m flat roof. The proposed side to rear extension would measure 10.7m in depth along the eastern boundary adjacent to the rear gardens of 92 and 94 Pinner View. The proposed extension would not be obtrusive with an overall height of 2.65m to the proposed flat roof and therefore it would not adversely impact upon the amenity of these properties.

The proposed single storey rear and rear extensions would contain no windows on the flank walls and therefore would not adversely impact upon the privacy of the adjoining properties at 88 Kingsfield and the rear gardens of 92 and 94 Pinner View (45m deep rear gardens). The proposed windows on the rear elevation would not unreasonably impact upon the privacy of the adjoining properties. It is therefore considered that the proposal would not adversely impact upon the privacy of the adjoining properties.

3) S17 Crime & Disorder Act

It is considered that the design of the development would not lead to an increase in perceived or actual threat of crime.

4) Consultation Responses

Material planning considerations have been addressed in the body of the report. Other matters including the Party Wall Act and drainage are not material planning considerations. These are covered under Building Regulations.

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.

Item: 2/16

HARROW MUSEUM AND HERITAGE CENTRE, HEADSTONE MANOR RECREATION GROUND, PINNER VIEW, HARROW

Ward HEADSTONE NORTH

LISTED BUILDING CONSENT: REPAIR, RESTORATION & STRENGTHENING OF HISTORIC BRIDGE; RECONSTRUCTION & REPAIR OF ADJACENT MOAT RETAINING WALLS; REPLACEMENT OF PARAPET FENCING & GATES; AND ERECTION OF NEW FENCING & GATES TO BRIDGE AND MOAT EMBANKMENTS

Applicant: Harrow Council

Statutory Expiry Date: | 19-DEC-08

RECOMMENDATION

Plan Nos: 14447 – 01, 14447 – 02

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

1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

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

3 Detailed drawings, specifications, or samples of materials as appropriate in respect of the following shall be agreed in writing by the local planning authority before the relevant part of the work is begun:

a) New deck surfacing treatment

The works shall be completed in accordance with the approved details and shall thereafter be retained.

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

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT:

The decision to grant Listed Building or Conservation Area Consent 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:

Harrow Unitary Development Plan:

D11 Statutorily Listed Building

D19 Ancient Monuments

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Impact on the Statutorily Listed Building
- 2) Consultation Responses

INFORMATION

a) Summary

Conservation Area:	No
Scheduled Monument	Yes
Council Interest:	Yes

b) Site Description

- Headstone Manor is a grade I listed 14th century timber framed building surrounded by a moat
- Accessibility to the Manor house is provided solely by a bridge, which forms the subject of this application
- The wider site includes 3 barns, 2 of which are listed in their own right
- The site is extremely sensitive due to its historic and architectural significance to the borough
- The site is owned and run at a museum and heritage centre by Harrow Council
- The bridge dates to the 18th century and is brick built
- The bridge is in a poor state of repair and is in need of works of repair

c) Proposal Details

- Gates at either end of the bridge
- Fencing either side of the bridge
- Service duct to be run through the upper part of the bridge
- Restoration of the bridge

d) Relevant History

Scheduled Monument Consent for the restoration of the bridge was granted by DCMS on 13th May 2008

e) Pre-Application Discussion

Discussions with the agent, including site visits in conjunction with English Heritage.

f) Applicant Statement

- Design and Access Statement contains sections on:
- Historical account of the bridge, the moat and the Manor house
- The vulnerability of the bridge, highlighting where the structure is failing and where works of repair are required – principally the retaining walls; mortar bed and joints; timber parapet
- Due to the need for additional security two new gates are required
- Due to the need to secure a long term future for the Manor house, a service duct is proposed which will allow the building to be upgraded accordingly
- All the proposed works are based on historic photographs or archaeological evidence following good conservation practice
- Method Statement contains sections on:
- Works to the bridge and justification for this
- Minutes of meetings with English Heritage, especially in terms of the archaeological significance of the moat and the sections beneath the water

g) Consultations:

Ancient Monument Society	No response
Council for British Archaeology	No response
Society for the Protection of Ancient Buildings	No response
English Heritage	

Advertisement:	Alteration/Extension of Listed Building	Expiry:
-----------------------	---	---------

Notifications:

Sent:	Replies:	Expiry:
1	0	18-NOV-08

Summary of Response:

APPRAISAL

1) Impact on the Statutorily Listed Building

The bridge is considered to be grade I listed due to its link with the Manor House, Headstone Manor. It dates to the 18th century but it is thought evidence of earlier bridges may come to light as part of the archaeological investigation. As a grade I listed building the area is of an extremely sensitive nature. The significance of the site is only matched by three others in the borough. It is therefore imperative the works are carried out with the utmost care.

Restoration of the Bridge

Due to water ingress the body of the structure has been weakened. This has allowed vegetation to take hold, the roots of which have further dislodged bricks and have contributed to the destabilisation of the structure. In addition, the retaining walls are in a vulnerable state and as such it is essential that works of repair are carried out. The method statement and design and access statement address these issues in a sympathetic manner and it is clear from previous dialogue that the Council's Conservation Officer and English Heritage will be kept informed and included in the process to ensure that best practice is applied at all stages.

Gates at either end of the bridge

The proposed gate, which would sit on the mainland side of the moat, is based on historic photographs dating from the 1930s. This approach is considered to be sensitive to the character and appearance of the listed building and the historic site.

The proposed arch, on the island side of the moat, is also based on historic photographs but the proposed gate here would be a new feature. Keeping the site secure is essential and as such there are no objections to introducing a second gate here, which would be treated in the same manner as the opposite entrance and fencing.

Fencing either side of the bridge

The proposed fencing matches the historic photographs and as such is also considered to preserve the character and appearance of the listed building.

Service duct to be run through the upper part of the bridge

The bridge decking is constructed in asphalt and is likely to have been laid in the 1970s. There are therefore no objections to its removal to aid in the investigation and repair of the brickwork beneath. The removal of the decking material will allow all of the existing brickwork to be bound together by grouting from above which is the most sympathetic approach.

The service ducting is necessary for the long-term future of the site as a museum and heritage centre. It will enable all servicing to be put through and will aid in visually de-cluttering the site.

The proposed alterations and works of repair are therefore considered to preserve the character and appearance of the grade I listed building.

2) As above

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.

11 RAYNERS LANE, HARROW

Item: 2/17

P/2955/08/EJ

Ward ROXBOURNE

CONVERSION TO TWO FLATS, RESITING OF VEHICLE ACCESS, PARKING AT FRONT AND REAR; EXTERNAL ALTERATIONS

Applicant: Mrs Jassette Sue-Patt

Agent: PSD Architects

Statutory Expiry Date: | 22-OCT-08

RECOMMENDATION

Plan Nos: HJ/1001, HJ/1002, HJ/1003, HJ/1004, HJ/1005, HJ/1006, HJ/1007
(received 27 August 2008) and Design and Access Statement

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

REASON: To safeguard the appearance of the locality.

3 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site, in accordance with details to submitted to, and approved in writing by, the Local Planning Authority.

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

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding.

4 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner.

Any existing or new trees or shrubs which, within a period of 2 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

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

REASON: to safeguard the appearance of the locality.

7 The development hereby permitted, as detailed in the submitted and approved drawings, shall be built to Lifetime Home Standards, and thereafter retained to those standards.

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

8 The development hereby permitted shall not be occupied or used until the forecourt parking space shown on the approved plans has been made available for use. The space shall be allocated and retained for use by the occupants of the ground floor flat only and shall be used for no other purpose without the prior written permission of the Local Planning Authority.

REASON: To ensure suitable parking provision for people with disabilities in association with the provision of 'Lifetime Homes Standards' housing.

9 The window(s) in the flank wall(s) 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.

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: 3A.1, 3A.2, 3A.3, 3A.4, 3A.5

Harrow Unitary Development Plan:

D4, D5, D9, H10, EP25, T13

Supplementary Planning Guidance: Extensions, A Householders Guide (2008)

Supplementary Planning Document 'Accessible Homes (2006)

Code of practice for the storage and collection of refuse and materials for recycling in domestic properties (Version 2.2, 2008)

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:

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

4 INFORMATIVE:

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

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

5 INFORMATIVE:

Please note that guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>

6 Before implementing the planning permission hereby granted, or the works indicated in your certificate of lawful proposed development, the applicant is advised to contact the Council's Highways Crossings Officer on 020 8424 1799 or by email to frank.cannon@harrow.gov.uk to find out whether the construction of the crossover is acceptable in highway terms.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area, and Amenity (D4, D5, SPG)
- 2) Conversion of Buildings to Flats (D4, D5, D9, H10, EP25)

- 3) Accessible Homes (London Plan Policy 3A.5, SPD)
- 4) Parking Standards (T13)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

The application is reported to Committee as a petition objecting to the proposal has been received. This application was deferred from the Committee meeting on 19th November 2008 for a members site visit which took place on 13th December 2008.

a) Summary

Statutory Return Type:	Minor Dwellings
Car Parking:	Standard: 1.8
	Justified: 2
	Provided: 2
Lifetime Homes:	1
Wheelchair Standards:	None
Council Interest:	None

b) Site Description

- The subject site is on the western side of Rayners Lane, the property is a two storey semi detached dwelling.
- The dwelling has a single storey rear extension to a maximum depth of 3.9m
- There is a service road to the rear of the property
- The property to the north of the subject site is No. 13 Rayners Lane. The property contains a two-storey semi detached property
- The property to the south of the subject site is No. 9 Rayners Lane. The property contains a two-storey semi detached dwelling and shares a party wall with the subject dwelling and has a rear dormer extension.
- The surrounding residential street is characterised by two-storey semi detached dwellings.

c) Proposal Details

Conversion into 2 Flats

- It is proposed to convert the extended dwelling house into two self-contained flats.
- The proposed ground floor flat would consist of one bedroom (13.52m²), a combined living room (15.61m²) and kitchen/diner (15.80m²) and would have a total habitable floor space of 57.97m²
- The proposed first floor flat would consist of one bedroom (14.75m²), a living room (13.83m²) and a kitchen (5.60m²). The total habitable floor space of the flat would be 42.465m².
- Access to these flats would be from a communal entrance on the front elevation of the building, which would lead to two separate entrances within the lobby.
- Two stairs and a platform with handrails would provide access to the front entrance of the property.

- Separate garden areas of 50.0m² and 57m² are proposed for Flat A and B, respectively. Access to the rear gardens would be via the rear of the dwelling of flat A and via the side of the dwelling or the rear service road for Flat B.
- A refuse and recycling area for 6 bins would be provided within the rear garden area. Access to the refuse storage area would be via the side of the dwelling.
- One off-street car-parking space would be provided in front of the dwelling. The space would have a minimum width of 3.3 metres.
- One off street car parking space would be provided to the rear, in the rear garden which would be accessed by the service road. The space would have a minimum width of 2.5m.
- Existing vehicle access to be relocated 400mm to the south, it would be sited 900mm from the telegraph pole, width of access to remain same as existing.
- The front garden layout would include an area of soft landscaping.
- Two windows would be constructed into the side elevation of the property to serve the bathrooms at ground and first floor level.

d) Relevant History

LBH/22203 Single storey rear extension

GRANTED
02-NOV-82

e) Pre Application Discussion

- None.

f) Applicant Statement

See Design and Access Statement

g) Consultations:

Highways Engineer: No objections.

Crossings Officer: Minimum distance from street furniture should be 0.9m but as a last resort can go to 0.6m in some cases.

Notifications:

Sent: 11

Replies: 2 and a
petition containing: 35
signatures

Expiry: 18-SEP-08

Summary of Response:

- Overlooking from proposed flank windows; Increasing the number of residents would affect the character of the area and may set a precedent for other properties; Increase for demand in parking; Rear parking space would be 15mins drive from the front of the property; Rear parking would cause damage to boundary fence; Use of rear service lane would increase crime; Removal of trees in rear garden may result in flooding.

APPRAISAL

1) Character and Appearance of the Area, and Amenity

There would be no physical changes in the way of extensions made to the building therefore the proposal would retain the existing appearance of the property in the street scene. Two windows would be constructed in the northern flank wall, they would serve the proposed bathrooms at ground and first floor level. It is considered that there would be no loss of privacy or overlooking to the dwelling at No.13 as there are no habitable room windows on the facing flank wall, furthermore a condition of this consent would require the windows to be obscure glazed, and unopening below 1.7m as a measure to protect neighbouring amenities.

It is recognised that the activity associated with the property would be likely to intensify with the conversion of the dwellinghouse into two flats however it is considered that the effect would result in no harm to the character of the area and the amenity of neighbouring properties.

2) Conversion of Buildings to Flats

The key aspects of the proposal are discussed below, having regard to relevant UDP and London Plan policies and other material considerations.

Circulation and Layout

It is considered that the proposed units would be acceptable in terms of vertical stacking. Also the proposed size of the ground and first floor flats would be acceptable. Within each flat all bedrooms, living areas and bathrooms would be accessible from a common access lobby and not from other rooms. Access to the entrance of the dwelling would be from the existing entrance-way at the front of the property. It is considered that the overall circulation and layout of the proposal would provide satisfactory living arrangements to both flats.

Access to Amenity Space

The application proposes access to the private amenity space at the rear for both the ground floor and first floor flats, with direct access from the ground floor flat and side access provided for the first floor flat. The gardens for the proposed flats would be 50.0m² for the ground floor flat and 57.0m² for the first floor flat. The quantity of amenity space provided for both flats is considered satisfactory.

Landscape Treatment/ Refuse and Recycling Storage

Paragraph 4.21 of policy D4, recognises the contribution front gardens can make to the character of an area or locality. The LPA will seek their retention, reinstatement and enhancement in proposals as stipulated in policy D9. This is to ensure that the greenery of the front gardens is enhanced to improve the appearance of the development and the street scene. The proposed layout of the front garden would include one off-street parking space, access to the dwelling entrance and an area of soft landscaping. It is considered that the proposed landscaping would be sufficient to enhance the appearance of the property and the streetscene and would therefore meet the objectives of policies D4 and D9.

Conditions have been included requiring details of the landscaping to be approved by the Council prior to the commencement of the development and requiring implementation of the approved landscaping following occupation of the development.

Policy D4 also refers to the storage of refuse and waste and states that this should not be to the detriment of the visual and residential amenities or detrimental to the character of the area. The refuse and recycling bin area for the flats would be located in the rear garden space which would be accessed via the side access path and would be screened from the view of the general public. The size of the bin storage area would be adequate for the storage of 6 bins as required by the Council's Waste Management Policy. The proposed storage of refuse is therefore considered satisfactory.

Impact on Neighbouring Amenity

It is acknowledged that the conversion would increase residential activity on the site, through comings and goings to the property and internally generated noise/disturbance. However given the ambient noise levels in this established residential location and the level of disturbance associated with one additional unit, in principle it is considered acceptable.

3) Accessible Homes

The Council's adopted supplementary planning document (SPD) on 'Accessible Homes' seeks to ensure that new homes can be adapted to meet Lifetime Home standards. It is recognised that in the conversion of an existing building to flats that it is unlikely for a building to be fully Lifetime Homes compliant, but it is considered that this proposal should strive to meet as many of the Lifetime Homes standards as possible.

It is considered that the proposed ground floor flat would meet or be adaptable to meet the following points of the Lifetime Homes criteria stated on pages 8-9 of the Council's SPD: 1, 2, 4, 6, 7, 8, 9, 10, 11, 14 and 16.

Although Lifetime Homes the dwelling is raised, two steps with handrails to provide access to the communal entrance. It is recognised that the site level constraints prohibit the implementation of full lifetime home standards.

The internal layout for the proposed ground floor flat including the width of doors and circulation areas and the dimensions of the bathroom would meet the standards of the SPD in relation to Lifetime Homes.

It is considered that the proposed parking area forward of the dwelling would be capable of being adapted to provide a car parking space in accordance with the Lifetime home standards, as the area has adequate depth and width.

4) Parking Standards

11 Rayners Lane is within walking distance to good public transport links. It is approximately 150m to the bus stop along Eastcote Lane, which is on routes H10, H12, 114 and 383 and is approximately 0.5m from South Harrow tube station.

Furthermore, it is considered that some on-street car parking is available in the vicinity of the site. According to Schedule 5 of the Harrow UDP, the maximum car parking standard for the proposal would be 1.8 spaces. The applicant has shown one parking space in the forecourt which would allow the remainder of the front garden to be landscaped in accordance with our requirements. And one car space to the rear of the dwelling which would gain access via the existing service lane. The Council's Highways Engineer has not raised any objection to the proposal and it is therefore unlikely that this would result in any unreasonable impacts to the traffic and parking situation in the area.

5) S17 Crime & Disorder Act (D4)

The proposal is not expected to have any impact in relation to this legislation.

6) Consultation Responses

Material planning concerns addressed in the report above.

CONCLUSION

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

Item: 2/18

**ABERCORN ARMS, 78 STANMORE HILL, P/2383/08/ML1
STANMORE**

Ward STANMORE PARK

SINGLE STOREY SIDE TO REAR AND FIRST FLOOR REAR EXTENSIONS TO PROVIDE RESTAURANT (CLASS A3) / ANCILLARY FUNCTION ROOM (SUI GENERIS), EXTERNAL ALTERATIONS

Applicant: Oval Property Investments

Agent: Pegasus Planning Group

Statutory Expiry Date: 02-SEP-08

Item: 2/19

**ABERCORN ARMS, 78 STANMORE HILL, P/2386/08/LH
STANMORE**

Ward STANMORE PARK

LISTED BUILDING CONSENT: SINGLE STOREY SIDE TO REAR AND FIRST FLOOR REAR EXTENSIONS TO PROVIDE RESTAURANT (CLASS A3) / ANCILLARY FUNCTION ROOM (SUI GENERIS), EXTERNAL ALTERATIONS

Applicant: Oval Property Investments

Agent: Pegasus Planning Group

Statutory Expiry Date: 02-SEP-08

P/2383/08/ML1

RECOMMENDATION

Plan Nos: 450/01, 450/02I, 450/03A, 450/04G, 450/05B; Site Location Plan; Planning, Design and Access Statement including Listed Building Assessment; Transportation Statement; Details of Air Conditioning Units and Extraction (received 16/10/08); Letter from Agent (received 16/10/08); Letter from Agent (received 28/10/08); Email from Agent (received 02/12/08)

INFORM the applicant that:

1. The proposal is acceptable subject to the completion of a legal agreement within 6 months (or such period as the Council may determine) of the date of the Committee decision on this application relating to:
 - i) The contribution by the Applicant of a sum of £6250 to the Council to fund the monitoring of traffic and parking conditions in the locality and the preparation and installation of on street parking controls, for a period of five years from scheme completion. Any monies not expended for these purposes shall be returned to the Applicant at the end of that period.
 - ii) Legal Fees: payment of the Council's reasonable costs in preparation of the agreement.
 - iii) Planning Administration Fee: payment of a £500 administration fee for the monitoring of and compliance with this agreement.
2. A formal decision notice, subject to planning conditions noted below will be issued upon the completion by the applicant of the aforementioned legal agreement.

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 extensions

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 The proposed extensions shall not be used at any time other than for purposes ancillary to the use of the site as a Public House and should not be used as a separate commercial unit.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality.

4 Any plant and machinery, including that for fume extraction, ventilation, refrigeration and air conditioning, which may be used by reason of granting this permission, shall be so installed, used and thereafter retained as to prevent the transmission of noise, vibration, and odour / fume into any neighbouring premises.

REASON: To ensure that the proposed development does not give rise to noise and odour / fume nuisance to neighbouring residents.

5 The development hereby permitted shall not commence until there have been submitted to, and approved in writing by, the local planning authority, details of staked Heras fencing to be erected along the grass strip edge at the rear of the site. The fencing should then be constructed as approved before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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

6 The rating level of noise (as defined by BS4142:1997) emitted from the ventilation/extract unit shall not exceed the level above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997.

REASON: To protect nearby noise sensitive premises from significant loss of amenity due to noise.

7 An appropriate automatic noise control device shall be used for any amplified sound. The device shall be set so that the volume of any amplified sound emanating from the premises is inaudible at the façade of any noise sensitive premises and shall be maintained at a level as agreed in writing by the Local Planning Authority.

REASON: To protect nearby noise sensitive premises from significant loss of amenity due to noise.

8 No refuse collection shall be carried out from the site outside the following times 07.00 to 19.00 hours Monday to Saturday nor at any time on Sundays, Bank or Public Holidays.
REASON: To safeguard the amenity of neighbouring residents and the character of the locality.

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:

Harrow Unitary Development Plan:

- D4 Standard of Design and Layout
- D5 New Residential Development - Amenity Space and Privacy
- D11 Statutorily Listed Buildings
- D14 Conservation Areas
- D15 Extensions and Alterations in Conservation Areas
- EM22 Environmental Impact of New Business Development
- EP25 Noise
- EP31 Areas of Special Character
- T13 Parking Standards

Supplementary Planning Document 'Access for All' (2006)

2 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

3 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.

4 INFORMATIVE:

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

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

P/2386/08/LH

RECOMMENDATION

Plan Nos: 450/01, 450/02I, 450/03A, 450/04G, 450/05B; Site Location Plan; Planning, Design and Access Statement including Listed Building Assessment; Details of Air Conditioning Units and Extraction (received 16/10/08)

GRANT listed building consent for the development described in the application and submitted plans, subject to the following condition(s):

1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 Detailed drawings, specifications, or samples of materials as appropriate in respect of the following shall be agreed in writing by the local planning authority before the relevant part of the work is begun:

a) Screening to Air Conditioning Units

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

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

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

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

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

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

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

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

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:

Harrow Unitary Development Plan:

D11 Statutorily Listed Buildings

2 INFORMATIVE:

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

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

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

- Beginning development in breach of a planning condition will invalidate your planning permission.

- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1)** Character and Appearance of Listed Building and Conservation Area (D4, D11, D14, D15, EP31)
- 2)** Residential Amenity (D5, EP25)
- 3)** Traffic and Parking (T13)
- 4)** Accessibility (SPD)
- 5)** S17 Crime & Disorder Act (D4)
- 6)** Consultation Responses

INFORMATION

These applications are reported to the Committee due to the receipt of a petition of objection to the applications.

a) Summary

Statutory Return Type: Minor Development, all other
Listed Building Consent

Listed Building Grade II

Council Interest: None

Conservation Area: Stanmore Hill

b) Site Description

- The property is a detached two storey public house with accommodation in the roofspace and single storey rear extensions.
- The property operates as the Abercorn Arms public house, a historic Class A3 use which would now be considered as a Class A4 use under the amended Use Classes Order 2005.
- It is sited on the northeastern side of Stanmore Hill just north of Hill Close, south of an ancillary stable block within the site.
- There are two vehicular accesses to Stanmore Hill at the front of the site serving parking areas at the front and rear of the site.
- There is a terrace on the southern side of the building adjacent to a grassed and wooded area.
- It is an attractive 18th century building, although with numerous extensions to the rear and having been much altered internally.
- The property is sited within the Stanmore Hill Conservation Area and the Harrow Weald Ridge Area of Special Character.
- The property became grade II listed in 1983 and the list description reads:
18th century. Red brick. Two and a half-storeys. At right angles to road. Three sash windows (side ones 3-light, ground floor ones with glazing bars). Painted, plain coped parapet. Gable to street forms pediment, with lunette. Three sash windows with glazing bars on this front, with central arched doorway (radial-bar fan). Rudimentary veranda. Left ground floor window altered to bay, probably at same time as Edwardian addition of 2 storeys and 3 bays to the rear, which is not of special interest.

c) Proposal Details

- A single storey side to rear extension incorporating side bin store, approximately 2.5m beyond the existing rear line incorporating a relocated bay window and infilling an enclosed yard on the northern side of the building.
- A first floor rear extension with a mansard roof and three dormers in its southern roofslope, two rooflights at the rear and two windowless dormers in the northern roofslope.
- The first floor rear extension would be used as a restaurant (Class A3) and as an ancillary function room (Sui Generis) when not in use as a restaurant.
- It is expected this first floor extension of the restaurant use proposed on the site would be used as a function room approximately twice a week.
- The restaurant (Class A3) use proposed is a permitted change from the existing public house (Class A4) use, the ancillary function room (Sui Generis) introducing a new use onto the site.
- Extension of smallest of the existing rear gable ended first floor elements by a width of 1.6m to incorporate a boiler room.
- External alterations including screened air conditioning units at first floor level, railings, a fresh air input and extract.
- Alterations to fire escape stairs at the rear including a new exit from the proposed first floor rear extension and new railings on the existing flat roof.
- Internal alterations comprising installation of lift and demolition of internal walls.

d) Relevant History

HAR/3759/A	Alterations adds licensed premises	GRANT 26-MAR-62
LBH/9773	Alterations adds licensed premises	GRANT 12-AUG-76
LBH/21929	Single storey extension and change of use of rear outbuilding to training centre, for pub management	GRANT 20-OCT-82
EAST/45872/92/FUL	Alterations and single storey rear extensions, car parking areas and landscaping	GRANT 15-MAR-93
EAST/45873/92/LBC	Demolish outbuildings, alterations, Abercorn Arms, name sign, and single storey rear extensions	GRANT 15-MAR-93
EAST/177/02/LBC	Listed building consent: timber clad outhouse on rear to house cold storage equipment	GRANT 16-APR-02
EAST/637/00/FUL	Single storey front and side, single and two storey rear extensions, external staircase, internal and elevational alterations and terrace	GRANT 29-SEP-00
EAST/638/00/LBC	Listed building consent: single storey front and side, single and two storey rear extensions, external staircase, internal and elevational alterations and terrace	GRANT 29-SEP-00
EAST/176/02/CON	Retention of timber clad outhouse on rear to house cold storage equipment	GRANT 16-APR-02
P/3135/05/CVA	Variation of condition 10 of permission EAST/637/00/FUL to allow opening until 00:30 hours daily	REFUSED 26-APR-06

Reason For Refusal:

The proposed variation of condition to allow extended opening hours would give rise to additional noise activity and disturbance at unsocial hours, detrimental to the residential amenity of neighbouring occupiers.

P/2807/07DLB	Listed Building Consent: Internal alterations and refurbishment to ground & first floors.	GRANT 10-OCT-07
--------------	---	--------------------

e) Pre Application Discussion

The applicant has been involved in pre-application discussions with the Conservation Officer as well as those after the application was submitted. This has resulted in a revised design that is more in keeping with the character of the listed building.

f) Applicant Statement

- Mansard roof reduces overall massing so as to be subservient to original.
- Materials to match existing retain integrity of original and be in keeping with original style.

- Changing culture of eating and drinking indicates a restaurant facility is required to keep building going successfully.
- Existing bay window will be recreated.
- Internal alterations not affect any historic built fabric.
- Complies with PPG 15 and policy D11.
- Intention is for first floor extension to be used as a restaurant and as an ancillary function room when not in use as a restaurant, catering for family, banquet, celebrations and other festivals.
- Likely that these events would take place once or twice a week on average on a Friday or Saturday evening and Sunday lunchtime, for the rest of the week the first floor extension would be used as a restaurant.
- Generally when the extension is used as a function room it would accommodate one extended family group including the young and elderly, reducing the number of trips due to shared journeys.
- Access to the first floor will be via a dedicated entrance on the southern side of the building, however the first floor restaurant / ancillary function room will not operate as an independent facility to the main restaurant.
- Transportation Statement indicates that the current on site parking provision for 49 cars is acceptable and that there is spare on-street parking capacity on the existing highway.
- The proposed development would result in a demand for 30 additional parking spaces which can be accommodated on the surrounding streets.
- In response to comments made on the application by CAAC the Agent has addressed the following points raised:
 - *Georgian style fenestration* – the north east side elevation windows on the ground and first floor and rear elevation windows on the ground floor are Georgian style windows that follow the same rhythm of pattern as the existing Georgian windows.
 - *There are disproportionate windows* – the rhythm and pattern of windows follows that of the existing windows in the building, particularly the north east side elevation windows. The rear elevation first floor window has been removed with only the two roof light windows remaining.
 - *Upper floor extension out of proportion* – the extension is subservient to the main Abercorn Arms public house building.
 - *The crown and pitch roof is an awkward design* – the design and appearance of the extension, including the roof design and appearance, was discussed during informal pre-application consultation. It is considered that the crown and pitch roof ensures that the extension remains subservient to the main Abercorn Arms building, retaining a roof pitch which enables dormers (another character of the main building) to be provided.
 - *The extension will overshadow and be overbearing on the Listed Building* – The first floor extension is lower in height than the existing building and does not overshadow the host building.
- *More greenery is required* – Surrounding the site there are open areas, including the garden to the south east. Can be secured by a condition if necessary.

g) Consultations:

CAAC: Objection: Georgian style fenestration is needed to give better relief. Currently there are disproportionate windows. Upper floor extension is out of proportion. No architectural merit and crashes into the existing building. Out of proportion in terms of scale and mass. The crown and pitch roof demonstrates how awkward a design it is. It would overshadow and overbear the listed building. It does not preserve or enhance. A more human scale is required with better articulation and better detailing. More greenery is also required.

Stanmore Society: The applications should be renotified more widely with a revised description, particularly as noise and parking will affect those not immediately adjacent to the site. If any late night restaurant or drinking licence is granted, the proximity of residents will result in their being disturbed as well.

The extension of the building, proposes two large restaurant rooms. This is a big change in the use of the building. The clientele of a public house is a wide variety of people, coming and going during the course of an evening, with some remaining for longer, whilst others may depart after half an hour. The car park, therefore, will empty and refill throughout an evening, causing little inconvenience. However, with two restaurants, it is highly likely that there will be overcrowding of the car park, with overflow onto the adjacent Stanmore Hill and nearby side-roads. This will increase the hazards at these several road junctions, as well as the entrance to, and egress from the Abercorn car park. Traffic control measures are contemplated in the immediate vicinity, but the increase in risk of constant to-ing and fro-ing within a short time is likely only to increase danger. In the normal course of trade as a public house, outside the 'crush hours', 32 parking spaces should suffice. It is most improbable that this would be so, if only even one of the restaurants were full.

The appearance of the fenestration proposed in the new plans for the South East facade of the buildings sits uncomfortably with the Georgian shell. It is too reminiscent of the barred windows of a warehouse, and not of an amiable family pub.

Trading hours are a matter of concern. One aspect of this will be the adequacy of noise insulation, and in view of the application for a dance licence, this will be of the utmost importance.

It is desirable for historical reasons that the name of 'The Abercorn Inn' be retained.

Advertisement:	Alteration/Extension of Listed Building	Expiry: 01-SEP-08
-----------------------	--	-------------------

Notifications:

First notification

Sent: 51	Replies: 10	Expiry: 07-AUG-08
	36 signature petition of objection	

Second notification

Sent:
51

Replies:
Awaited

Expiry: 16-DEC-08

Summary of Response:

- Out of character with the surrounding residential area, detrimental to the atmosphere and comfort of local residents; Overdevelopment of the site, loss of openness; Detrimental to view from No.82 Stanmore Hill; Existing parking problem in area, requests for parking restrictions not taken up, will worsen current situation, no increase in parking provision proposed; Odours from restaurant pollute the air; The function room will encourage music on the site, problem with noise pollution and disturbance from patrons, music and cars in early hours; Two other Indian restaurants in the vicinity; No justification on a profit basis, the pub is busy at present; Existing additions on the site are sufficient for a listed building; Inappropriate in a Conservation Area ; Woodland area where children play adjacent to the site is dangerous due to dumped rubbish; Proposal encourages people to drink and act out of character, particularly the young.

APPRAISAL

1) Character and Appearance of Listed Building and Conservation Area

The main focal point of the property is its frontage and the property already has a number of extensions to the rear, some of which are specifically named as of no special interest within the list description. The proposed single storey side to rear extension, first floor rear extension with a mansard roof, dormers and rooflights, would be set mostly to the rear and be subservient to the main building. The proposed dormers on the north-east elevation will be in keeping with the building given they match the design and spacing of existing adjacent first floor dormers on the north-east elevation of the main block of the building. Materials of the extensions will be conditioned. Carefully incorporating new extensions in this way would not be out of keeping given the rear elevation already comprises a number of extensions. The proposed air conditioning units would be tucked away amongst existing rear additions so they would only be obliquely visible from the rear elevation. Their siting would therefore be very discreet and screening conditioned.

A site inspection revealed no internal features of interest would be affected by these proposals. Other alterations are minor external alterations. The proposals would not detract attention from any existing features of interest. The proposal would therefore meet Harrow UDP policy D11 to only permit alterations that preserve the character and setting of the listed building and any features of architectural or historic interest which it possesses both internally and externally.

The proposed extensions and alterations are considered to be of an acceptable scale and so would not result in an overdevelopment of the site. The siting of the proposed extensions at the rear and largely within the existing building envelope would ensure that the proposal would not result in a loss of openness on the site. The revisions made to the design of the proposed extensions during the course of the applications are considered to address concerns relating to the design of the extended building. The site is at present occupied by a public house and the proposed restaurant and ancillary function room uses are considered not to conflict with the existing use of the site, and would therefore maintain the character and appearance of the Conservation Area.

2) Residential Amenity

The proposed extensions and alterations to the public house would not be considered to be detrimental to the amenities of neighbouring residents, the proposed additional being elements unobtrusive and contained within the site. The effects of the increased use of the site and the extended restaurant and ancillary function room uses on the amenities of neighbouring residential properties would be limited both by the size of the site and the implementation of conditions on this planning permission to negate any potentially detrimental impacts upon the locality.

3) Traffic and Parking

A comprehensive Transportation Statement has been submitted with this application which has been assessed by the Council's Highways Engineer. Whilst he is generally satisfied with the proposed scheme in terms of its impacts upon traffic and parking issues, there are concerns that the potential increase in on-street parking may require future on-street parking controls in the locality. It is therefore suggested that planning permission should be granted subject to a contribution by the Applicant of a sum of £6250 to the Council to fund the monitoring of traffic and parking conditions in the locality and the preparation and installation of on street parking controls, for a period of five years from scheme completion. Any monies not expended for these purposes shall be returned to the Applicant at the end of that period. This arrangement should ensure the acceptability of the proposed development in this regard.

4) Accessibility

Amendments have been made to the scheme to improve the accessibility of the first floor additional element, key to this being the proposed installation of a lift. Door widths have also been increased and disabled toilet facilities provided. It is therefore considered that the proposed development would improve the accessibility of this existing public house and ensure access for all to the new facilities.

5) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

6) Consultation Responses:

- All material planning considerations raised are addressed by the Appraisal.
- Issues relating to Licensing applications on the site are covered by separate legislation.

- The applications were re-notified with a revised description following the revisions received during the course of the applications.
- The following issues are not material planning considerations with regard to this application: *Detrimental to view from No.82 Stanmore Hill; Two other Indian restaurants in the vicinity; No justification on a profit basis, the pub is busy at present; Woodland area where children play adjacent to the site is dangerous due to dumped rubbish; Proposal encourages people to drink and act out of character, particularly the young; It is desirable for historical reasons that the name of 'The Abercorn Inn' be retained.*

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, including any comments received in response to publicity and consultation, as set out above these applications are recommended for grant.

Item: 2/20

**ABERCORN ARMS, 78 STANMORE HILL, P/2805/08/ML1
STANMORE**

Ward STANMORE PARK

CHANGE OF USE OF STABLE BLOCK FROM STORAGE TO PROVIDE
ANCILLARY STAFF RESIDENTIAL ACCOMMODATION, WITH EXTERNAL
ALTERATIONS

Applicant: Oval Property Investments

Agent: Pegasus Planning Group

Statutory Expiry Date: 07-OCT-08

Item: 2/21

**ABERCORN ARMS, 78 STANMORE HILL, P/2810/08/LH
STANMORE**

Ward STANMORE PARK

LISTED BUILDING CONSENT: CHANGE OF USE OF STABLE BLOCK FROM
STORAGE TO PROVIDE ANCILLARY STAFF RESIDENTIAL ACCOMMODATION,
WITH EXTERNAL ALTERATIONS

Applicant: Oval Property Investments

Agent: Pegasus Planning Group

Statutory Expiry Date: 24-OCT-08

P/2805/08/ML1

RECOMMENDATION

Plan Nos: 450/06G, 450/07D, Site Location Plan, Letter from Agent (received
12/08/08)

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 stable block shall be used for the purpose specified in the application and
for no other purpose without the prior written permission of the Local Planning
Authority.

REASON: To safeguard the amenity of neighbouring residents and the character of
the locality.

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:

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development – Amenity Space and Privacy

D11 Statutorily Listed Buildings

EM22 Environmental Impact of New Business Development

EP25 Noise

T13 Parking Standards

- 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:

- 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

- 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.

- INFORMATIVE:

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

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

P/2810/08/LH

RECOMMENDATION

Plan Nos: 450/06G, 450/07D, Site Location Plan, Letter from Agent (received 12/08/08)

GRANT listed building consent for the development described in the application and submitted plans, subject to the following condition(s):

1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 Detailed drawings, specifications, or samples of materials as appropriate in respect of the following shall be agreed in writing by the local planning authority before the relevant part of the work is begun:

a) Rooflights

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

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

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

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

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

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

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:

Harrow Unitary Development Plan:

D11 Statutorily Listed Buildings

2 INFORMATIVE:

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

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

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1) Character and Appearance of Listed Building (D4, D11)
- 2) Residential Amenity (D5, EP25)
- 3) Traffic and Parking (T13)
- 4) Employment Policy (EM22)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

These applications are reported to the Committee at the request of a Nominated Member.

a) Summary

Statutory Return Type: Change of Use
Listed Building Consent
Listed Building: Curtilage Grade II
Council Interest: None
Conservation Area: Stanmore Hill

b) Site Description

- The property is a detached two storey former stable block.
- It is an ancillary building to the Abercorn Arms currently used for storage.
- It is sited on the north side of Stanmore Hill, just north of the Abercorn Arms, and opposite No.89 Stanmore Hill.
- It is an attractive red brick building with attractive polychromatic brick work and remains largely intact.
- The property is sited within the Stanmore Hill Conservation Area and Area of Special Character.
- The property became curtilage grade II listed in 1983 when the Abercorn Arms became a listed building.

c) Proposal Details

- The use of the building as ancillary staff residential accommodation.
- There would be a kitchen, bathroom, living room and two bedrooms on the ground floor, and a further two bedrooms and a bathroom on the first floor.
- Two rooflights on the northwestern side of the property.
- Internal alterations comprising three stud walls in the central former stable block area on the ground floor.
- New doorways.
- Three new stud walls on the first floor.

d) Relevant History

- None.

e) Pre Application Discussion

The applicant has been involved in pre-application discussions with the Conservation Officer and discussions after the application was submitted. This has resulted in a revised design that is more in keeping with the character of the artilage listed building.

f) Applicant Statement

- The proposed change of use to accommodation would be used solely by staff working on the site.
- The building would remain ancillary to the main Abercorn Arms building.
- Where doorways are being added, nibs have been retained to show their original position.
- The additional rooflights are the only external change.
- Complies with PPG 15 and policy D11.
- The site has good public transport links, car parking and cycle storage.

g) Consultations:

CAAC: No objections.

Advertisement:	Alteration/Extension of Listed Building	Expiry: 23-OCT-08
-----------------------	--	-------------------

Notifications:		
Sent:	Replies:	Expiry: 19-SEP-08
50	4	

Summary of Response:

Proposal suggests they want to make a large commercial enterprise out of what was a nice village pub; Disastrous to general atmosphere and comfort of local residents; Inappropriate, already suffering from increased food smells, noise and congestion; Noise and disturbance by alterations and turning into staff accommodation will affect quality of living; Listed status should prevent external changes; Lack of storage space already results in storage of empty kegs outside in view of number 82 Stanmore Hill; Pub has applied for an extension in hours and a licence covering dancing and music; Intention to overbuild and overfill the land; Problems with fighting in car park at rear and car parking; Will increase traffic and associated noise and congestion.

APPRAISAL

1) Character of Listed Building

Conversion to ancillary staff accommodation would help ensure the building was much better maintained. The external rooflights are proposed on the north-west side so that they are not visible from the highway or the public house's grounds and they are small. They will be conditioned as conservation rooflights so they are unobtrusive.

The proposed internal alterations would preserve the character of the listed building by largely retaining the original floor layout as shown by historic Building Control records. The central block will be subdivided but the area was once subdivided into stables. Also, it will not interrupt the main stable block timber entrance doors or the original windows within this area. The new first floor walls will not interrupt the building's attractive bull's eye window. The proposed alterations are therefore considered to comply with Harrow UDP Policy D11 to only allow alterations to listed buildings if they preserve its character and setting and any features of architectural or historic interest which it possesses.

2) Residential Amenity

The proposed use of the stable block as ancillary staff residential accommodation would result in the provision of four bedrooms, a living room, kitchen and two bathrooms for the use of staff. Although it is acknowledged that in some regards such as accessibility, outlook and amenity space the accommodation would be deficient in terms of the standards usually applied to the conversion of buildings to residential use, as this is a artilage Listed Building and as the accommodation would be restricted to use by staff working on site it is considered to represent a workable arrangement.

In terms of the amenities of neighbouring residents, the proposed change of use would not be considered to detrimentally impact upon the locality in terms of generating unacceptable additional levels of noise and activity within the context of the site and so would be acceptable in this regard.

3) Traffic and Parking

It is considered that the impacts of this change of use in terms of traffic and parking issues would be minimal. The provision of staff accommodation on site should reduce the need amount of vehicular journeys to and from the site by staff. Any parking related to the change of use could be accommodated within the existing on site parking provision.

4) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

5) Consultation Responses:

- *Proposal suggests they want to make a large commercial enterprise out of what was a nice village pub; Disastrous to general atmosphere and comfort of local residents; Inappropriate, already suffering from increased food smells, noise and congestion; Pub has applied for an extension in hours and a licence covering dancing and music; Intention to overbuild and overfill the land; Problems with fighting in car park at rear and car parking – These are issues related to the extension and use of the public house itself rather than this proposed change of use of the stable block.*
- *Lack of storage space already results in storage of empty kegs outside in view of number 82 Stanmore Hill – two storage areas at the northeastern end of the building will be retained.*
- All other issues addressed by Appraisal.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, including any comments received in response to publicity and consultation, as set out above these applications are recommended for grant.

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None.