



**DEVELOPMENT MANAGEMENT
COMMITTEE**

WEDNESDAY 21 JANUARY 2009

PLANNING APPLICATIONS RECEIVED

DEVELOPMENT MANAGEMENT COMMITTEE

APPLICATIONS

WEDNESDAY 21ST JANUARY 2009

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

WEDNESDAY 21ST JANUARY 2009

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SECTION 1 – MAJOR APPLICATIONS

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

110 CAMBRIDGE ROAD, HARROW

**Item: 2/01
P/3587/08/SG**

Ward HEADSTONE NORTH

RETENTION OF SINGLE STOREY SIDE TO REAR EXTENSION & SINGLE STOREY
OUTBUILDING IN REAR GARDEN; FRONT PORCH

Applicant: Mr Shanti Vara
Agent: YP4U (Yorkshireplans4U)
Statutory Expiry Date: | 07-JAN-09

RECOMMENDATION

Plan Nos: 08-131/P/01, 08-131/P/02

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

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

REASON: To safeguard the appearance of the locality.

2 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.

3 The outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the enjoyment of the dwellinghouse and shall not be used for eating, sleeping or living purposes.

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:

London Plan:

Harrow Unitary Development Plan: D4, D5

Supplementary Planning Guidance, Extensions: A Householder's 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.

MAIN CONSIDERATIONS AND POLICIES (London Plan & 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 referred to Committee as the proposal does not comply with the Householder SPG.

a) Summary

Statutory Return Type: Householder Development
Council Interest: None

b) Site Description

- Two storey semi-detached dwellinghouse located on the North-eastern side of Cambridge Road, within a rectangular shaped plot
- The rear garden is approximately 14 metres deep
- To the rear of the property is allotment gardens
- Neighbouring property, No. 112 has a two-storey side extension and a single storey rear extension
- Adjoining property, No. 108 has a 2m deep single storey rear extension along the boundary with the application site.

c) Proposal Details

- Retention of the single storey side to rear extension and detached outbuilding
- Front porch to measure 1.95m (w) x 2.5m (h) x 0.7m (d)
- The single storey side extension projects by 2.225m from the flank wall to abut the boundary with No. 112. It extends by 12.2m along the boundary to link into the single storey rear extension.
- The single storey rear extension projects by 3m along the boundary with No. 8 before being set in by 0.92m. It then extends out by 0.92m and is 7.85m in width at this depth (3.92m)
- The extension has a flat roof with a height of 3m
- Glazing is located along the front and rear elevations. There are no windows located in the side elevations
- The detached outbuilding (store) is located in the rear garden, 1m from the rear boundary line, 0.75m from the boundary with No. 108 and 1.5m from the boundary with No. 112.
- The outbuilding is 6.7m wide and 3.7m deep with a pitched roof, maximum height 2.5m and minimum height 2.2m
- There is a door and a window located on the front elevation facing onto the rear garden

d) Relevant History

P/3264/08	Certificate of Lawful Proposed Development: Single storey side to rear extension, detached outbuilding and front porch	WITHDRAWN BY APPLICANT 12-NOV-08
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e) Pre-Application Discussion

- None

f) Applicant Statement

- The applicant claims that he spoke with 3 different Duty Planners regarding the proposed extensions to the property. He states that each Duty Planner informed him that the proposed extensions would be allowed under the Town and Country (General Permitted Development) Order, and he therefore submitted an application to confirm this in writing, which was received on 30/09/2008

g) Consultations

Advertisement: | General Notification | Expiry: 30-DEC-08

Notifications:

Sent: 5 Replies: 0 Expiry: 05-DEC-08

Summary of Responses:

- N/A

APPRAISAL

1) Character and Appearance of the Area

The proposed front porch is considered acceptable as it would appear modest in appearance and would not project significantly forward of the bay window and would not link into this window. Thus, it would maintain the character and appearance of the property.

The single storey side extension is 3m in height and links into the single storey front extension located at No. 112. The dimensions of the side extension are considered acceptable and compliant with Policy D4 of the Harrow Unitary Development Plan and Supplementary Planning Guidance: Extensions, A Householders Guide (2008).

The rear extension is not visible from the streetscene and a number of properties in the surrounding area have rear extensions. Therefore, it is considered that the rear extension would not have a detrimental impact on the character and appearance of the area.

The dimensions of the outbuilding are considered acceptable and consistent with other outbuildings in the surrounding area.

2) Residential Amenity

In respect of the single-storey rear extension, No. 108 Cambridge Road has a single storey rear extension approximately 2m beyond the original main rear wall. The rear extension built on the application site does not comply with the 'two for one' rule, as the additional depth of 0.92m is only set away from the boundary with No. 108 by 0.92m (Paragraph C5 of the SPG). However, given the site circumstances, it is considered that the additional depth and its proximity to the boundary does not result in any undue harm to the residential amenities of the occupiers of No. 108 Cambridge Road.

It is considered that the single storey side extension would not have a detrimental impact on the amenities of No. 112, as this property has a two-storey side extension and a single storey rear extension, which the subject extension does not project beyond the rear of.

The dimensions of the outbuilding are considered acceptable, and therefore would not cause undue impact to the amenities the neighbouring properties., and in any event would comply with the current permitted development criteria

4) S17 Crime & Disorder Act

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

5) Consultation Responses

N/A

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 LEISURE CENTRE,
CHRISTCHURCH AVENUE, HARROW**

Item: 2/02

P/3972/08/GL

Ward **MARLBOROUGH**

SINGLE STOREY BUILDING TO PROVIDE RESIDENTIAL CARE HOME (USE CLASS C2)

Applicant: Harrow Council
Agent: David Kann Associates
Statutory Expiry Date: | 03-FEB-09

RECOMMENDATION

Plan Nos: **KG/BP/01 Rev A; /02; /03 Rev B; /04 Rev B; /05 Rev B; 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 development shall be as specified in the approved Design and Access Statement and drawings, unless otherwise agreed in writing by the local planning authority:

REASON: To safeguard the appearance of the locality.

3 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.

4 The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water 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.

5 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.

6 No site works or development shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site, have been submitted to, and approved by, the local planning authority.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement.

7 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 which shall include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development is completed. Soft landscape works shall include: planting plans, and schedule 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.

8 The plans and particulars submitted in accordance with the approval of landscaping condition shall include:-

(i) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point of 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;

(ii) details of the species, diameter (measured in accordance with para (i) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (iii) and (iv) below apply;

(iii) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(iv) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site;

(v) details of the specification and position of fencing, and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

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

9 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars 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.

10 No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to, and approved by, the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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

11 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.

12 Development shall not proceed beyond ground level damp proof course until details of a scheme for generating 20% of the predicted energy requirement of the development from on-site renewable resources have been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied until the works have been completed in accordance with the approved details and thereafter retained.

REASON: To ensure the development provides a satisfactory level of renewable energy.

13 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.

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: 4A.7

Harrow Unitary Development Plan:

D4, D5, D9, H14, T6, T13, SPG, Designing New Development, SPD: 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:

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 (i.e. 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.)

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 (D4, D5, D9, SPG)
- 2) Care Home Provision (H14, SPD)
- 3) Renewable Energy (4A.7)

- 4) Highways Considerations (T6, T13)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Minor Development	
Site Area:	0.257ha gross	
Car Parking	Standard	Assessed on merit
	Provided	14 (shared with neighbouring site)
Council Interest:	Council owned land	

b) Site Description

- Site is a redundant lido and on a triangular plot of land adjacent Harrow Leisure Centre;
- To the west is a boundary wall that is approximately 2.5m high with houses located beyond this boundary (Byron Road);
- To the north is the redundant Peel Road mortuary site;
- To the immediate east of the application site is a neighbourhood resource centre currently in course of construction

c) Proposal Details

- Demolition of existing buildings on site; filling in of redundant swimming pool
- Construction of single-storey residential home
- Building would have two rows of 12 bedrooms (in total), each with en suite facilities, arranged both sides of an internal avenue running north east to south west, with associated day rooms, medical rooms, staff accommodation and dining/catering facilities within a projection north west of the avenue.
- The building would be approximately 40m wide on the Christchurch Avenue frontage and approximately 36m deep.
- Design would incorporate gables on each elevation and two octagonal turrets either side of main entrance.
- Main roof ridge would be 6.7m high, with turret heights of 7.2m
- Development would have landscaped garden to the rear
- Parking area, and drop-off area would be on the neighbouring Neighbourhood Resource Centre site and shared with that development

Revisions to Previous Application:

Following the previous decision (P/2675/08) the following amendments have been made:

- The bedrooms have each been made larger by approximately 1.2m. This results in the widest part of the bedroom avenue section being 18m wide rather than the previous 17m wide.
- The plant room projection on the southwest elevation has been omitted, with the plant room being located internally with external door on northeast elevation (facing neighbourhood resource centre site).

- Internal layout revised to accommodate larger multi-function activity/kitchen area at northwest part of building with additional door on north east elevation
- Staff sleepover room added with external door on north east elevation
- Additional soft landscaping proposed in area of former plant room.
- Overall footprint of building reduced by 23m².
- Ridge height of roof facing onto Christchurch Avenue and new access road increased by 0.5m from 6.2m to 6.7m
- Some sun pipes, roof windows and finials have been omitted

d) Relevant History

This planning history refers to land immediately to the east of the application site, between the site and Harrow Leisure Centre

P/2270/07/DFU	Part single, part two storey neighbourhood resource centre, with associated access and parking	GRANTED 10-SEP-07
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This planning history refers to the application site

P/2675/08	Single-storey Building to provide residential home (use class C2)	GRANTED 10-SEP-08
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e) Pre-Application Discussion

PAM/ENQ.2252/12/06/07

Proposed scheme is acceptable in principle; general design approach commended, but turrets could be more interesting features

f) Applicant Statement

- Proposal incorporates minor design changes
- Building would be wheelchair accessible; design would reflect characteristics of neighbourhood; proposal incorporates sustainable energy; area has good local facilities and transport links; emphasis on natural lighting; property would have active frontages to design out crime;

g) Consultations

Thames Water: No objection

Notifications:

Sent: 48

Replies: 0

Expiry: 30-Dec-08

Summary of Responses:

- None

APPRAISAL

1) Character and Appearance of the Area

The principle of development of the site has been established through a 2006 design brief, and the proposed care home was considered acceptable by a Planning Advice Meeting in 2007. The principle of development was further confirmed by a grant of planning permission (reference P/2675/08) on 10 September 2008.

The current proposal would have a smaller overall footprint than the previously approved scheme, but with an altered and more practical internal layout.

The proposed care home would be a single-storey building. The design on the Christchurch Avenue frontage would incorporate gables that would break up the frontage and reduce the impression of the size of the building.

The main entrance to the building would be flanked by octagonal turrets. These would provide a clear visual entrance portal and would provide interest to the building.

The design of the building is considered acceptable and it would compliment the character and appearance of the area.

The applicant has supplied details of the proposed materials to be used in the proposal, together with physical samples. These are considered to be acceptable. Therefore, a condition has been attached requiring these materials to be used for the external surfaces of the building and the hard landscaping.

Although landscaping details have been supplied with the application, it is considered that more details of hard and soft landscaping are required, and that the masterplan could, therefore, subsequently change. For example, the proposed line of trees, alternating in species, surrounding the whole site, could make the site feel enclosed and oppressive.

Conditions have been added to the decision requiring that full details of hard and soft landscaping, as well as proposed levels, be approved prior to the implementation of the permission. The landscaping details should include a plant schedule of plant sizes, numbers, densities and future spreads, as well as details of landscaping maintenance and tree protection measures. The landscaping details should also include full details of gates, fences, piers, walls and paving.

2) Care Home Provision

Policy H14 of the Harrow Unitary development Plan notes that redevelopment into residential care homes would normally be permitted provided there would be no significant adverse environmental effects on surrounding properties or the character of the locality; that there is good public transport accessibility; that there are other facilities such as shops, day centres and healthcare facilities nearby and that there is adequate off street parking.

It is considered that each of these criteria are satisfied, and the proposal is therefore considered acceptable.

3) Renewable Energy

The proposal would incorporate facilities to generate 20% of the building's energy use on site. The proposed mechanisms for the generation of this energy have been outlined in the design and access statement include: combined heat and power, a closed loop ground source heat pump, photo voltaics, solar thermal panels and a biomass boiler.

These proposals would be in accordance with London Plan policy 4A.7. However, further details of the methods to be implemented are required to meet the 20% target, and therefore a suitable condition is attached.

4) Highways Considerations

Christchurch Avenue is a no through road for most vehicular traffic (buses are permitted to access the roundabout at the junction with Forward Drive and Byron Road). The proposal would share access and parking with the neighbouring approved Neighbourhood Resource Centre. Although the proposal would involve some traffic generation, the access arrangements and the level of parking provision are considered acceptable.

5) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

6) Consultation Responses

None

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 HARROW FIELDS GARDENS, P/3391/08/HG
HARROW

Ward HARROW ON THE HILL

SINGLE STOREY REAR EXTENSION AND SINGLE STOREY SIDE TO REAR
EXTENSION

Applicant: Mr Ashish Patel

Agent: W J Macleod Architect

Statutory Expiry Date: | 15-DEC-08

RECOMMENDATION

Plan Nos: Site Plan; 08/3176/1; Design and Access Statement (All Received 17.10.08); Arboricultural Report (Received 15.12.08); 08/3176/2 Revision A (Received 06.01.09)

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 and 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), other than those shown on approved plan no 08/3176/2 Revision A 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 Lime Tree in the rear garden of the property is to be removed and replaced with an Ornamental Maple Tree. The size of the replacement tree and location of planting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development.

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 All development and works shall be carried out in accordance with the Tree Protection Plan contained within the Arboricultural Report. The approved details shall be installed prior to the commencement of the development and shall be retained in situ until the works are completed.

REASON: To ensure that the trees subject to preservation orders are to be retained on the site are not adversely affected by any works.

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, D10, D14, D15, T13

Supplementary Planning Guidance; Extensions: A Householders Guide (2003)

Sudbury Hill Conservation Area Policies 1, 3, 4, 9 and 10

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 Conservation Area (D4, D5, D14, D15 SPG)
- 2) Impact on Trees (D10)
- 3) Residential Amenity (D5, SPG)
- 4) Loss of Garage/Parking Facility (T13)
- 5) S17 Crime and Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Householder Development
Conservation Area Sudbury Hill
Area of Special Harrow on the Hill
Character
Council Interest: None

b) Site Description

- Two storey detached dwelling, located on the northern side of Harrow Fields Gardens and backs onto Sudbury Hill with a rear garden area of between 6.4 metres and 10 metres in length
- The subject site has a steep slope from the rear to the front of the property; there is a retaining wall in the rear garden that is located between 1.9 and 2.6 metres from the main rear of the dwelling and is flush with the rear wall of the garage
- It is approximately 1.2 metres in height and steps in the retaining wall provide access to the rear garden
- The property has existing on-site car parking and car parking has been designated on Harrow Fields Gardens along the front of the site
- The subject site is located within the Sudbury Hill Conservation Area and was constructed in 1979-1980 is part of a modern housing development
- Three protected trees are located in close proximity to the dwelling (one in the front and two in the rear garden area)
- Adjoining property No. 32 is located to the east of the subject site and has not been extended; it is set forward approximately 3.0 metres in the streetscene
- Neighbouring property No. 30 is located to the west of the subject site and is located approximately 24 metres from the subject site

c) Proposal Details

- It is proposed to construct two single storey extensions: single storey side to rear conservatory extension (adjacent to open land) and a single storey rear extension (adjacent to No. 32)

Single Storey Side to Rear Conservatory Extension

- Conservatory would project 3m from the existing main rear wall.
- It would project 5.6m from the rear wall of the dwelling at no.32 and would be set away 9.6m from the common boundary of no.32
- It would have a width of 6m.
- A lean-to roof is proposed with a height of 2.5m to the eaves and 3.8m to the top of the pitch (mid-point height of 3.15m)
- Constructed of glazed glass panels with folding doors in the eastern elevation
- It is proposed to retain the western flank wall.
- The extension would result in conversion of the garage to a store, utility room and garden room.
- This element of the scheme involves excavation and retaining within 1m of a significant Lime Tree.

Single Storey Rear Extension

- Rear extension would be in line with the eastern flank wall and would be set 100mm behind the existing main rear wall.
- It would have a width of 3.1m and link into the existing lounge room.
- It would project 2.6m from the rear wall of the dwelling at no.32
- A mono-pitch roof is proposed with a height of 3.1m and a flush rooflight.
- There would be no windows in the flank wall but the rear elevation would contain two full height windows and folding doors.

Revisions to previous application

Following the previous decision (P/4251/07) the following amendments have been made:

- Accurate CAD plans have been submitted to overcome one of the reasons of refusal of the previous application.

Amendments to Single Storey Side to Rear Conservatory Extension

- Roof design amended from hipped roofs to a gable end/lean-to roof.
- Reduced in depth from 4m to 3m.
- Two windows in west flank wall have been removed.
- Rear elevation amended from solid brick with two folding doors to glazed glass panels with no openings.
- East flank wall amended from solid brick wall to glazed glass panels containing a folding door.
- Floor plan layout amended to include a store.
- Excavation and retaining reduced in depth by 1m.

Amendments to Single Storey Rear Extension

- Reduced in depth by 100mm and roof design amended from hipped roof with a height of 2.7m to the eaves to a mono-pitch roof with a height of 3.1m and a flush rooflight.

d) Relevant History

P/4251/07 Single storey side to rear extensions; excavated rear REFUSED
patio; conversion of garage into habitable room; 09-JUN-08
external alterations

Reason for Refusal:

The submitted drawings fail to illustrate the accurate design, appearance and scale of the existing and proposed elevations. In the absence of this information the proposals, by reason of excessive bulk and mass, would be likely to detract from the character and appearance of the building and this part of the Sudbury Hill Conservation Area contrary to policies D4, D14 and D15 of the Harrow Unitary Development Plan.

P/2244/07 Single storey rear extensions; excavated rear patio; REFUSAL
conversion of garage into habitable room; external 01-OCT-07
alterations

Reasons for Refusal:

1. The applicant has failed to demonstrate that the proposed extension including excavated patio area would have no material impact on the long-term survival of trees of amenity value on the adjoining site and within the site. In the absence of such information, the proposal would result in a potential loss of trees to the detriment of visual amenity and character of the area contrary to policies SD1, SD2, D4, D10, and EP29 of the Harrow Unitary Development Plan (2004) and policy 8 of the Sudbury Hill Conservation Area Policy Statement (1994).
2. The proposed extension by reason of its design would be harmful to the appearance of the property and would fail to preserve or enhance the Conservation Area contrary to policies SD1, SD2, D4, D10, D14, D15 of the Harrow Unitary Development Plan (2004) and the Sudbury Hill Conservation Area Policy Statement (1994).

e) Revisions to previous application

- None

f) Applicant Statement

- Refer to Design & Access Statement.

g) Consultations

CAAC – Would create too much light at night, prominent when viewed from Sudbury Hill, should incorporate a traditional design, out of proportion, poorly designed, overdevelopment, too close to rear boundary line. The design is of poor quality and would intrude into the open space of the Sudbury Hill corridor. We would also resist the loss of garage here.

Harrow Hill Trust – No comments received.

Advertisement – Character of Conservation Area

Posted:
21-NOV-08

Expiry:
14-DEC-08

General Site Notice:	Posted: 21-NOV-08	Expiry: 14-DEC-08
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Notifications:

Sent: 2	Replies: 1 + 1 Petitions*	Expiry: 20-NOV-08
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* - One petition containing five signatories in support of the proposal.

Summary of Response:

Inadequate tree protection plan; poor design that would be harmful to appearance of the Estate; bulky; not in keeping with character of Conservation Area; loss of garage would increase demand for car parking; proposal contravenes restrictive covenants.

APPRAISAL

1) Character and Appearance of the Conservation Area

Council's Conservation Officer has advised the existing dwelling has a modern design and little architectural merit. It is therefore considered that the proposed modern design of the single storey side to rear conservatory extension would not detract or fail to preserve the character of the Conservation Area.

The depth of the conservatory extension has been reduced in the current application. To this end it is considered the revised depth has overcome the issue regarding bulk and therefore the reason for refusal of the two previous applications.

The proposed dimensions of both extensions would comply with the SPG in respect of single storey rear extensions to detached dwellings. The conservatory extension would project 3m from the main rear wall of the dwelling house and satisfy the requirements of the "two for one" rule (SPG, paragraph C.5. Page 9) when viewed from neighbouring property no.32. The western flank wall would be retained which would obscure the extension from the street scene when viewed from Harrow Fields Gardens.

The single storey side to rear conservatory extension would be set away a minimum distance of 6.8m from Sudbury Hill and the single storey rear extension would be set away a minimum of 4.8m from the Sudbury Hill. It is noted the site has a significant slope downwards from Sudbury Hill. Given the site circumstances the extensions would not be a prominent feature in the street scene when viewed from Sudbury Hill and the proposed distance is considered adequate to maintain the appearance of the Conservation Area.

The proposal does not involve any modifications to the front elevation of the dwelling and the garage door would be retained to serve a store. The property would be able to accommodate a vehicle in the driveway which would nullify the loss of garage space.

It is therefore considered that the proposal would preserve the character and appearance of the conservation area.

2) Impact on Trees

There are two significant trees within close proximity of the proposed development. An Oak tree to the west of the site would be within 5m of the proposal and a Lime tree in the rear garden would be within 1.2m of the proposed excavation and retaining. The Oak is subject to a Tree Preservation Order, however both trees are protected by virtue of the fact they are located in a Conservation Area.

The Arboricultural Report states that the proposed development would have an adverse impact on the Lime Tree. Notwithstanding the above, the Lime Tree has been topped and is in a poor condition. It is therefore considered that the Lime Tree does not contribute to the character or appearance of the area. It is also noted that the Lime Tree is not the subject of a specific Tree Preservation Order. The Arboricultural Report recommends that the tree be removed and replaced with an Ornamental Maple Tree in the rear garden. The Council's Tree Officer has advised that this would be appropriate and should be conditioned accordingly.

The Council's Tree Officer has also advised that the Tree Protection Plan would ensure that tree's subject to preservation orders would not be adversely affected during the construction stage or affected by the development. It is recommended that a condition be imposed that the development be constructed in accordance with the Tree Protection Plan.

3) Residential Amenity

The proposal would retain the western flank wall and given the distance between no.30 and no.31 (approximately 24m) it is not considered the single storey side to rear conservatory extension would impact the amenity of the occupiers at no.30.

It is considered the size and bulk of the single storey rear extension would not adversely impact the amenity of the occupiers of adjoining property No. 32. The rear projection would comply with the SPG for detached dwellings, as it does not exceed 3.0 metres from the rear wall of the neighbouring property. Furthermore, the extension does not project beyond the depth of the existing main rear wall. The proposed height exceeds the maximum recommended in the SPG (3.0 metres) however, it would be set-away 1.3m from the common boundary of no.32 and it is considered this separation distance would mitigate any adverse impact on the visual and residential amenities of the occupiers of this property.

4) Loss of Garage/Parking Facility

The driveway would be retained with its current length of 8.6m which is considered adequate.

5) S17 Crime & Disorder Act

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

6) Consultation Responses

- Restrictive covenants are not a planning consideration.
- All other comments have been addressed within the 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.

90 KINGSFIELD AVENUE, HARROW

Item: 2/04

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. The application was deferred from the Development Management Committee on 16th December 2008 for a Members' site visit that took place on 17th January 2009.

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
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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.

551 PINNER ROAD, HARROW

Item: 2/05

P/1503/08/GL

Ward HEADSTONE NORTH

CHANGE OF USE OF GROUND FLOOR MOTORCYCLE SHOP (SUI GENERIS) TO RESTAURANT/TAKEAWAY (A3/A5); SINGLE-STOREY REAR EXTENSION; EXTERNAL ALTERATIONS

Applicant: Lexview Ltd

Agent: ELH Associates

Statutory Expiry Date: | 17-JUN-08

RECOMMENDATION

Plan Nos: Site Plan; 1507-04 Rev B (received 05-Aug-08); 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) 10.30 hours to 23.00 hours, Monday to Saturday inclusive,

(b) 10.30 hours to 22.30 hours on Sunday,

without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

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

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

4 The development hereby permitted shall not commence until full details of ventilation and fume extraction have been submitted to, and approved in writing by, the local planning authority. The details shall include the external appearance, internal positioning, motor position and mounting and details of any filters to be used. The use shall not commence until those external works have been completed in accordance with the approved details. The works shall thereafter be retained.

REASON: To safeguard the amenities of neighbouring residents and the appearance of the building.

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 and the Development Management Committee of 16th December 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 Council's Team Leader (traffic) notes that the problems associated with a takeaway restaurant are well established, namely that they will attract short term parkers. In this case waiting restrictions are in place outside 551 Pinner Road which operate between the hours of 8:00am to 6:30pm on Monday to Saturday. These hours were deemed necessary in order to maintain traffic flows at peak times. The traffic team leader is of the opinion that these existing waiting restrictions are sufficient to cope with the proposed change in use
- b) The Crime Prevention Design Advisor has consulted with both the local Safer Neighbourhood Team and the Licensing Sergeant. Neither of them are aware of any particular crime and disorder issues in this area specifically related to the restaurants and takeaways and neither are concerned that an additional restaurant/takeaway would create in the future.
- c) The Department of Health issued 'Healthy Weight, Healthy Lives: A Cross Government Strategy for England' in January 2008. However, 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-08
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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.

Item: 2/06

41-42 SOUTH PARADE, MOLLISON P/3113/08/NR
WAY, EDGWARE

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 BA; 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 Saturdays, 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. This application was deferred from the meeting of 16th December 2008 for a Member Site visit to take place on 17th January 2009.

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).
- The nursery would cater for children between the age of 3 months and 5 years, with 58 children proposed to occupy the nursery.
- 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.

Item: 2/07

**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 ACCOMMODATION 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.

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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. The application was deferred at the Development Management Committee on 16th December 2008 for a Member Site visit to take place on 17th January 2009 and to request additional illustrative details of the proposed house from the applicant.

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: 2/08**
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

This application was deferred from the meeting of 16th December 2008 for a Member Site visit to take place on 17th January 2009.

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.
- Validity of application

The outline permission was due to expire on 14 September 2008, if no submission for approval of reserved matters had been received by that date. In the event, the current application was received on 1 September 2008, and was validated on 3 September.

Subsequent detailed examination of the submitted plans showed minor discrepancies with the details of siting and means of access which were approved at the outline stage, although these discrepancies had minimal implications for consideration of the submitted reserved matters.

The application was made invalid on 24 September to obtain corrected plans from the applicant - these were received on 1 October, and the application was re-validated with effect from that date.

It is considered that this does not prejudice the validity of this application which was made in good faith within the stipulated timescale and in any event contained full details of all reserved matters.

Had this discrepancy been identified at vetting stage the applicant would have been invited to correct the details (as he subsequently did) some 12 days in advance of the expiry of the application.

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.

Item: 2/09

**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 rain screen' 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: 2/10

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.

The application was deferred from the Development Management Committee of 16th December 2008 for further consideration of highway / traffic aspects.

The requested information is that:

The problems associated with a takeaway restaurant are well established, namely that they will attract short term parkers. In this case waiting restrictions are in place outside 152 Pinner Road, which operate between the hours of 8:00am to 6:30pm on Monday to Saturday. These hours were deemed necessary in order to maintain traffic flows at peak times. The Traffic and Road Safety Advisory Panel (TARSAP) have agreed, subject to formal consultation, to implement a Controlled Parking Zone (CPZ) in the area with an upgrade of waiting restrictions on Pinner Road. These additional controls, in combination with the locality being currently active in A3 and A1 terms, indicates that the proposal is unlikely to give rise to measurable traffic generation or injudicious parking problems as a proportion of custom for the proposed use is likely to be a by-product of established or existing trips.

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
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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.

ABERCORN ARMS, 78 STANMORE HILL, STANMORE **Item: 2/11**
P/2383/08/ML1

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

ABERCORN ARMS, 78 STANMORE HILL, STANMORE **Item: 2/12**
P/2386/08/LH

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 30/10/08); 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 three 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, and were deferred at the Development Management Committee on 16th December 2008 for a Member site visit that took place on 17th January 2009

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 bards). 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.
- The existing licence for the public house allows alcohol to be served until 00:00 daily, with opening until 00:30.
- A recent application to extend the licensed hours and activities was withdrawn earlier this year.
- The existing licence only covers the ground floor of the public house, a new licence would be required to cover the first floor.

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.

Item 2/11 & 2/12 : P/2383/08/ML1 & P/2386/08/LH continued...

- 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
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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 northeast 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: 27 Expiry: 16-DEC-08
27 signature petition of objection

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; Previous comments still stand despite amendments, object to the revised scheme.

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 affects 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: 2/13

**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: 2/14

**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

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.
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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, and were deferred at the Development Management Committee on 16th December 2008 for a Member site visit that took place on 17th January 2009.

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 brickwork 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 cartilage 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
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Notifications:

Sent:	Replies:	Expiry: 19-SEP-08
50	5	

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; Previous comments still stand despite amendments, object to the proposal.

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 cartilage 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 north-eastern 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

Item: 5/01
HIGHWAY LAND, ST THOMAS' DRIVE (NR P/3901/08/GL
JUNCTION WITH UXBRIDGE ROAD),
PINNER

Ward HATCH END
PRIOR APPROVAL FOR SITING AND APPEARANCE: 12.4M HIGH
TELECOMMUNICATIONS MAST WITH TWO ASSOCIATED EQUIPMENT
CABINETS.

Applicant: Vodafone Ltd
Agent: Pico Consultants Ltd
Statutory Expiry Date: | 27-JAN-09

RECOMMENDATION

Plan Nos: 47000/A/001 Rev C; /002 Rev C; /003 Rev C; /004 Rev C; Supporting
Statement, Supporting Information, Technical Justification & Plots,
ICNIRP Certificate

PRIOR APPROVAL of details of siting and appearance IS required

GRANT PRIOR APPROVAL of details of siting and appearance for the development
described in the application and submitted plans, subject to the following informatives:

INFORMATIVES

1 INFORMATIVE:

The applicant is advised that this decision relates only to the planning requirements imposed by the Town and Country Planning (General Permitted Development) Order 1995.

2 INFORMATIVE:

The applicant is advised that a notification to the local highway authority will be required under the New Roads and Street Works Act 1991 for opening the highway (footway) for installation and any associated ductwork.

3 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.

4 INFORMATIVE:

The applicant is advised that the equipment cabinets should be located at least 8 metres from the bank of the Woodridings Brook and that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981 written approval from the Council's drainage engineers and the Environment Agency would be required for any development within 8 metres of the top of the bank.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Compliance with ICNIRP
- 2) Character of Area and Visual/Residential Amenity (D4)
- 3) Telecommunications Development (D24)
- 4) Flood Risk (EP11)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Not Categorised
Council Interest: None

b) Site Description

- Application site is a highway verge on the east side of St Thomas's Drive 30m south of the junction with Uxbridge Road
- The grass verge is 2m wide, with a 2.2m wide tarmac path and a further grass verge beyond
- The highway is a four-lane dual carriageway and the verge is approximately 10m wide at the proposed mast location.
- There is a triangular visibility splay extending from 40m south of the junction (mini-roundabout) with Uxbridge Road.
- There are two 10m high lampposts in the grass verge, one 13m north of the proposed mast and one 14m to the south.
- The nearest residential property is Nugent's Court, a two-storey block of flats, the nearest corner of which is 15m south-east of the proposed mast.

c) Proposal Details

- 10m high pole mast, painted black, with 2.4m high three-sector antennae.
- Two equipment cabinets, each 2m wide, 0.8m deep and 1.3m located approximately 6m to south-east of proposed mast on other side of tarmac path

d) Relevant History

P/3043/06/CDT	Prior approval determination: 10 meter lamppost micro cell column on footpath and equipment cabinets on green verge, new vehicular access & hardsurfaced area (Land on Uxbridge Road)	REFUSED 13-DEC-06
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Reasons for Refusal:

- The proposed development, including hardsurfaced area, by reason of excessive size and siting, would be visually obtrusive on this prominent junction, to the detriment of the visual amenity of neighbouring occupiers and the character of the area, contrary to policies S1, D4 & D24 of the Harrow Unitary Development Plan.

e) Pre-Application Discussion

- None

f) Applicant Statement

- The proposed site has been selected as there are no suitable buildings and no site sharing opportunities available. The proposal would blend in to the existing run of streetlights.
- Alternative sites were considered y rejected due to operational inefficiency or a need for an excessively tall mast.
- There is sufficient space on the verge for the cabinets without causing a hindrance to pedestrians.
- There is currently a deficiency in the network in the residential and commercial areas around the proposed site.
- Confirmation of ICNIRP guidelines.

g) Consultations

Hatch End Association: Response awaited

Environment Agency: Development would restrict essential maintenance to Woodridings stream and result in an unacceptable obstruction to flood flows thereby increasing the risk of flooding.

Site Notice: | Expiry: 25-Dec-08

Notifications:

Sent: 63

Replies: Awaited

Expiry: 23-Dec-2008

Summary of responses:

Health impacts; detrimental to character of the area; impact on property values

APPRAISAL

1) Compliance with ICNIRP

The proposal includes an ICNIRP declaration confirming compliance with the public exposure guidelines.

2) Character of Area and Visual/Residential Amenity

The proposed mast would be clearly visible in the street scene. However, the base height would be the same as the surrounding lampposts and the overall height would be some 2.4m higher than that.

The proposed mast would be sited to fit in with a run of lampposts on the east side of St Thomas's Drive. As such, it is considered that the proposed mast would not be out of character with the area and would not be unduly prominent in the street scene.

Although the equipment cabinets would be visible from the street, their design and location are not considered to have a significant impact on the visual amenity of the area.

The nearest residential property is approximately 15m from the application site. Although concerns have been raised about the potential health impacts of the proposed mast, this is not a material consideration in assessing this application.

Given the separation between the proposed mast and the nearest residential properties (Nugent's Court), it is considered that the proposal would not be detrimental to the residential amenities of nearby occupiers.

3) Telecommunications Development

Policy D24 of the Harrow UDP outlines that proposals for telecommunications development will be considered favourably subject to six criteria.

The applicant has provided a list of alternative sites and has outlined why none of the alternative sites is suitable.

It is considered that the proposal has been sited and designed to minimise visual impact due to its location, and would have no impact on residential amenity. In terms of any potential health hazards, the applicant has also provided an ICNIRP declaration confirming compliance with the public exposure guidelines.

It is considered that the requirements of Policy D24 have been met, and that prior approval of the siting and design of the equipment should be granted.

4) Flood Risk

The original plans submitted with the application indicated that the proposed equipment cabinets would have been located within 5m of the top of the bank of the Woodridings Stream. This would have restricted essential maintenance to the stream and resulted in an unacceptable obstruction to flood flows.

Revised plans have been submitted indicating that the equipment cabinets would be more than 8m from the top of the bank, and therefore the objection from the Environment Agency has been overcome.

5) S17 Crime & Disorder Act

This proposal is not considered to have any impact with respect to crime and disorder in the locality.

6) Consultation Responses

Impact on property values: Not a material 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 any comments received in response to publicity and consultation, as set out above this application is recommended for grant.