



PLANNING COMMITTEE

WEDNESDAY 13 MAY 2009

PLANNING APPLICATIONS RECEIVED

This page is intentionally left blank

PLANNING COMMITTEE

APPLICATIONS

WEDNESDAY 13TH MAY 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 2008

Section 17 of the Crime & Disorder Act 2004

PLANNING COMMITTEE

WEDNESDAY 13TH MAY 2009

INDEX

					Page No.
1/01	51 COLLEGE ROAD, HARROW REVISED APPLICATION FOR REDEVELOPMENT TO PROVIDE 410 FLATS IN 3 BLOCKS RANGING BETWEEN 3 & 19 STOREYS IN HEIGHT; 87 CAR PARKING SPACES IN BASEMENT, 3 PARKING SPACES AT GROUND FLOOR LEVEL; 442 CYCLE SPACES, 7 MOTORCYCLE SPACES; 1120 SQUARE METRES OF A1, A2, A3, A4 & B1 FLOOR SPACE AT GROUND FLOOR LEVEL; CREATION OF PUBLIC SQUARE AND PEDESTRIAN FOOTBRIDGE	P/1620/08/RP1	GREENHILL	FOR CONSIDERA TION	1
1/02	WHITMORE HIGH SCHOOL, PORLOCK AVENUE, HARROW APPROVAL OF RESERVED MATTERS (APPEARANCE, SCALE & LANDSCAPING) PURSUANT TO PERMISSION P/0892/08/COU	P/3539/08/RH	HARROW ON THE HILL	GRANT	45
2/01	SERVICE STATION, 50 - 54 NORTHOLT ROAD TWO ADDITIONAL FIFTH FLOOR FLATS TO EXISTING BUILDING	P/0284/09/RH	HARROW ON THE HILL	GRANT	52

2/02	THE SACRED HEART LANGUAGE COLLEGE, 186 HIGH STREET, WEALDSTONE CONSTRUCTION OF NEW TWO STOREY BUILDING TO PROVIDE SIXTH FORM CENTRE; THREE NEW PARKING SPACES; LANDSCAPING; REMOVAL OF EXISTING SINGLE STOREY CLASSROOM BUILDING; NEW 2.1M HIGH FENCE	P/0173/09/LM	WEALDSTONE	GRANT	62
2/03	THE LEAPING FROG, CARMELITE ROAD, HARROW CONSTRUCTION OF NINE TWO STOREY DWELLINGHOUSES IN TWO TERRACES WITH NEW ACCESS ROAD AND BOUNDARY FENCE; DEMOLITION OF PUBLIC HOUSE	P/0639/09/GL	WEALDSTONE	GRANT	73
2/04	402 KENTON ROAD, HARROW CHANGE OF USE FROM FINANCIAL AND PROFESSIONAL SERVICES TO HOT FOOD TAKEAWAY (CLASS A2 TO A5) WITH EXTRACT FLUE AT REAR	P/4068/08/ML1	KENTON EAST	GRANT	85
2/05	439 ALEXANDRA AVENUE, HARROW LOWER GROUND FLOOR REAR EXTENSION, NEW EXTRACT FLUE AT REAR, 6 X AIR CONDITIONING UNITS ON ROOF OF SINGLE STOREY PROJECTION WITH SCREEN AROUND ROOF EDGE	P/0174/09/SB5	RAYNERS LANE	GRANT	91
2/06	157 - 159 VILLAGE WAY, PINNER RETENTION OF SINGLE	P/0014/09/SB5	PINNER SOUTH	GRANT	98

AND TWO STOREY BUILDING WITH ACCOMMODATION IN ROOF AND CONVERSION INTO THREE TERRACED DWELLINGHOUSES; PROPOSED VEHICLE ACCESS TO VILLAGE WAY; RETENTION OF DETACHED DOUBLE GARAGE AT THE REAR WITH PROPOSED ACCESS TO CANNON LANE

2/07	4 AYLWARDS RISE, STANMORE	P/3603/08/ML1	STANMORE PARK	GRANT	109
	RETENTION OF 4 AIRCONDITIONING UNITS ON REAR ELEVATION, WITH ACOUSTIC PANEL SCREEN				

This page is intentionally left blank

SECTION 1 – MAJOR APPLICATIONS

51 COLLEGE ROAD, HARROW

Item: 1/01

P/1620/08/RS

Ward GREENHILL

REVISED APPLICATION FOR REDEVELOPMENT TO PROVIDE 410 FLATS IN 3 BLOCKS RANGING BETWEEN 3 & 19 STOREYS IN HEIGHT; 87 CAR PARKING SPACES IN BASEMENT, 3 PARKING SPACES AT GROUND FLOOR LEVEL; 442 CYCLE SPACES, 7 MOTORCYCLE SPACES; 1120 SQUARE METRES OF A1, A2, A3, A4 & B1 FLOOR SPACE AT GROUND FLOOR LEVEL; CREATION OF PUBLIC SQUARE AND PEDESTRIAN FOOTBRIDGE

Applicant: DANDARA LIMITED
Agent: CB RICHARD ELLIS
Statutory Expiry Date: 26-AUG-08

RECOMMENDATION

Plan Nos:

Existing :-

A/PL/07/01	Site Survey
A/PL/07/02	Survey
A/PL/07/03	Basement Plan
A/PL/07/04	Ground Floor Plan
A/PL/07/05	Roof Plan
A/PL/07/06	South Elevations
A/PL/07/07	North Elevations
A/PL/07/08	North-South Section

Proposed:-

A/PL/02-100/A	Site Location
A/PL/02-101/B	Proposed Site Layout
A/PL/03/99/A	Basement Plan
A/PL/03/100/A	Ground Floor Plan
A/PL/03/101/A	Level 01
A/PL/03/102/A	Level 02
A/PL/03/103/A	Level 03
A/PL/03/104/A	Level 04
A/PL/03/105/A	Level 05
A/PL/03/106/A	Level 06
A/PL/03/107/A	Level 07
A/PL/03/108/A	Level 08
A/PL/03/109/A	Level 09
A/PL/03/110/A	Level 10
A/PL/03/111/A	Level 11
A/PL/03/112/A	Level 12
A/PL/03/113/A	Level 13
A/PL/03/114/A	Level 14
A/PL/03/115/A	Level 15
A/PL/03/116/A	Level 16
A/PL/03/117/A	Level 17
A/PL/03/118/A	Level 18

Item 1/01 : P/1620/08/RS continued/...

A/PL/03/119/A	Roof plan
A/PL/03/120/A	Vehicle tracking plan
A-03-LTH-100 to 115 inc. and 150	Lifetime Homes floor plans
A/PL/05/500	South Elevation. blocks A,B & C
A/PL/05/501	West elevation, Block B
A/PL/05/502	East Elevation, Block A
A/PL/05/503	North Elevation, Block A
A/PL/05/504	East Elevation, Block C
A/PL/05/505	West elevation, Block A
A/PL/05/506	North elevation, part Block A
A/PL/05/507	South Elevation, part Block A
A/PL/05/508	North elevation, Blocks B&C
A/PL/05/509	East Elevation Block B
A/PL/05/510	North Elevation Blocks B&C
A/PL/05/511	West Elevation Block C
A/PL/04/001	Section A –A
A/PL/04/002	Section B-B
A/PL/04/003	Section C-C
D1647.L.101/C	Coloured masterplan
D1647.L.200/F	Typical hard/soft landscaping
D1647.L.201/C	Overall roof plan
D1647.L.200	Indicative phasing plan
D1647.L.200	Areas to be adopted

REPORT SUMMARY

This proposal for development of a key strategic site within the Harrow Town Centre is complex, and the issues to be addressed in determining the application are finally balanced when considered against current and emerging Development Plan policy and broader changes in the economy.

The application is presented with two recommendations: one for approval and one for refusal as, whilst the details of the scheme are considered to be acceptable and appropriate to the site, its town centre location and the current policy background, the scheme has implications for the developing policy background that could mean that the proposal is premature.

The application site forms part of Proposal Site 6, which is allocated in the HUDP for “Public transport improvements and mixed use development for office, education civic, residential, leisure and retail space and open space”. These objectives have been developed further in the adopted Planning Brief for Harrow on the Hill Station which identifies five objectives for the area:

- A 21st Century Mobility Hub that brings together all modes of public transport;
- A new North South Connection that provides a new pedestrian route over the railway and improves the link between the centre and areas to the south;
- Signature development that raises the profile and performance of the town centre through high quality, distinctive design;

- Mix of uses that promotes an exemplary form of sustainable town centre development;
- Improved Access that promotes sustainable transport choices and balances the needs of a range of users.

Whilst the proposed development scheme is broadly consistent with this current policy background, there is an emerging concern that the area-wide objectives of the Brief, and the transport hub in particular, may no longer be achievable through developer contributions as had been anticipated in the Planning Brief. Members must therefore consider whether, under the circumstances, these objectives remain valid and continue to reflect the right priorities for the Brief area and for the Town Centre generally. Members must also be aware that any decisions made in respect of this planning application could restrict the options likely to emerge from a proper consideration of the issues and options for development in the town centre.

Ordinarily, the consideration of these issues would take place as part of the plan making or LDF process through the Core Strategy and the town centre design guide. However, these documents are at an early stage of completion, although it is acknowledged that the Council adopted the Planning Brief for land at Harrow on the Hill station in July 2005. Consequently, Members need to be mindful that any decisions made on the current application could restrict the options for the development of other sites within the Development Brief area and the town centre generally. Further, it could have the effect of predetermining priorities for securing and using developer contributions to achieve objectives across the town centre generally. Having regard to these matters, the development proposals could be considered to be premature.

These issues are fully explained within the Appraisal section of the report, Page 17 onwards and the matter of prematurity is discussed on pages 18 to 21 under the heading "Further policy considerations".

FOR CONSIDERATION

EITHER:

INFORM the applicant that:

1. The proposal is considered to be unacceptable for the following reason:

The proposal is considered to be premature and prejudicial to the proper and comprehensive planning of the town centre pending completion of a review of the objectives for development in this part of the Town Centre in the LDF Core Strategy and the Harrow Town Centre Design Guide.

OR

2. The proposal is acceptable subject to:
 - a) 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) **Public Transport:** a contribution to a maximum value of £5 million to improve public transport infrastructure in the vicinity of the site. An initial payment of £1 million to be made one year after the commencement of development, commencement excluding demolition and site investigations. Further payments to be made by 31 July each year based on sale values obtained in the preceding year ending 30 June until all of the residential units have been sold, or such other timescale as shall be agreed in writing with the Local Planning Authority.
- ii) **Pedestrian Bridge:** subject to the prior written approval of the Local Planning Authority, procurement of the design and construction of the pedestrian bridge and use reasonable endeavours to secure its installation in accordance with a phasing plan to be agreed with the Local Planning Authority and using funds to be provided by the Local Planning Authority.
- iii) **Public Realm:** procurement of the design, construction and installation of the public realm areas and a) the adoption of those public realm areas, not to be adopted as public highway, if any, as public open space and b) the improvement of the area of land being part of the curtilage of 17/33 College Road to an adoptable standard, as shown in the 'areas to be adopted' plan, prior to the first occupation of any part of the commercial floorspace.

In the event that the applicant, having demonstrated his use of reasonable endeavours to the satisfaction of the Council for a continuous period of not less than 6 months following completion of the Agreement, fails to acquire a sufficient interest in the said land b) referred to in the preceding paragraph, the applicant will indemnify the Council for all costs should the Council resolve at that stage to seek to acquire the land itself.

- iv) **Adoption as Public Highway:** agreement under S.38 and/or S.278 of the Highways Act for the adoption of the bridge and public footways as public highway.
- v) **Travel Plan:** the preparation, implementation and future monitoring of a travel plan, to be agreed in writing by the LPA prior to the first taxable occupation of any part of the development. This will include resident parking restricted.
- vi) **Affordable Housing:** the provision of 15% affordable housing, calculated by habitable rooms.
- vii) **Neighbourhood Police Office:** the provision of this office, of not less than 70 sqm (GIA). Terms to be agreed with the developer and Metropolitan Police.
- viii) **Employment and training:** provision for the employment of local people including work placements for each phase of the development.

- ix) **Renewable Energy:** achievement of a minimum 20% reduction in carbon dioxide emissions from on site low carbon and/or renewable energy generation. The system should be designed to provide a site-wide energy facility, capable of meeting the needs of the application site, the proposed Harrow College development and adjacent land to the south of Harrow on the Hill station, subject to the technical and financial feasibility being demonstrated to the satisfaction of the Local Planning Authority.
- x) **Phasing:** Completion of the scheme in accordance with an agreed phasing plan.
- xi) **Waste Management Plan:** The waste management plan to be implemented to monitor, sort and recycle construction materials and residential/commercial waste
- xii) **Legal Fees:** payment of the Council's reasonable costs in the preparation of the agreement
- xiii) **Planning Administration Fee:** payment of a £50,000 administration fee for the preparation, monitoring of and ensuring with compliance with this agreement.

b) The direction of the Mayor of London.

3. A formal decision notice to **GRANT** permission for the development described in the application and submitted plans, and subject to the following conditions will be issued only upon the completion of the aforementioned legal agreement and resolution of 2b) above:

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 Conditions to be discharge prior to occupation shall be discharged in respect of each phase sequentially or in respect of a number of phases together.

REASON To ensure an orderly form of development having regard to the phasing of the development.

3 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.

4 No development, other than demolition and site investigation works, shall commence until a drainage strategy detailing any on and/or off site drainage works including attenuation of storm water has been submitted to and approved by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or storm water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

REASON The development may led to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact of the community.

5 No development, other than demolition and site investigation works, shall commence until a Bird Management Plan has been submitted to and approved in writing by the local planning authority. The submitted plan shall include the details of the management of any flat/shallow pitched/sedum roofs on buildings within the site which may be attractive nesting, roosting and loafing birds. The plan shall be implemented as approved upon completion of the roofs and shall remain in force for the life of the buildings.

REASON It is necessary to manage the roofs in order to minimise the developments attractiveness to birds which could endanger the safe movement of aircraft and the operation of Northolt Aerodrome.

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

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

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

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

9 Each phase of the development hereby permitted shall not commence until details of a scheme indicating the provision to be made for people with mobility impairments, to gain access to, and egress from, the building(s) (without the need to negotiate steps) have 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 thereafter retained.

REASON: To ensure that the development will be accessible for people with disabilities in accordance with the policies of the Harrow Unitary Development Plan.

10 Each phase of 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.

11 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.

12 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.

13 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.

14 A landscape management plan for those areas not to be adopted, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

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

15 No development shall take place until a schedule of landscape maintenance for those areas not to be adopted 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. –

Item 1/01 : P/1620/08/RS continued/...

16 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.

17 Before the use commences, the building(s) shall be insulated in accordance with a scheme agreed with 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 that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of residents.

18 The proposed parking space(s) shall be used only for the parking of private motor vehicles (and domestic storage if appropriate) in connection with the development hereby permitted and for no other purpose.

REASON: To ensure that the parking provision is available for use by the occupants of the site and in accordance with the Council's parking standards.

19 The phases of 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.

20 The A3 use hereby permitted shall not be open to customers outside the following times:- 10.30 hours to 23.00 hours, Monday to Saturday inclusive, and 10.30 hours to 22.30 hours on Sundays, without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

21 Prior to the occupation of each phase details of all external lighting both free standing and attached to any structure, such details to include the design, height and colour of each column and fitting and the intensity of light to be made by each light fitting measured in lux shall be submitted to and agreed by the Local Planning Authority.

REASON To ensure a satisfactory standard of amenity and safety for residents and users of the public areas.

22 The development hereby approved shall be completed strictly in accordance with the requirements of a phasing scheme that will have been submitted to the Local Planning Authority and agreed in writing before any work is commenced on the site unless otherwise agreed by the Local Planning Authority.

REASON To ensure a satisfactory form of development, and given the particular circumstances of the development

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

London Plan:3A.1, 3A.2, 3A.3, 3A.5, 3A.9, 3A.10, 3A.11, 3C.1, 3C.16, 4A.1, 4A.2, 4A.7, 4A.14, 4A.16, 4B.1, 4B.8, 4B.9, 4B.10

Government Guidance: PPS1, PPS3, PPS6, PPG13, PPS22

Harrow Unitary Development Plan:

S1, SEM2, EM5, EM9, EM22, EM24, EM25, EP15, EP20, EP25, D4, D5, D7, D9, D23, D29, D30, D31, T6, T7, T13, T15, T16 H7, I5 (Proposal Site 6), Schedules 3,4,5,6

Sustainable Design & Construction: The London Plan Supplementary Planning Guidance (May 2006)

Supplementary Planning Guidance: Providing for Children and Young Peoples Play and Informal Recreation (March 2008)

Access For All Supplementary Planning Document (April 2006)

Harrow Town Centre Development Strategy (July 2005)

Harrow on the Hill Station Planning Brief (July 2005)

Harrow on the Hill Conservation Areas SPD (2008)

Supplementary Planning Guidance: Designing New Development (March 2003)

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.

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:

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

5 INFORMATIVE:

Any bio mass boiler installed within the site shall comply with the Smoke Control Areas (Exempted Fireplaces) (England) Order 2008, so as to maintain the quality and amenity of the environment.

MAIN CONSIDERATIONS AND POLICIES (London Plan 2008 & HUDP 2004)

- 1) Planning Policy Background (2A.8, 3C.1, 3C.2, S1, I5, (Proposal Site 6) HUDP Schedule 3, Town Centre Development Strategy 2005
- 2) Harrow on the Hill Station Planning Brief 2005
- 3) Design & Character of the Area (4B.1, 4B.8, 4B.9, 4B.10, D4, D7, D9, D10, D23, D25, D29, D30, D31, HUDP Schedule 3 , Harrow on the Hill
- 4) Conservation Areas SPD.)
Views and Landmarks (D31, HUDP Schedule 4)
- 5) Retail Strategy & Town Centre Function (SEM2, EM5, EM9, EM22, EM24, EM25)
- 6) Traffic Generation, Parking & Highway Safety (T6, T7, T13, T15, T16 and HUDP Schedule 6)
- 7) Amenity (4B.1 & EP25, D4)
- 8) Affordable Housing and Housing Provision (3A.1, 3A.2, 3A.3, 3A.9, 3A.10,
- 9) 3A.11 & H7)
Density (3A.3, Housing - London Plan SPG, H4)

- 10) Sustainability & Renewable Energy (4A.1, 4A.2, 4A.7, 4A.14, 4A.16, 4B.1 & EP15, EP20, D4)
- 11) Accessible Homes & Access For All (3A.5, 4B.1 & D4)
- 12) Landscaping & the Public Realm (4B.1 & D4, D7, D9, D29, D30)
- 13) S17 Crime & Disorder Act (4B.1 & D4)
- 14) Phasing of development
- 15) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Large scale Major Other
Site Area:	Gross 0.66 Ha
	Net: 0.63 Ha
Density:	1432 Hrph
	666 dph
Car Parking:	UDP
	Standard:
M/Cycles	Justified: 90
	Proposed: 90
	Proposed 7
Cycles	Standard: 442
	Proposed 442
Lifetime Homes:	410
Wheelchair Homes:	10
Council Interest:	Owner of bridge landing site south of railway

b) Site Description

- Former three storey main post office and main sorting office occupying an irregular shaped site between the south side of College Road and the railway. Secondary access to Station Road now closed.
- The site contains a marked change of levels; a basement level was formed when the post office was redeveloped in the 1960's so that high sided vehicles could enter from College Road and leave by Station Road.
- The application site also includes the air space over the railway and a small part of Lowlands Road Recreation Ground through which/on which the pedestrian bridge will be built.

c) Proposal Details

These have been divided into the development's constituent parts namely the three blocks, A, B and C, the areas and bridge to become open to the public (labelled as 'public realm') the areas to remain private, the height and appearance and a summary of uses. The housing provision is set out in further detail in the appraisal, sub section 5.

- **Block A** In three elements, south 19 storeys, middle 13 and north 8 storeys.
Market housing with commercial uses at ground level.

- **Block B** In two elements, south 15 storeys and north 7 storeys. Market housing with commercial uses at ground level facing Block A.
- **Basement** to Blocks A and B provides for parking, servicing commercial uses and waste disposal. Access as now adjoining 53 College Road.
- **Block C** In two elements, west 8 storeys and east 5 storeys stepped down to 3 nearest to Harrow Baptist church. All affordable housing.

- **Public Realm**

This comprises a ramped access to the pedestrian bridge leading from Lowlands Recreation Ground, over the railway joining the lower ground level north of the railway by steps and a lift. The main route widens and leads to a public area between Block B and the rear of 17/33 College Road. North of this area the pedestrian route joins College Road on the level with steps leading to part of the frontage of Block A.

- **Private Areas**

Between Block B and the west end of the Baptist Church, the change from public to private is marked with railings and access only for residents of Blocks B and C. Situated between these two blocks, is a private area for residents, including a children's' play area for the under 5's. There is also a secondary gated access from the private open space into William Carey Way which is to become one way south to north (Station Road to College Road), thereby providing a rear service road without the need for vehicles to turn around.

- **Height and Appearance**

The heights noted below have all been measured above sea level (ordnance survey datum) in metres.

Harrow Hill	Top of Hill	129	Top of Church Spire	175
Block A South Element	Top of Block	127	Top of mast	142
Block B South Element	Top of Block	114	Top of mast	122
Block C West Element	Top of Block	84		

Blocks A and B have been designed as a pair of landmark buildings and their scale and mass are different from Block C. The elevational treatment of the three buildings is to be connected by the use of a similar palette of materials; the main ones being white rainscreen cladding, white render, aluminium window systems, white and grey cladding panels and metal work and copper green coloured metal panels. A condition is suggested requiring materials to be submitted and approved.

• **Summary of uses**

Total Residential:-		Total Commercial floor area	1,120 sqm
Studio Flats	17	Area of public space/pedestrian area including bridge	2,020 m ²
1Bed flats	252		
2 bed flats	131	Area of private open space inc <5 children's' play area	700 m ²
3 bed flats	9		
4 bed flat	1		
<hr/>			
Total	410	Area of private roof gardens	866 m ²
		Total private open space	1,566 m ²

d) Relevant History

P/2416/05	Redevelopment of Post Office for 366 residential units and 1500 sqm of mixed commercial uses in buildings ranging from 6 to 19 storeys (reduced from 22), 76 parking spaces and & 181 cycle spaces ...	WITHDRAW N 2008
	Series of applications for alterations, extensions and advertisements for the post office and sorting office	1972-2005

e) Pre Application Discussion

The applicant presented their proposal at a Planning Advice Meeting (PAM) on 28.11. 2007 following a series of informal meetings with the Director of Planning and other staff.

f) Applicant Statement

- Statement of Community Engagement
- Planning Statement and supplement
- Design and Access Statement (Revised)
- Transportation Assessment & supplement
- Affordable Housing Statement and 'toolkit' (Revised)
- Environmental Impact Statement and addendum re: i) sunlight + daylight and ii) landscape and views
- Sustainability Statement and supplement
- Energy Statement and response to GLA
- Covering letter dated 2 May 2008, second letter dated 13 October 2008 re revisions and response to CABE dated 13 November 2008

g) Consultations:

Greater London Authority: Supported in principle, but requests changes in respect of the following to ensure compliance with development plan policies:-

- * Housing Toolkit and details of areas of space (revised toolkit now submitted)
- * Further visual representations (addendum to visual analysis now submitted)
- * Inclusive access and Lifetime Homes (see Appraisal, section 5)
- * Further information re climate change mitigation and adaptation (See Appraisal section 6)
- * Signage and travel plan (See heads of term v for S106. Draft Travel Plan submitted)
- * Employment and training (now head of term viii for S106)
- * Transport: Cumulative impact must be addressed. (This has been done in the Transport Assessment and addendum) Impacts must be addressed in the S106 agreement.
- * London Underground: Contributions required to improve railway station and bus station. (See S106 Head of Term i).

Defence Estates: No objection

BAA: No objection subject to bird management condition (see condition 5)

CABE: See Annex 2 for full letter.

A wider opening between blocks A and B would allow for a more generous space around the bridge landing and more sunlight could reach the square to the north. We note an animated and differentiated elevational treatment with a large number of balconies but overall the proposed buildings do little to address the different conditions surrounding them for example sun exposure or noise from the railway.

Concludes that overall the scheme will rely on the new bridge and pedestrian route's widened junction with College Road. These are essential to a successful scheme

Environment Agency: No objection

Thames Water Authority: Requires a 'grampian' condition regarding waste water (see condition 4)

English Heritage: Recommends refusal as a non statutory consultee due impact on historic environment

Crime Prevention Design Advisor: No objection subject to condition (see condition 3)

Conservation Areas Advisory Cttee: Development will impinge on the character of the Hill's conservation areas. Need computerised views of proposed development; development will impede views to Harrow Weald. The various projects for the town centre regeneration should be treated as a whole, not individually.

Advertisement:	Major Development, Character of Conservation Area Environmental Impact Regulations	Expiry: 05-JUN-08 Expiry 05-JUN-08 Expiry 15-NOV-08
-----------------------	--	---

1st Notifications:

Sent: 6,791	Replies: Object 76 For 2	Expiry: 01-JUN-08
-------------	-----------------------------	-------------------

2nd Notification

Sent: 6,791	Replies Object 69 For 8	Expiry: 15-NOV-08
-------------	----------------------------	-------------------

Summary of Responses to second notification:

Objections

Roxborough Road Residents Association: Objection; Height; wind tunnel effect, size of dwellings, lack of infrastructure.

The Roxborough Residents Association: Objection; Height, scale and impact of development on infrastructure.

Greenhill Manor Residents Association: Unacceptable Height

Campaign for a Better Harrow Environment: Height, lack of public buildings/facilities, density, unit size, traffic and parking, public transport and pedestrian bridge, recreation and commerce.

Canons Park Residents Association: In summary a proper public space with some public buildings are needed in a much lower density development with more social housing, more smaller interesting spaces all with a zero energy requirement.

Harrow Architects Forum: The development does not conform to the HUDP or the SPD. It is premature in advance of a Town Centre Strategy Plan and too high and not well related to the existing street pattern. Little amenity space or distance between blocks . Tall buildings have ruined Carlisle and Cheltenham.

Harrow Hill Trust: Buildings will intrude into views of the Hill. Fails to meet requirements of the 2005 brief.

Individuals: Inadequate parking, anti social behaviour, density, height, impact on infrastructure, bridge not required.

For (Support) Will bring jobs and people to this part of the town centre, design is welcome as a contrast to the 'dross' around it.

APPRAISAL

The main considerations in relation to this proposal are as follows:

- **The policy background**
- **The height and design of the proposal**
- **The impact of the proposal on views and landmarks**
- **The traffic, parking and highways implications**
- **The housing content of the scheme**
- **Sustainability & renewable energy**
- **Landscaping and the public realm**
- **Other matters**

1) Planning Policy Background

The application site forms part of Proposal Site 6, which is allocated in the HUDP for “Public transport improvements and mixed use development for office, education civic, residential, leisure and retail space and open space”. PS6 involves land on both sides of the railway, adjacent to Harrow on the Hill station, as well as the airspace over the railway tracks, and was included in the UDP to exploit the site’s potential for high quality, higher density, mixed use development and enhanced transport interchange in a central town centre location with excellent accessibility to public transport. To achieve these objectives, the UDP promotes a comprehensive approach to development through the preparation of an urban design framework. This would enable individual developments to be brought forward, provided they are in accordance with the wider objectives for the site. The UDP further requires that the design framework apply principles to optimise the development potential of the site and integrate land use and transport functions at a key town centre location.

The Proposal Site objectives reflect London Plan policy (2A.8) by, amongst other things, accommodating economic and housing growth through the intensification and selective expansion of town centres. They also support wider national policy guidance to plan for the growth and development of existing town centres, and to focus major generators of travel demand near to public transport interchanges. In this way, the objectives for the site will help to secure a more sustainable pattern of development in accordance with HUDP policy S1 and PPS1.

The application, in proposing a high density, mixed use scheme and, through the S106 agreement, facilitating significant improvements to the transport infrastructure of the borough, is broadly consistent with PS6 objectives, and is therefore supported in principle, subject to compliance with other relevant development plan policies.

Harrow on the Hill Station Planning Brief 2005

The Planning Brief for land at Harrow on the Hill station, which was adopted as Supplementary Planning Guidance by the Council in July 2005, provides more detailed guidance on the implementation of PS6 objectives. It was adopted following a lengthy masterplanning process with landowners, Transport for London, and the GLA, and after extensive public consultation. The brief is a material planning consideration, which should be taken into account in determining the current application.

The Brief sets five key objectives for development of Proposal Site 6:

- A 21st Century Mobility Hub that brings together all modes of public transport;
- A new North South Connection that provides a new pedestrian route over the railway and improves the link between the centre and areas to the south;
- Signature development that raises the profile and performance of the town centre through high quality, distinctive design;
- Mix of uses that promotes an exemplary form of sustainable town centre development;
- Improved Access that promotes sustainable transport choices and balances the needs of a range of users.

In addition, the Brief sets out detailed development guidelines in respect of planning, transport and sustainability that developers are required to take into account in bringing forward proposals for all or part of the PS6 site.

In broad terms, the application complies with four of the five objectives for the site, providing a new pedestrian bridge over the railway, a distinctive “signature” development, a mix of residential and retail uses, and better access to the wider town centre transport network.

It also facilitates improvements to the transport interchange, though not in the form anticipated in the Brief. This envisaged the relocation of the bus station onto the application site, linked to a new bridge/concourse and ticketing facilities to the east of Harrow on the Hill station, which would connect the two sides of the railway and provide direct access to the rail station platforms via lifts and stairs. The scope and extent of the proposed mobility hub was, however, reduced on cost grounds following a presentation to the Mayor of London in August 2007, and Metronet going into administration. Since that time, officers have promoted an alternative approach, involving a pedestrian footbridge, redevelopment of the bus station generally in its current location, and the refurbishment of the existing Harrow on the Hill station buildings, at a cost that was considered to be deliverable through S106 contributions. The current application has been brought forward on this basis.

In principle, therefore, the application satisfies the strategic objectives for the site, subject to funding and implementation, which is discussed in detail below.

Further policy considerations

It is significant that three of the five objectives in the adopted Brief are transport related and Members may recall that at the meeting of the Cabinet held in October 2006 it was resolved that:

- (1) all developments within the proposal site... should contribute to the delivery of the key objective of a new transport hub for the Borough.....
- (2) the provision of improved public transport infrastructure should be the Council's primary objective and should, where necessary, take priority over other policy considerations

The cost of providing a Mobility Hub in the form set out in the Planning Brief is unknown but could be in the region of at £50m although a smaller scheme involving a pedestrian footbridge and improvements to the existing bus station and the train station booking hall would be significantly cheaper, say, £10m. The Planning Brief anticipated that all development within Proposal Site 6 would contribute to the cost of providing this Mobility Hub, however, to-date, just £100,000 has been secured from the proposed development of the College Site in Lowlands Road although this is subject to a Section 106 agreement and will only become payable upon commencement of development. The contributions proposed from this scheme, whilst reasonably related to the scale and viability of this development, would fall significantly below the level required to achieve the Mobility Hub, even in its reduced form. Moreover, the value of the contribution from this scheme is dependent on flat sales and the wider economic conditions, making it difficult to predict the actual value of funds that may be forthcoming – specifically, the value of contributions may fall significantly below the £5 million proposed maximum. Delivery of the Mobility Hub is made even more difficult by the limited opportunity to make up the shortfall from contributions associated with the development of the remaining, small sites within the area. Whilst additional funds may come available for transport infrastructure improvements by way of Section 106 agreements attached to developments elsewhere within or adjacent to the town centre, this is not what was envisaged by the Planning Brief and gives no consideration to other transport needs and opportunities within and adjacent to the town centre.

The implication of all this is that the mechanism identified in the Planning Brief for delivery of its key transport objectives is unlikely to raise the necessary funds and therefore the key transport objectives may not be realisable without broadening the requirement for contributions to include all schemes within or immediately adjacent to the town centre.

The Planning Brief for Harrow on the Hill Station was developed in 2005 and although it never anticipated a single overall developer, it did anticipate the development of the sites in the area within quick succession for high value town centre uses. The Cabinet resolution from October 2006 also provides a very clear indication of the hierarchy of objectives. However, in the four years since adoption of the Planning Brief there have been significant changes locally, nationally and internationally that have had an adverse impact on the value of developments within the area of the Planning Brief, and caused certain sites not to be brought forward for development. Whilst the broad aspirations for the Planning Brief area may still be valid, the likelihood of sufficient value being generated out of sites coming forward for development to fund these aspirations is now considered to be quite limited.

Work is on-going in the LDF Team, in accordance with the Local Development Scheme, on the Core Strategy and on a town centre design guide and it is anticipated that these documents will be used to review the key objectives for all development in the town centre as well as the delivery mechanisms for the transport and environmental benefits considered necessary. The current timetable for the town centre design guide anticipates public consultation in October 2009. In the meantime, Members need to consider the benefit of approving the proposed Section 106 contributions towards the objectives of the Planning Brief in the absence of clear and realistic arrangements for securing the balance of the required funds.

Members could take the view that the key objectives of the Brief remain valid and that the proposed contribution of £5m would be beneficial and could be augmented by contributions from other sources. In the alternative, Members could take the view that their aspirations for the town centre should be trimmed to correspond to the likely available funds, and potential changes to the anticipated growth requirements in the emerging Core Strategy. In either event, a resolution to grant, subject to a Section 106 Agreement and appropriate planning conditions would be justified. However, it is equally open to members to determine that it would be inappropriate to accept the proposed offer of £5m towards public transport improvements by way of a Section 106 Agreement in advance of the Policy team's work on the Core Strategy and town centre design guide as the Planning Brief for the area has been overtaken by events, to the extent that its objectives are no longer achievable in the manner envisaged, and are therefore invalid. Members must then consider whether, under the circumstances, it would be premature to approve the proposed development in advance of the completion of a review of the objectives of the Planning Brief.

Government advice on the issue of prematurity is to be found in the document entitled "The Planning System: General Principles" that was published with PPS1: Delivering Sustainable Development and advises as follows:

In some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity where a DPD is being prepared or is under review, but it has not yet been adopted. This may be appropriate where a proposed development is so substantial, or where the cumulative effect would be so significant, that granting permission could prejudice the DPD by predetermining decisions about the scale, location or phasing of new development which are being addressed in the policy in the DPD.

The application site forms a significant portion of Proposal Site 6 from the HUDP. Proposal Site 6 is the largest and most significant of the Town Centre Proposal Sites, hence the dedicated Planning Brief that was adopted in 2005. The nature and scale of development approved on this site will undoubtedly impact on the form of development that would be appropriate for the remainder of the Proposal Site 6, notwithstanding that there is an outstanding resolution for the development of part of the Harrow College site. Moreover, the Planning Brief sets out a clear aspiration for Proposal Site 6 to increase the profile of Harrow as an accessible and attractive place to live and work. On that basis it could be considered that the implications of development on this site as currently proposed would prejudice the future Core Strategy and town centre design guide by predetermining options for development of Proposals Site 6 and the town centre generally.

It is also considered that the proposed development could have the effect of prioritising contributions towards the provision of a town centre transport hub ahead of other transport initiatives such as reviewing the town centre one way systems; enhancing access to the town centre for pedestrians and cyclists across the ring road in particular; and enhancing the town centre CPZ. Whilst Members have previously agreed that this should be the priority for the application site, the priorities for other town centre sites are not so clear-cut. The 2005 Town Centre Development Strategy highlights a range of other needs in the town centre: for instance there is an aim to make the centre look and feel attractive and safe and another that seeks to celebrate the history, diversity and greenery of Harrow in the centre. These other needs ought to be balanced against the transport needs and each other and a detailed programme developed that matches issues with projects, development schemes and funding opportunities to form a town centre-wide implementation scheme. Initial work focused on a small number of key sites, public transport and public realm initiatives, with the intention of preparing a more detailed implementation strategy as those projects were completed, and as resources permit. It is anticipated that much of work required for this exercise will be carried out as part of the Core Strategy and town centre design guide process. There is therefore a concern that the proposal could prejudice the formulation of a town centre-wide implementation scheme for the town centre strategy.

Specific advice in relation to refusal of planning permission on grounds of prematurity is provided in Section 19 of the companion guide to PPS1:

Where planning permission is refused on grounds of prematurity, the planning authority will need to demonstrate clearly how the grant of permission for the development concerned would prejudice the outcome of the DPD process.

Whilst the matters discussed in this part of the report are genuine areas for concern there is some doubt as to whether they would be sufficiently robust to meet the requirements of the test established by the terms of paragraph 19. Notwithstanding the above, the report is presented with two recommendations for Members' consideration: approval of planning permission, subject to conditions and a legal agreement; or refusal of planning permission.

2) Height and design of proposals

Policy D4 of the HUDP requires a high standard of design and layout in all development, and sets out a list of factors that will be taken into account when considering planning application, including, in particular, the site and its setting and the context, scale and character of the area.

In this case, the application site is located in a town centre setting, close to a major transport interchange, in an area that is mainly in retail and office use. Properties vary in character, comprising 3 storey retail terraces on both sides of College Road, free standing office blocks of up to 8 storeys in height, and the St Ann's Shopping Centre opposite the entrance to Harrow on the Hill station. Harrow town centre is designated as a Metropolitan Centre in the London Plan, one of only 11 in London. Metropolitan Centres serve wide catchment areas, offer a high level of comparison shopping, employment, service and other functions and are usually well served by public transport. Development is typically of a larger scale, and at higher densities, than the surrounding area. As indicated in para 1 above, London Plan policy supports the growth of town centres, and, in particular, highlights the need to exploit opportunities for intensification in Harrow town centre. Set against this, however, the wider planning context is of a town centre surrounded by a residential hinterland of a more domestic scale and located against the backdrop of the historic Harrow on the Hill.

At 19 storeys, the tallest of the proposed residential blocks is considerably higher than the surrounding area, both within and outside the town centre. However, tall buildings do not, of themselves, conflict with the established character of an area or justify the refusal of planning permission on that ground alone. Para 4.11 of the HUDP recognises that tall buildings can make a contribution to townscape but, in view of their visual impact, must be of outstanding architectural quality and meet a range of design and functional criteria, which are set out in schedule 3. London Plan policy 4B.10 also applies; this addresses tall buildings as part of the suite of policies concerning urban design.

The design of the development was revised in October 2008, in response to officer comments regarding the original May 2008 submission. In particular, the architectural detailing and roof forms were amended to pick up on some of the art deco design influences adjacent to the site. The revised scheme also took account of in response to comments expressed by CABI, the Government's adviser on architecture and urban design. Whilst welcoming the regeneration potential of the scheme CABI expressed concern that the proposed public square was likely to be overshadowed and that the approach to the bridge would be narrow and poorly defined. More detailing on the proposed buildings were required as well as an improved 'entrance to the site from College Road.

An independent appraisal of the revised proposal has been made and is set out in Annex 1 to this report. In summary, this welcomes the applicants' positive response to the CABE comments and makes reference to the "enormous improvements to the layout and design of the complex."; the staggered building heights; the introduction of curved and sweeping silhouette; and the Art Deco references of the main tower. It concludes that the scheme is capable of approval subject to conditions. This view is supported by officers. It is also considered that the palette of materials selected is appropriate to the form of building proposed and will help to highlight the Art Deco references in the design.

The general design approach was supported by the GLA, who considered that the proposal should take on the role of a "visual marker" or landmark, given the site's location in the town centre and adjacent to Harrow-on-the-Hill Station. The design rationale for two slender towers framing the view to the spire of St May's Church was also supported. They further refer to the layout and form of the buildings within the scheme and observe how, by splitting the development into three separate blocks of varying height but which also step back at upper levels, enables the buildings to provide proper enclosure of the square whilst allowing light penetration to the lower levels.

The design requirements for tall buildings are set out in Schedule 3 of the HUDP which requires tall buildings to:

- be of outstanding architectural quality and enhance the skyline, especially the roof top design
- be able to secure a complete and well designed setting
- be set in the context of an urban design analysis including the impact on views
- be justified through a design statement
- emphasise or contribute to a point of civic or visual significance
- be well related to topographical features and other nearby buildings

The design of the proposed building is considered to be of the outstanding architectural quality required by Schedule 3 and this is confirmed by the independent assessment of the design quality of the scheme. Similarly, the proposed square and other public realm improvements are considered to provide the complete and well designed setting required by Schedule 3. The landmark or visual marker potential of the scheme relative to its town centre location, adjacent to a transport hub, was highlighted by the GLA in their submissions and this is considered to be consistent with the requirement under Schedule 3 for tall buildings to contribute to a point of civic or visual significance. In these significant respects the scheme is considered to be in accordance with the requirements of Schedule 3 of the HUDP. The schemes relationship to topographical features and other significant and nearby buildings is discussed in the following paragraphs.

3) Impact on Views and Landmarks

Views of the development and Hill

This is examined by the submitted Environmental Impact Statement and the addendum to it for landscape and views. As members will know the 'Hill' has the shape of a ridge, not a single summit, with its highest point surmounted by St Mary' Church. That part of the Hill which interacts with the proposal is the north end of the ridge.

As shown by the landscape and views analysis, the closer the observer is to the site fewer views are available since existing buildings block the view. Notwithstanding the above, it is significant that the proposed development scheme opens up a new view of the Church and the Hill from College Road, through the piazza area, along the axis of the proposed bridge. This is considered to be a positive attribute of the proposed development.

At an intermediate distance there are many more views some of acknowledged importance. These views have been included in the landscape analysis, since they have been fixed by the HUDP policy D31, plus the SPD 2005 and then some additional views added at officer's request. Those views which are protected by planning policy are the ones named in Schedule 4 .The most sensitive view is that obtained from the railway bridge at Harrow and Wealdstone Station. Here the church will be framed in a tight and fleeting view between the Civic Centre and the development: As the observer walks towards the town centre along Railway Approach and depending on which side of the road, so the view alters. However, as this view is from more than 2 kilometres away, both the church spire and the proposed development appear as small, distant objects. Consequently, it is not considered that this view of St Mary's Church and the ridge would be unduly compromised by the proposed development.

In the other assessed views, the development appears as a distinct feature in the townscape with the ridge and church as a similarly distinct back drop and existing town centre developments in the foreground. The two features are considered to have a complementary rather than a competitive relationship to each other by virtue of their relative heights and the distance that separates them. This arrangement is considered to be acceptable.

Views from the Hill

The part of the Hill which faces north towards the town centre and beyond interacts with the site. Views are primarily obtained from The Grove open space.

These are uninterrupted across the town centre. The railway frames much of the town centre's existing cluster of tall buildings, acting as a physical marker between it and the Hill. The addition of the proposed development to this established cluster, especially within the context of the proposed Harrow College development, is considered to be appropriate and would detract from views away from the Hill's conservation areas.

Conservation Area

Part of the PS6 site, to the south of the railway, falls within the Roxborough Park and the Grove Conservation Area. Generally the visual impact will be similar to that from the Grove open space albeit that the views of the development may be from more oblique angles through and above buildings of varying height on the southern side of the railway lines. As the area separating the application site from the Conservation area is dominated by the railway track bed, it is fairly open in nature currently. The proposed development of the college site will have the effect of closing down the views across this area and into the town centre to a more restricted number of narrow channels including the line proposed for the bridge. Street level views of the proposed development from the Conservation Areas will be correspondingly restricted also. It is not therefore considered that the proposed development would have any significant impact on views from the Conservation Areas. More especially, it is not considered that the buildings would significantly affect the setting of the White House, a listed building currently in the car park on the current College campus site, as they would simply form part of the distant back-drop to the building.

The proposed southern bridge landing would be within the Conservation Area and will therefore need to be designed to ensure that the character and appearance of the Conservation Area is preserved and enhanced. The detailed design of the bridge has yet to be finalised and will be the subject of a separate planning application. However, as the bridge landing will be a significant distance from the main built-up portions of the Conservation Area, it is considered that there is sufficient scope for a suitable design to be produced.

The Harrow Hill Conservation Areas SPD has been used as the reference for the conservation officer's comments concerning views both to and from the Hill. Regarding views of the Hill the judgement is that the majority of spire views will be interrupted. Where views of the hill and spire are obstructed it is likely that this will only be fleeting before views are opened up again on the course of a journey.

4) The Traffic Parking & Highway Implications

The majority of the development is served by an access from College Road on the line of the existing access, adjacent to 53 College Road, taking advantage of the changes on ground level, to provide parking and service functions at basement level. A turning area at the entrance to the basement within the site ensures that high sided vehicles, such as refuse freighters, can enter and leave the site in forward gear. The scheme also provides the completion of William Carey Way to form a service road as required by HUDP policy T16. As well as serving the eastern part of the application site (block C) this will reduce on street off loading to 335/365 Station Road and permit the one way working of William Carey Way.

Whilst the site has been vacant for 5 years, it was previously used as a main post office and sorting office. The latter operated on a 24/7 basis and attracted a significant volume of traffic including lorries and HGVs. The estimated level of traffic generated by the current application is considerably lower; over the course of a typical week 23 commercial vehicle movements are forecast plus between 31 and 41 residential deliveries.

The cumulative vehicle and pedestrian generation from the site together with the Harrow College and Gayton Road redevelopment is, for a day, 143 people boarding tube services, 137 people boarding bus services and 127 additional car drivers joining the road network.

The proposed development traffic generation is restricted by i) the modest amount of commercial floor space (1,120 sqm compared to the post office/sorting office at 5,800 sq m), ii) limiting the residential parking to 80 spaces (20% of the number of flats) recognising that this site has the highest Public Transport Accessibility Level (PTAL) at 6a of any location in the Borough of Harrow and iii) excluding residents from obtaining on street parking permits from the Council.

In respect of pedestrians there are currently in the order of 28,300 pedestrian movements per day over the station footbridge. For those not travelling by train this is at the discretion of the station operator; there is no public right to make this journey and out of tube travel hours the bridge is closed. It is estimated that with the proposed college a further 3,200 pedestrian movements per day will take place. There will also be pedestrian trips associated with the development itself, as well as residents and town centre users requiring access to the town centre or the open spaces to the south. Provision of the new footbridge will therefore offer an alternative, more attractive route for non station users, thereby reducing the number of people using the existing station as a route to and from the town centre, and improving conditions within the concourse area.

Persons using cars to visit the commercial units will use the public parking (in the order of 3,200 spaces) provided in the town centre.

A draft travel plan has been submitted as part of the revisions, as required by the GLA, and is considered to be broadly satisfactory. However, if Members are minded to grant planning permission, a detailed travel plan will be required to be approved prior to the first occupation of the development which will include arrangements for its review and revision periodically and to reflect any changes in circumstances.

Overall the development in comparison with the previous use, reduces traffic generation, removes commercial traffic generation out of business hours, reduces through pedestrian trips from the station and improves highway safety. It also, by design, encourages means of transport other than by car, by making the minimum provision for residents parking and no shopper parking in addition to current town centre provision.

5) The housing content of the scheme

As noted above the total number of units proposed is 410.

This breaks down as follows:

<u>Size of Unit</u>	<u>Market</u>	<u>Affordable</u>	<u>Total</u>
Studio	17	Nil	17
1 Bed	237	15	252
2 Bed	107	24	131
3 Bed	Nil	9	9
4 Bed	Nil	1	1
	<hr/>	<hr/>	<hr/>
	361	49	410

Density

London Plan policy 3A.3 requires boroughs to seek the maximum intensity of use in development proposals, compatible with local context, identified design principles and public transport capacity. It further indicates that the Mayor will refuse planning permission for strategic referrals that fail to meet these objectives and under-use the potential of a site. London Plan policy is consistent with national policy guidance in PPG 13 that Local Authorities should seek the maximum use of the most accessible sites, such as those in town centres and others which are, or will be, close to major transport interchanges and should be pro-active in promoting intensive development in these areas and on such sites.

To ensure compliance with policy, applications are considered against the London Plan density matrix, which provides a strategic framework for appropriate densities at different locations and is a tool for increasing density in situations where transport proposals will change the public transport accessibility ranking. It is not, however, an instrument for setting development limits and densities higher than those set out in the matrix may be possible where they can be justified by local circumstances.

For the purposes of the matrix, the application site is considered to have a "central setting", defined as areas of very dense development, a mix of different uses, large building footprints and typically buildings of 4 to 6 storeys located within 800 metres of an International, Metropolitan or Major town centre. As the Committee is aware, Harrow town centre is designated as a Metropolitan Centre and with a PTAL of 6 the matrix indicates a density of 650-1100 habitable rooms per hectare or up to 405 dwellings per hectare.

The application achieves a density of 1432 habitable rooms per hectare (666 dwellings per hectare), well in excess of the density range indicated in the matrix. However, as outlined above, policy seeks to maximise the potential of sites and higher densities may be acceptable where local circumstances permit.

In this case, the context is of development within a Metropolitan Centre, adjacent to a major public transport interchange with the highest possible PTAL rating, and where further improvements to the quality and capacity of public transport are planned. The scale of development and design approach is considered acceptable for the reasons set out elsewhere in this report and the scheme clearly makes a significant contribution to meeting local needs for housing. Taking these factors together it is considered that the full potential of the site is realised by this application and a density higher than that indicated in the London Plan matrix is considered to be justified.

Affordable Housing

London Plan policy 3A.10 requires boroughs to seek the maximum reasonable amount of affordable housing when negotiating on specific development proposals, and, in para. 3.52, advises that they should take account of economic viability in estimating the appropriate amount of affordable housing provision. In addition, policy 6A.4 indicates that affordable housing and public transport improvements should be given equal priority in negotiating planning obligations arising from development

The affordable provision is as follows:

Social rented	Total 28 (64%)
1 bed x 3, 2 bed x 15, 3 bed x 9, 4 bed x 1.	
Shared Ownership	Total 21 (36%)
1 bed x 12, 2 bed x 9	
Total affordable units	49
Total market units	361
Total Units	410
Total affordable Habitable Rooms	143
Total market Habitable Rooms	812
Affordable % by rooms	15%

From the revised housing toolkit, used to assess schemes which offer less than the 50% policy target, it is clear that the scheme needs the Social Housing Grant (SHG) to enable the development to provide this quantity of affordable homes, as even with the assumed SHG, the toolkit (ie the economic appraisal) shows a significant deficit to the developer in the order of £3.5m. Both the Council's housing officer and the GLA have agreed the outputs of the revised housing toolkit.

As indicated in para. 1 above, at the meeting of the Cabinet held in October 2006, it was resolved, concerning HUDP proposal site 6 that (1) all developments within the proposal site... should contribute to the delivery of the key objective of a new transport hub for the Borough.....(2) the provision of improved public transport infrastructure should be the Council's primary objective and where necessary, take priority over other policy considerations (3) contributions from individual sites would be determined on the basis of the estimated overall cost of public transport improvements, together with an economic appraisal of the appropriate level of contribution. Therefore 15% affordable housing proposed is accepted as the maximum to be obtained from the development having regard to the other contributions required and the cabinet resolution. The proposal is therefore considered to be acceptable in this regard.

Accessible Homes & Access For All

The Access for All SPD is a guide to making public places and services accessible to everyone.

The design of the blocks and outside areas has taken this advice onboard. The disabled parking spaces are of sufficient size and readily accessed. Level entry is provided to all buildings and common areas within the buildings and lobbies. Moving around within the buildings, signage and wayfinding are part of the approach to access for all.

More detailed aspects of the guidance are not development which can be controlled by planning powers except by condition. Therefore issues concerning fixtures and fittings, eating out areas and the open spaces either are conditioned or will be examined in detail when the full design of the open areas is submitted.

The Lifetime Homes SPD is concerned will the residential development. To address situations where minor internal changes are made during construction which would not otherwise be controlled, a condition has been imposed to ensure the plans as submitted are built.

Amenity

In the immediate vicinity of the development there are few existing residential units the nearest being over the shops facing into Station Road and commercial premises in College Road, with the Baptist church beyond. The nearest building is the Baptist Church which will be embraced in part on two sides by the development.

The west end of the church will for the first time be revealed and define part of the public realm, as will the south elevation which will form the backdrop to the private amenity area. The resultant development will complement the church, enhance the residential setting being created and, in comparison to the sorting office, improve the amenity of its neighbours.

The commercial floor space is flexible in its use and the sale of hot food is subject to a condition limiting hours of use.

Following the daylight assessment of the original application, the internal layout of block C has been changed and daylight re assessed. Of the 957 habitable rooms, 90% will receive daylight above the BRE criteria. The remaining 10% are spread through the 3 blocks and the 90% is considered acceptable.

External lighting will have to be installed and until the landscape design is agreed this also remains to be resolved. Therefore a condition has been imposed to control the installation and light emitted from external fittings and lamp posts.

6) Sustainability & Renewable Energy

The application provides for a wide district energy system the main components of which would comprise an energy centre, with a combined heat and power plant (CHP) and the connection to each building. The centre has been sized to serve not only the application site but the existing and proposed Harrow College sites and there is space within the buildings reserved for its potential expansion. Extending the system to the College sites would entail using the proposed footbridge as the means to carrying the pipework from the energy centre to the other sites.

The energy centre will generate 100% of the application site's hot water needs and 50% of its electricity needs. If the other sites are not connected, a 200kW bio mass boiler is proposed with sufficient space in the energy centre to serve the other two sites if and when required. The boiler will be an exempt appliance so as to comply with the Clean Air Act.

Energy saving by design will exceed the building regulations by 39% and the biomass boiler will achieve a further 10% total 49%. If a CHP plant is used this gives a further saving of 25%, total 64%. These figures are well in excess of the requirements of London Plan policy 4A and will make an important contribution to climate change and sustainable design and construction objectives. Compliance with policy, and arrangements to connect the energy system to the Harrow College site and existing campus, should development of those sites proceed, will be secured through the legal agreement (see Head of Term ix).

In addition water efficient devices will be installed to reduce water consumption. Rain water run off to the existing storm water system will be controlled and sustainable resources, re cycled and reused materials will be used for the building materials.

The waste management plan will be implemented to monitor, sort and re cycle construction materials and residential/commercial waste and this will be secured by way of obligation xi in the proposed Section 106 agreement.

All homes will achieve a level 3 rating under the Code for Sustainable Homes construction which is the current target.

7) Landscaping & the Public Realm

The application is a full application and the broad landscape approach is shown in the submitted drawings. It provides both for improvements to the public realm as well as the creation of private amenity space. Some detail remains to be prepared and whatever is provided in the public realm must be of an adoptable standard. Therefore a number of conditions have been imposed.

Public realm

The scheme creates a new area of town centre public realm in the form of a hard landscaped pedestrianised "street," running north to south from College Road to the railway, and flanked on both sides by retail and other ground floor commercial uses.

The design approach brings active frontage to this part of College Road and an added vitality and vibrancy to the town centre. The design also incorporates a new public square adjacent to Harrow Baptist Church. This creates the opportunity for the church to re-orientate its entrance so that it can be accessed from the proposed square, improving its setting and visibility from College Road, and better integrating it within the town centre.

The proposed pedestrian street extends across the College Road frontage, bounded to the west by block A and, on its east side, is marked by the flank wall of 17/33 College Road, including the full width of the vehicular access to the rear of the property. This area was incorporated within the application site boundary to provide a generous and attractive pedestrian access from College Road, and to ensure that the quality of the proposed public space was not diminished by too narrow an entrance to the site. The widening of the junction with College Road is considered essential to the success of the scheme, and overcomes one of the weaknesses in the original proposal identified by CABI in its comments on the application.

The pedestrian route then rises by a flight of steps to the pedestrian bridge level. Adjacent to the steps is the town centre management office, police office and lift to the bridge. On the other side, due to changes in levels the bridge is accessed by a gentle graded ramp.

The bridge will link the town centre to the open space around the northern edge of the Hill. Although part of the planning application, the submitted design is for illustrative purposes only. Its key features are known, including its height above the tracks at 4.64m (15.25 ft), a clear span of 70m (230 ft) and a weight in the order of 250 tonnes. but much remains to be designed in detail in accord with rail industry and safety requirements. It does, however, incorporate TfL's requirement for a solid balustrade of 1.85m into 2m glazed sides. Therefore whilst the bridge position is known together with the levels, the timing of its detailed design, procurement and installation is addressed by the legal agreement (see ii of the heads of terms).

Together, the pedestrian street and bridge will enhance the network of public spaces within the town centre, improve the connection between the shopping centre and more extensive areas of open space to the south of the railway, and create new views to Harrow on the Hill and St Mary's church. Subject to detailed design, the landscape proposals should make a positive contribution to the appearance and permeability of the town centre and are considered to comply with HUDP policy and the development guidelines set out in the Harrow on the Hill station planning brief.

Private areas

The main area lies between Blocks B and C, and is considered to be of a size and form appropriate to a high density town centre site. It provides private amenity space for residents and incorporates a children's' play area of 340 sq m. Provision for older children is available in Harrow Recreation Ground, some 600m to the west of the site and to the south off Lowlands Road.

In addition a series of private roof gardens are provided to blocks A (middle and north elements), Block B and Block C (the lower element). The amounts of space provided are set out in the summary of the application.

Taking account of the location of the site and its close proximity to extensive public open space, access to which will be improved by the proposed footbridge, the landscape and amenity space proposals are considered to comply with HUDP policies D4 and D5.

8) Other Matters

S17 Crime & Disorder Act

New Scotland Yard has advised on the strategic policing matters arising from the conjunction of a public transport interchange, the proposed new public realm areas including the bridge and the large basement areas. That the area of land adjoining 17/33 College Road is brought into public control, as highway land, is strongly supported.

The presence of a neighbourhood police office is requested and the S 106 agreement head of term (vii) makes this provision.

At a more detailed level the police have advised in respect of secure by design. The development provides a secure environment subject to a condition (No 3) to address detailed matters such as window and door security. The combination of the neighbourhood office and secure by design measures already designed and those required by condition address this issue.

Phasing of development

The applicant has indicated the intended phasing of the development. The critical issues for the council, as local planning authority, are to keep the provision of the bridge and the widened junction of the new pedestrian route and College Road in step with the various phases of development.

Taking the divisions of the development the following phasing is proposed:

Phase 1 : Block C with the widening/extension of William Carey Way to Station Road

Phase 2 : The creation of both the public realm and private areas at basement and ground level

Phase 3 : Blocks A and B

Phase 4 : The installation of the bridge

The completion of the residential development will generate a volume of pedestrian traffic. In your officers view this can be accommodated within the land controlled by the applicant. However once the bridge is opened the pedestrian flows will increase and to accommodate these, the pedestrian movement caused by the commercial floorspace and to maximise the attractiveness of the public realm area, the widened junction to College Road is essential. Therefore the widening works are required no later than the interval between the completion of blocks A and B and before the opening of the pedestrian bridge.

This will be secured by way of an obligation in the proposed section 106 agreement (proposed head of agreement x).

Consultation Responses:

The points raised are addressed in the Appraisal.

CONCLUSION

Having considered the details of the proposal and the environmental information accompanying the application in the context of the current and emerging policy background, officers are of the view that the details of the proposal may be considered to be acceptable. However, the application raises a number of issues related to the emerging policy background. Similarly, having regard to the scale, scope and location of the proposals, there are concerns regarding the impact of the proposal in this respect. For these reason, the report is presented with alternative recommendations for Members' consideration.



The Castle Hertford Hertfordshire SG14 1HR
Tel. 01992 504331 fax.01992 504302 email: enquiries@beamsltd.org

**REDEVELOPMENT OF FORMER ROYAL MAIL SITE AT 51 COLLEGE ROAD
HARROW PLANNING REF P/1620/08CFU**

URBAN DESIGN ISSUES

At my meeting with Roger Pidgeon on 10 December 2008 I agreed to confirm my comments on the revised drawings and reports submitted by Dandara in October 2008. My preliminary report was submitted on 22 December 2008.

INTRODUCTION

Dandara have responded in particular to the former Urban Design Officer's observations and have, in their words, used the comments to inspire further quality and distinctiveness to the proposals. They have worked in close liaison with their clients to ensure that the design ambitions for the project are deliverable. In general terms the design of the buildings pays homage to and takes inspiration from the 1930's Art Deco style, which characterises the adjacent Harrow Tube station .

Revised drawings have been accompanied by supporting documents including a Supplementary Planning Statement, a Design and Access Statement and Environmental Statements. I shall refer in the first instance to the Supplementary Planning Statement, which summarises the key issues that have been identified as being areas of concern by Council members following the submission of the application. It also identifies the formal comments made by the Greater London Authority, Harrow Council Officers and others.

The Issues are summarised under the headings of Layout, Height and Design, Views, Heritage, Bridge, 17-33 College Road, Transport and Drainage. I shall refer to those matters which relate directly to urban design matters in each of the headings and shall draw attention to any issues which in my opinion have not been resolved and/or require further attention.

LAYOUT

The layout has been amended in the following respects: The frontage of Block A has been set back on the ground to enable greater views of the square and the bridge. The access arrangements of Block C to William Carey Way have been improved. Provision has been made in specific areas for plant provision at rooftop and basement level levels. The spire of St Mary's will now be visible from College Road and the question of the Compulsory Purchase or other measures to secure an improved layout and design for the proposed development through control of nos. 17-33 College Road have been addressed.

My one concern with the revised layout relates to the delivery of the proposed footbridge. This is a major component of the scheme and has clearly influenced its layout and design. It provides a link to the Lowland Recreational Area across the railway lines and the creation of a linkage through an area of new public realm from College Road. Both features, as the document reminds us, are requirements of the original Planning Brief for the site. Dandara's commitment to delivering a new public space and financial contributions towards the new pedestrian footbridge is restated but there are several references throughout the Issues report to threats arising from ... "the considerable changes in the property market and the economic circumstances as a whole." As the report also points out ... "It should be noted that the layout and scheme of development arises principally through the need to accommodate the features sought by the Council, and not Dandara themselves" Appropriate safeguards should therefore be arranged in order that the bridge is not omitted from the proposed development.

As with other important issues, English Heritage is silent on this matter. However the only document that appears to have been received (6 August 2008 in response to Harrow's letter of 7 May 2008) recommends refusal on grounds that the redevelopment failed to respect the historic characteristics of its context. They also referred to the impact of the proposals on the nearby Roxborough Park and The Grove Conservation Areas. Other objections from EH will be dealt with under the headings which follow.

HEIGHT AND DESIGN

The views expressed by the Council's Urban Design Officer in connection with the two tall buildings framing the view of St Mary's Church as people move about College Road are addressed in the revised scheme. They would "punctuate the skyline in a number of near and far views to and from the town centre and be prominent as a town centre landmark. Given its position in the town centre and adjacent to the on the Hill transport hub it is appropriate that it take on the role of a visual marker, subject to detailed design." It was also recommended that for the most intrusive piece of new architecture in Harrow. "It needs to be of the highest quality and offer innovative, exciting and distinctive architecture and spaces". Again, the applicants have taken these points on board and, in my opinion, the results are a great improvement on the earlier proposals.

The Design recommendations and architectural detailing have been addressed and adopted. The applicants acknowledges that the revised scheme has been very much influenced by the Council. I agree with them that the appearance of the scheme, while modern, embraces the Art Deco style originally suggested by the Council to reflect Harrow's cultural heritage and a number of buildings within the locality. This approach, using high quality materials and a variation in the roofline will create an appropriate silhouette for a taller building and provide a high quality landmark.

On a cautionary note the English Heritage letter, referred to in the section above dealing with layout, gave a contrary opinion. It stated that due to the height of the proposed development and the local topography and the low rise of the surrounding urban context, it would be highly visible and conspicuous in long views from other conservation Areas in Harrow. The counter view is set out in the revised Design and Access Statement. It refers to the building heights surrounding the site. These vary significantly and average between 8 to 10 storeys. Beyond the immediate site surrounding areas, the building heights are lower and vary between 3 to 6 storeys. Significantly, the topography of the land

and the height of the surrounding buildings provide an important context for the proposals. The skyline is varied with the existing building heights ranging from 2 to 8 to 10 storeys. This variation in scale, height and land use together with the transport facilities provides the opportunity to incorporate larger scale development on this site.

VIEWS

Although the GLA were silent on the matter and did not consider it an issue, concerns had been expressed by the Urban Design Officer regarding the possible impact on the tree line of Harrow-on-the-Hill. She considered that in order to justify the impact on the Hill, the buildings would need to be of outstanding quality and, if the silhouette is not altered to something more interesting, then the height should be reduced to not significantly larger than that of the Harrow College residential blocks. However the design of the building has changed to respond precisely to the Officer's recommendations and suggestions. This has been achieved mainly by setting back of the upper storeys.

Hopefully this will change the views of English Heritage. In their response to the first submission they felt that "...the aesthetic and historic values of the area and its skyline are primarily characterised by low rise development, which produces an urban context that is deferential to the Hill of Harrow, and importantly to views there to and therefrom." They concluded "... that a development of this scale would disrespect this historic hierarchy, and would interrupt historic views." Note the reference to scale and not height.

The revised proposals show a much more dynamic and interesting silhouette. On a tour around the town centre and the surrounding residential areas RP and I inspected several of the now well recognised, historic, long and short views of the Hill as well as views from the summit of the Hill itself towards the proposed development. . We were able to confirm that the visual impact of the proposals on strategic views in Harrow, as set out in the Design and Access Statement, was minimal. The same applied to the visual impact of the proposals when viewed from the Hill and surrounding areas. Another interesting viewpoint will be introduced by way of the footbridge which has been aligned to follow the viewing access of the St. Mary's Church spire.

HERITAGE

Concern had been expressed by the GLA about the potential impact of the scheme on both the Roxborough Park Conservation Area and the White house, a grade II listed building. However the GLA has now assessed that in the context of both the existing Harrow College buildings and their recently consented redevelopment proposals the new scheme would be unlikely to significantly harm the setting of either the either the Conservation Area or the White House. I agree with them. Visual representation of the element is set out in views of the revised Design and Access Statement to demonstrate how the proposed development will sit in the context of the College proposals.

BRIDGE

As in the previous scheme the new pedestrian bridge will provide a link between the proposed development and the Harrow College residential development and park across the existing rail tracks. It is intended to carry the infrastructure for the power and heating for the development on each side of the tracks. A lift will be

incorporated within the development near the abutment at the College Road end to give access from the Piazza level up to the level of the bridge deck.

I have already referred to concerns about the delivery of the structure which is a critical element to the future remodelling of the Harrow town centre and its promotion as a major retail and commercial centre. Once again, in the summary of the improvements to the proposals, Dandara question the need for a new bridge, quoting the Council's refusal of planning permission for the Lowland Recreation area. They add in their description of the proposed structure (Part 10 of the Design and Access Statement) that the current potential bridge design is subject to financial costings and available funds. It is stated that the final bridge design may therefore vary if full funding cannot be achieved. I would point out that the bridge is too important a feature of the complex. It will be visible from development on both sides of the rail tracks and from surrounding vantage points. It is important therefore that the design should not be compromised by the shortage of funds.

The applicants do however accede to the appropriateness of a condition and/or a legal agreement and conclude discussion of the matter by stating their intention that the bridge will become an adopted highway and be fully DDA compliant, illuminated and available 24 hours a day.

17 – 33 COLLEGE ROAD

I refer to the comments made in the report to nos. 7 to 33 College Road, those premises which represent an opportunity where the development of the Dandara site could facilitate wider development. The report reiterates the disappointment about negotiations to acquire the site at what is described as a sensible commercial rate. Meanwhile the applicants have made provision for access, basement and structural supports in the event of the site becoming available at some time in the future.

I agree that the inclusion of this area would be in the interest of proper planning and note that Dandara have indicated their in-principle agreement to support the use of Compulsory Purchase Powers by the council. In the meantime, in spite of their view that the current scheme is considered acceptable in both design and planning terms without the incorporation of this site, Dandara has conducted a CPO/Property Cost Estimate for 17-33 and has submitted it to the Council for consideration.

SUMMARY

As a comparative newcomer to the scene I have been able to assess the scheme objectively in relation to the earlier proposals. In general terms I am impressed with the care and attention which has been directed to earlier criticism and comments by various authorities or individuals. The documentation including drawings, Environmental Statement, Supplementary Planning Statement and Design and Access statement are of a high quality.

Above all, there are enormous improvements to the layout and design of the complex. The general massing and layout principles which were found to be acceptable by the GLA and LB of Harrow have been retained within the redesign. The building heights have been staggered to form what is described by the applicants as "a dynamic sequence of built form, the composition generating a line parallel to the railway tracks and terminating with the taller landmark tower". The design has been enhanced by the introduction of a curved and sweeping silhouette. With Art Deco references the main tower has curved

roofing forms and dynamic lines. The new roof has increased glazing, a two-storey set back and the expression of floor slabs and roof plates.

The complex is unified as far as the overall appearance is concerned by the use of similar materials, architectural style and detailing across the three blocks. The architectural quality of the proposals has been greatly enhanced by the mixture of solid and curved balconies that extend to the edge of the building. Hence the well-defined, continuous, linear balconies combine with the recessed windows to counteract the strong vertical emphasis of the main towers. The modelling is enhanced also by the strong shadow lines and articulation of the façade.

At ground level the new public piazza will add vibrancy to this part of the town centre. The new footbridge will provide round-the-clock accessibility between the town centre and the open land, the college and residential areas beyond. Some questions remain as far as the layout and design are concerned. Comments have already been made regarding the landscape and detailed treatment at the bridge abutments. The Further discussion will be necessary and/or appropriate conditions attached to ensure that the shop fronts, fascias, signage street furniture and other elements of the scheme will be of the highest quality. detailed treatment of the public realm

RECOMMENDATION

Approve subject to conditions

DRC 22 January 2009

CABE
1 Kemble Street
London WC2B 4AN
T 020 7070 6700
F 020 7070 6777
E enquiries@cabe.org.uk
www.cabe.org.uk

10 November 2008

Roger Pidgeon
Harrow Council
Planning
5 Saint John's Road
Harrow
HA1 2EE

Our Ref: DR/L15/3203

Dear Roger Pidgeon

**LONDON BOROUGH OF HARROW: COLLEGE ROAD
YOUR REF: P/1620/08CFU**

Thank you for consulting the Commission for Architecture and the Built Environment (CABE) about this proposal. Following a site visit and discussions with the design team and local authority, the scheme has been considered by the chair of the design review panel, MJ Long, and members of design review staff. CABE's views on the material provided (planning application documents), which supersede all views which may have been expressed previously, are set out below.

We welcome the intention to bring this site next to Harrow-on-the-Hill town centre back into active use. The College Road proposal, the new bridge and the redevelopment of Harrow College on the other side of the railway have the potential to contribute to the wider regeneration of Harrow-on-the-Hill station area. In general, the quantum of accommodation appears acceptable although the height of the buildings is likely to generate difficulties in terms of overshadowing which will have an impact on the quality of the public space.

Public space and bridge landings

While we think that the size and scale of the scheme could work, the scheme would benefit from a redistribution of the massing to suit orientation and wind conditions. We note, for example, that the tallest buildings are to the south and that the square will be overshadowed for most of the day.

In addition to the quality of the public square, the success of the scheme depends largely on the bridge and the way it sits between the buildings. A sequence of well

Commission for Architecture
and the Built Environment
The government's advisor
on architecture, urban design
and public space

defined spaces leading from the main square to the bridge landings would help draw people in from College Road. The bridge, however, sits uncomfortably between the buildings and creates narrow left-over spaces which will be difficult to use. A wider opening between blocks A and B would allow for a more generous space around the bridge landing, and more sunlight could reach the square to its north.

On the northern side, the access into the site from College Road could be compromised by future schemes on adjacent plots as the red line boundary does not include the whole open space between the existing buildings. A possible building project which would narrow the entrance into the Dandara site would have a detrimental impact on the present scheme, and we urge the developer to acquire the rights of way on the adjacent properties to prevent this.

Architecture

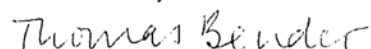
Within the otherwise low rise context of Harrow-on-the-Hill these buildings will be considered tall and they will need to meet the criteria set in the *CABE/EH Guidance on Tall Buildings*. We think that the tall buildings are likely to weaken the strength of the traditional Harrow-on-the-Hill views. We note an animated and differentiated elevational treatment with a large number of balconies, but overall the proposed buildings do little to address the different conditions surrounding them, for example sun exposure or noise from the railway.

Conclusion

To conclude, while the scheme has some potential to revive the station area, more work is necessary to create a successful public space and a pleasant place to live. The successful development of the site will rely on the provision of the new bridge and improved 'entrance' into the site from College Road.

Please keep CABE in touch with the progress of this scheme. If there is any point on which you would like clarification, please telephone me.

Yours sincerely



Thomas Bender
Design review advisor

cc Ian Apsley Broadway Malyan

RECEIVED
12 DEC 2008

RP1

Mr R Pidgeon
Planning Department
Harrow Council
PO Box 37
Civic Centre
Station Road
Harrow HA1 2UY

CBRE

CB RICHARD ELLIS

CB Richard Ellis Limited
Kingsley House
Wimpole Street
London W1G 0RE

Switchboard +44 (0)20 7182 2000
Fax +44 (0)20 7182 2001
+44 (0)208 182 2779
+44 (0)208 182 2670
Paul.willmott@cbre.com

5 December 2008

Dear Roger

**TOWN AND COUNTRY PLANNING ACT 1990
HARROW – 51 COLLEGE ROAD HA1 1AA
PLANNING APPLICATION REFERENCE P/1620/08CFU**

I refer to our recent telephone conversations and exchanges of correspondence in respect to the planning application regarding the above site, to the various conversations that you have had with our clients, and to the meeting at the Greater London Authority last week (which Transport for London and the Council attended) following which I am writing to clarify a number of the key issues raised.

Mast

We are aware that there has been some comment regarding the perceived impact of the mast on block A which has been provided as an appropriate roof feature to the building consistent with the comments of the Council's Urban Design Officer. However, our Client remains flexible as to the need for this and accordingly should Members wish to see it omitted from the design then our Client would be amenable to comply with that requirement. Accordingly, please could you ensure that Members are aware that the provision of the Mast is at their discretion when they come to consider the proposals.

Police Station

As indicated in previous correspondence, our Client is not adverse to the principal of providing a neighbourhood policing facility but they do feel that further justification should be provided. Please note CgMs has contacted our client directly, who have asked for further justification to be provided.

This facility has not previously been a stated requirement in respect to other Harrow town centre proposals. Our client met with Council's Director of Environment this week, and informal discussions indicated that the Council are currently looking at options to provide a new civic centre which could also include other public services such as health centre and policing facilities. With this in mind it would seem premature to seek such facility within this development.

www.cbre.co.uk

Registered in England No 3536032 CB Richard Ellis Limited is regulated by the RICS and is an appointed representative of CB Richard Ellis Indirect Investment Services Limited which is authorised and regulated by the Financial Services Authority.



Subject to the new public services campus not coming forward and further justification by the police, the applicant is prepared to agree to the requests made by CgMs, at a beneficial level. They may also be willing to include the provision of a temporary facility, pending the completion of the public services campus subject to negotiation.

I would therefore be grateful if you could report to Members that the applicants are willing to consider the Police request and that they are committed to entering negotiations with the police to provide the facility at a discounted rental level subject to the public service campus and justification and either on a temporary or permanent basis. I believe that this requirement could adequately be covered by condition although Members should also be made aware that it does constitute additional 'planning gain'.

Design

With respect to the issue of design, you will be aware that our Clients have reverted to CABE following their comments on the revised scheme and to the fact that they have omitted, in their assessment, to take into consideration the new College development which will sit in the foreground of the proposed scheme. It has been recognised both at the GLA in the meeting last week and by yourselves that the College's proposals do, in their own right, change the townscape of the town centre and this should be reflected in advice to Members. I would therefore be grateful if you would consider this particular aspect when advising Members and, if you might also seek the views of the independent advisor you are seeking to appoint, as well.

You will also be aware that the current scheme has addressed CABE/EH guidance on Tall Buildings and that sunlight penetration into the public space area has been a major element in the design of the scheme to ensure that is not over shadowed for the majority of the day. With regards to CABE's other comments, this scheme has been designed to address these and further information has been provided to them explaining the decision making regarding elements such as the elevations facing the railway. This has all been recognised by your Authority already but the letter from Dandara dated 13 November 2008, a copy which has been forwarded to you, provides clarification to CABE's comments. The GLA at their meeting last week indicated broad acceptance of both the design and proposed height, identifying that the building has been reduced, in accordance with your Members request, to 19 storeys. My client also reminded the GLA case officer that they had already presented a scheme in excess of 19 storeys to the Mayor in conjunction with the Council, which he supported.

These points should therefore be considered in context with the work that has been completed between our clients and the Council. Again this may be something you can seek independent comment on. However, it is our view that we have addressed CABE's concerns and indeed it would appear that the scheme has GLA support.

Most importantly, however, is that CABE's letter does not object to the proposals but simply expresses a general view on issues associated with the design, for which responses have now been given. Indeed, they state that:

"We welcome the intention to bring this site next to Harrow-on-the-Hill Town Centre back into active use. The College Road proposal, the new bridge and the redevelopment of Harrow College on the other side of the railway have the potential to contribute to the wider regeneration of Harrow-on-the-Hill Station area. In general, the quantum of accommodation appears acceptable....."

CBRE
CB RICHARD ELLIS

CABE go on to state that they "think that the size and scale of the scheme could work..." and indeed the concerns which they have expressed have subsequently been dealt with in follow up correspondence. This sets out both the technical and environmental decision making that has occurred and the various considerations that have been taken which have addressed the concerns which they have raised.

Disabled Accommodation

At our meeting with the GLA last week, the question was raised regarding the provision of disabled accommodation within the scheme. I would confirm that the requisite level of wheelchair equipped units required by your policy, and as agreed with the Council have been provided within the scheme. In addition, every unit in the scheme has been designed to the requirements under the Lifetime Homes standards. Accordingly every unit can accommodate wheelchair occupants and a total of 10 disabled car parking spaces will be provided. My client considers that this approach provides greater flexibility to meet the requirements of those with disabilities and offers greater choice in terms of units.

Section 106 Provisions

Separate details regarding the proposed developer contributions to the delivery of key priorities associated with the scheme, including the provision of the footbridge and transport contributions, have been provided separately. However, in our discussions with the GLA last week, it was accepted that the 'ratchet' mechanism proposed was acceptable to the Authority given the current economic circumstances. With respect to the allocation of the contribution, my client confirmed that this would be a decision for the Authority and Council to reach although the minimum contribution payable would easily meet the relevant guidance requirement that it will cover the mitigation requirements of their proposals. The GLA case officer also accepted that the 15% affordable housing provision was likely to be acceptable in consultation with the Mayor.

17-33 College Road

With regards to the issue of 17-33 College Road, it has already been confirmed that the applicant enjoys rights over the 'shared' land at the main point of access and that the revised design opens this area further; as was requested.

However, I am aware of the Council's longer term desire for this block to be brought in to the scheme on the basis that it would constitute good planning practice and, indeed, your authority is aware of the considerable efforts that the applicant's have taken in order to attempt to do so.

Following discussions with the Council, my client is considering their position in respect to the 17-33 College Road block. However, the current proposals must be considered on the basis of what is within the applicant's control, and the future for 17-33 College Road should be the subject of a wider strategic consideration by the Council. That said, there is nothing associated with the current proposals which prevents the delivery of the application proposals and its associated planning benefits, nor anything which would compromise the continued use of 17-33 College Road or the potential of incorporating it within the scheme at a later date. Indeed, the Local Development Framework could reasonably include the block within the Site Specific Allocations document and set redevelopment and design requirements for its future.

It may well be that the site will need to be compulsorily acquired in order for it to be incorporated in to the wider scheme in the future and, as has been set out in the supporting material to our clients proposals, this has been allowed for in the current design.

My client has already submitted, to the Council's Director of Environment, two property cost estimates for the compulsory purchase of the interest in 17-33 College Road. In response, my client has been advised to consider making an application under Section 17 of the Land Compensation Act 1961 as a precursor to seeking your Authority's support in pursuing compulsory purchase on the basis of Section 226(1)(b) of the Town & Country Planning Act 1990. That being the acquisition of the land that is "required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated". With my client's proposals for the application site and the evolving proposals for the public sector campus immediately to the south, together with the consented Harrow College scheme, I am of the view that the acquisition would fully meet the legislative requirements and you are aware that my firm has already looked into this matter.

I trust the above comments are of assistance to you in clarifying a number of aspects associated with the current proposals and, will also assist you in reporting these key issues to Members at the forthcoming planning committee.

Yours sincerely



PAUL WILLMOTT
PLANNING – DIRECTOR

cc Ms R Allwood – Dandara

CBRE
CB RICHARD ELLIS

WHITMORE HIGH SCHOOL, PORLOCK AVENUE, HARROW

Item: 1/02

P/3539/08/RH

Ward **HARROW ON THE HILL**

**APPROVAL OF RESERVED MATTERS (APPEARANCE, SCALE & LANDSCAPING)
PURSUANT TO PERMISSION P/0892/08/COU**

Applicant: Ms Heather Clements

Agent: Howard Fairbairn

Statutory Expiry Date: | 27-JAN-09

RECOMMENDATION

Plan Nos: 5440-TA101, 5440-2000 Rev I, 5440-2001 Rev N, 5440-2002 Rev I, 5400-2003 Rev I submitted 30 October 2008; 5440-2106 Rev C, 5440-2107 Rev D, 5440-2108 submitted 22nd April 2009

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.

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.18, 3A.24, 3D.6, 3D.8, 4A.1, 4A.2, 4A.3, 4A.4, 4A.7, 4A.12, 4B.1, 4B.3, 4B.5, 4B.6

Harrow Unitary Development Plan:

D4, D10, EP12, EP25, EP47, SR2, R4, R5, R13, T6, T10, T13, C2, C7, C16, C17

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Scale, design and appearance (4A.1, 4A.2, 4A.3, 4A.4, 4A.7, 4B.1, 4B.3, 4B.5, 4B.6, D4, D10)
- 2) Landscaping scheme (D4, D9, EP47)
- 3) Residential Amenity (D5, EP25)
- 4) Access for All (4B.5, C16, C17)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Major development
Site Area:	4.2 hectares
Proposed Floor Space:	13,460m ²
Car Parking:	Existing: 70 (approx.) Proposed: 124
Council Interest:	Applicant and landowner

b) Site Description

- Large triangular site is to the north of Porlock Avenue, to the south of houses on Whitmore Road, and to the east of houses on Shaftesbury Avenue.
- The school is made up of a number of predominantly single-storey buildings with some two and three-storey buildings, located across most of the site. Ball courts are located in the centre of the site. The playing field of the school in the north-west corner is designated in the HUDP as Open Space. A number of school buildings are currently in the process of being demolished.
- The access to the site is off Porlock Avenue.

c) Proposal Details

- Reserved matters application for appearance, scale and landscaping pursuant to the outline planning application P/0892/08/COU for the redevelopment of site to provide a new multi-purpose school and community building.
- Two and three-storey building to the east of the site incorporating classrooms, library, kitchen and dining facilities, main hall, sports hall, and a fitness centre.
- Variety of outdoor space provided, including multi-purpose tennis/netball courts, a multi-purpose football pitch and athletics track, and open and covered play space.
- Approximately three-quarters of the site to be open space, providing additional open space to the existing designated Open Space on the site.
- Car parking to be located in the south-west corner (adjacent to the neighbouring commercial premises) of the site and along the south-eastern end of the site extending along north eastern wing of the proposed building and adjacent to the school house.
- Main vehicular and pedestrian accesses from Porlock Avenue to be retained and enhanced.
- Revised plans submitted on 14th April removing the wind turbines from the roof top

d) Relevant History

P/0877/08/CFU	Construction of 18 single-storey and two-storey port cabin units to provide temporary classrooms and ancillary facilities within existing school site involving a total gross floor area of 4515.6M2	GRANTED 15-MAY-08
P/0892/08/COU	Outline: Redevelopment To Provide New Two And Three-Storey Building Along With Indoor And Outdoor Sports And Recreational Facilities, Internal Roads And Footpaths, Access And Parking, And Ancillary Facilities	GRANTED 23 MAY-08

e) Pre Application Discussion

Pre-application discusses took place prior to submitting the outline application P/0892/08/COU.

f) Applicant Statement

- Design and Access statement states that the principle of the redevelopment of Whitmore High School is acceptable.
- Redevelopment comprises a well oriented and appropriate building which makes good use of the site in accordance with government guidance.
- Scheme provides an inclusive design that will benefit the community.
- Redevelopment carefully considered incorporating design and access, protecting the amenities of local residents, and other people using the area.
- Final layout and design a result of aims of the school and consultation with the local community.
- Opportunity to modernise the facilities and to improve the quality of the internal and external space, as well as to reorganise the layout to enhance the usability and management of the facilities.
- Site inefficient in its use of space and concentration of built-form will allow for increasing the openness of the site.
- Proposal to be fully accessible and compliant with Part M.

g) Consultations:

Northolt MOD:

Advertisements: General Notification Expiry: 27-NOV-08

Notifications:

Sent: 112 Replies: 3 (from same address) Expiry: 10-DEC-08

Re-consultation following receipt of revised plans 14-APR-09

Sent: 112 Replies: Expiry: 06-MAY-09

Summary of Responses:

Request that windows in the south eastern corner of the building are opaque to prevent loss of privacy and overlooking to garden and bedrooms of Porlock Avenue properties; Evergreen trees are planted along the school house to reduce overlooking into Porlock Avenue property; The car parking area at the rear of the school house to be reduced in no. by 4 spaces to safeguard residential amenity; the slip road beside Millook House, Porlock Avenue house conditioned to be retained as cycle and pedestrian route only, the evergreen hedge, wall and brick pillars and reinstated along the entrance by Millook House, Porlock Avenue.

APPRAISAL

Background

Following the approval of outline permission for the site under reference P/0892/08, which also fixed the matters of siting and access, this application seeks approval of the remaining reserved matters of scale, appearance and landscaping for the proposed school. For clarity, the principle of development has therefore been established and the traffic generation associated with the proposal and the safety of the site accesses have also been accepted. Assessment of this application is restricted to matters arising from the consideration of the proposed scale, appearance and scheme of landscaping of the proposed school.

Accordingly, the main issues of this case are considered to be the acceptability of the scale, design and appearance of the proposed school building, the impact of the scale and design of the proposed building on the surrounding area, and the acceptability of the proposed scheme of landscaping, with particular respect to the surrounding open space land.

1) Scale, Design and Appearance

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

The application details a part two, part three storey, flat roof, building with modern elevational treatment. As approved at outline stage, the siting of the building would generally follow a 'U' shape, occupying approximately the eastern half of the triangular shaped site. The application proposes a combination of extensive glazing broken by coloured panels and rendered sections to create a vibrant and modern appearance. The proposed three storey element is restricted to the eastern wing of the proposed building.

In accordance with the statutory requirements for outline applications, the approved scheme was supported by plans indicating the upper and lower scale parameters of the proposed school. These parameter plans were considered as part of the assessment of the outline application. The case officer at the time concluded that the proposed part two and three storey scale of the scheme was an acceptable form of development, further noting that the proposed three storey element of the building would be located to minimise the impact of this element on neighbouring residential properties.

This application replicates the scale parameters set in the outline approval. As required, the siting of the building detailed in this application is consistent with the building siting that was approved at outline stage. There have been no changes to planning circumstances in relation to the proposed scale, with the surrounding setting of the site remaining generally as it was at the time of the outline approval. The proposed combination of two and three storey elements is therefore considered to be acceptable.

In comparison with the existing situation, the proposed building would consolidate development on the site into a more coordinated form, which would be a significant visual improvement.

The proposed modern design approach is considered to be acceptable in this site context and the scale of building proposed. The combination of glazing, coloured panels (yellow, green and pastel green panels) aluminium curtain walling and rendered sections effectively provides acceptable articulation of the elevations.

Overall the proposed building would provide an interesting design, while retaining the overall institutional character and purpose of the school. It is considered that the building would enhance the visual character and appearance of the local area, adding significant visual interest to the local streetscene.

Accordingly, it is considered that the proposed scale and detailed design would provide a high quality and appropriate appearance in accordance with Policies 4A.1, 4A.7, and 4B.1 of The London Plan and Policy D4 of the HUDP, and Supplementary Planning Guidance: Designing New Development (March 2003).

2) Landscaping Scheme

Policy D4 identifies the importance of landscaping as part of the overall design of a site. Policy D9 of the Harrow Unitary Development Plan seeks to achieve and retain a high quality of street side greenness and forecourt greenery.

The north west corner of the site is designated as educational Open Space in the HUDP. Policy EP47 seeks to protect and where appropriate enhance open spaces, parks, playing fields and recreation grounds in the borough.

The layout as approved in the outline application positions the building in the eastern corner of the site, consolidating the majority of the outdoor open space in the western corner of the site. This layout effectively opens up the site and increases the amount of outdoor door space.

The landscape zoning plan identifies 5 zones within the site, this includes an ecology zone, sport zone (a multi-purpose grass football pitch and athletics track, multi-purpose tennis and netball courts), play (informal recreation, play walls, shelter, seating), circulation zone (buffer to class rooms, maintenance and emergency access), courtyard (garden education, outdoor teaching, performance space and cycle parking) and frontage (parking, trees, drop off area, arrivals, deliveries, site entrance and cycle and refuse store).

The landscape zoning plan is considered acceptable in principle, the detailed design of the landscape proposals, including the planting, hard surfacing, levels and the fitting out of each of the proposed zones will be submitted to satisfy the hard and soft landscape conditions 7 and 12 attached to the outline permission P/0892/08/COU.

Overall, the proposed landscaping scheme is considered to be of a high standard that would enhance the setting of the building and would improve the street greenness in the wider area in accordance with policies D4 and D9 of the HUDP.

Furthermore, the proposed layout would enhance the educational value/functioning of the open space through increasing the area of land available for outdoor sports and education to the students and would increase the separation of the building to the open space in accordance with policy EP47 of HUDP.

3) Residential Amenity

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

As has already been stated in this report, the siting of the proposed scheme does not raise any issues regarding the loss of privacy, loss of daylight/sunlight or over dominance of neighbouring properties.

A request has been received from Millook House, Porlock Avenue that the first and second floor windows in the south eastern corner of the building are obscurely glazed to prevent overlooking and a loss of privacy to the property. It is noted that the closest window along the south-eastern wing would be positioned 46m from the rear elevation of Millook House, Porlock Road. It is considered that the building is located a sufficient distance from the neighbouring residential properties along Porlock Avenue not to have an unacceptable impact on the living amenity currently enjoyed by the occupiers of adjoining Porlock Avenue properties.

A further request has been made to ensure that the slip road that runs along the western site boundary of Millook House, Porlock Avenue is blocked off by shrubbery, hedging or fencing so that it cannot be used by vehicles, that the evergreen shrubbery and trees along the side garden fence of the slip road and the brick wall and pillars beside this entrance are reinstated and lockable gates are positioned at the end of the foot path.

The landscape zoning plan identifies the slip road along side Millook House, Porlock Avenue for pedestrian and cycle access only. A semi-mature hedge is shown along the length of the shared property boundary of Millook House, Porlock Avenue and the rear boundary of both Porlock Avenue properties. A line of semi-mature trees are also proposed to adjoin the rear boundary fence of these properties. The specifics of the planting scheme and boundary treatment including gates to the school are to be secured by conditions attached to the outline permission P/0892/08/COU.

In relation to the reserved matters of scale, appearance and landscaping the scheme is not considered to result in any detriment to the living or working conditions of neighbouring properties.

4) Access for All

Policy C16 of the Harrow Unitary Development Plan seeks to ensure that all buildings as well as public spaces are readily accessible to all. Development proposals should be adequately designed to accommodate the needs of all users.

The application does not raise any significant issues with respect to the internal circulation within the spaces of the building. Each wing of the building would be equipped with two lifts, providing access to all floors. It is further noted that a condition attached to the outline approval requires full accessibility details of the proposed building to be submitted for approval.

There is a level change across the site, which would affect this building. Level access is proposed to all entrances. However, as a result of the level change of the site, there is an internal level change of approximately 1.25m between the individual classroom wings of the building and the more consolidated southern element of the building, which accommodates the large dining and sports hall spaces. This level change is addressed internally by stairs and a wheelchair accessible ramp. It is not considered that any aspect of the design would preclude compliance with accessibility requirements, or the submission of acceptable detail pursuant to the relevant condition of the outline approval.

5) S17 Crime & Disorder Act

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

The proposed design and layout would offer good natural surveillance of the site and around the school buildings. A condition is attached to the outline permission P/0892/08/COU to address all secure by design requirements of the site. It is considered that the proposed scheme incorporates secure by design measures and that any outstanding issues could be adequately captured as part of the condition submission.

6) Consultation Responses:

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

- The car parking layout was secured in the outline approval P/0892/08/COU and cannot be amended as part of this reserved matters application.

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.

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item: 2/01

SERVICE STATION, 50 - 54 NORTHOLT ROAD P/0284/09/RH

Ward HARROW ON THE HILL

TWO ADDITIONAL FIFTH FLOOR FLATS TO EXISTING BUILDING

Applicant: Mr Nicholas Durrant

Statutory Expiry Date: | 01-JUN-09

RECOMMENDATION

Plan Nos: 18531A/106 Rev P, 18531A/105 Rev B, 18531A/104 Rev B, 18531A/103 Rev B, 18531A/102 Rev B, 18531A/101 Rev B, 18531A/100 Rev B, 18531A/200 Rev A, 18531A/201 Rev A, 18531A/202 Rev A, 18531A/203 Rev A, 18531A/204 Rev A, 18531A/304 Rev A, 18531A/302 Rev A, 18531A/303 Rev A, 18531A/301 Rev A, 18531A/300 Rev A, 18531A/650 Rev A, Design and Access Statement Supporting Planning Statement 5th February 2009

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

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

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

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

(a) the extension/building(s)

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

REASON: To safeguard the appearance of the locality.

3 The development hereby permitted shall not commence until details of the two additional flats hereby approved, built to 'Lifetime Home' and / or 'Wheelchair' standards, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied or used until the homes have been completed in accordance with the approved details and thereafter retained.

REASON: To ensure that, where the development is capable of meeting 'Lifetime Home' or 'Wheelchair' Standards, the development complies with the policies of the Harrow Unitary Development Plan

4 The development hereby permitted shall not be occupied or used until all the works detailed in the application have been completed in accordance with the permission granted unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory form of development.

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, D9, D10, T6, T13, T15 EP11, EP16, EP25)

The London Plan 2004 Policies:

(3A.1, 3A.2, 3A.3, 3A.5, 3A.6, 3A.10, 3A.17, 4A.2, 4A.3 , 4A.4, 4A.7, 4A.8, 4A.9, 4A.10, 4B.1, 4B.5, 4B.6)

Supplementary Planning Guidance: Designing New Development (March 2003)

Accessible Homes: Supplementary Planning Guidance (April 2006)

2 INFORMATIVE:

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

3 INFORMATIVE:

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>

4 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

5 INFORMATIVE:

The relevant traffic order will impose a restriction making residential occupiers of this building ineligible for residents parking permits in the surrounding controlled parking zone.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Principle of Development (3A2, 3A.3, 3A.10, 3B.3, 4B.1)
- 2) Design and Appearance (D4, D5,D9, SPG; 4A.2, 4B.1)
- 3) Housing Provision and Density (3A.1, 3A.2, 3A.3, 3A.5, 3A.6)
- 4) Residential Amenity (D4, D5, EP25, SPG)
- 5) Parking & Highway Considerations (T13)
- 6) Accessibility (3A.5, 3A.17, 4B.5 SPD)
- 7) Sustainability (4A.7, 4A.8, 4A.9, 4A.10; D4)
- 8) S17 Crime & Disorder Act (D4)
- 9) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Minor dwelling	
Site Area:	737m ²	
Habitable Rooms:	78	
Density:	366dph, 1058hrph	
Car Parking	Standard	31 (max)
	Justified	19
	Provided	19
Council Interest:	None	

b) Site Description

- Building currently under construction for 25 flats, comprising 8 affordable units and 17 private units within a part three, part five, part six storey building approved under reference P/2654/06/CFU.
- Site previously occupied by Texaco Filling Station.
- Located on corner of Northolt Road and Shaftesbury Avenue, South Harrow.
- Close proximity to South Harrow District Centre and Underground Station and local bus routes.
- High buildings of commercial appearance along Northolt Road to south, with drop to 3 storey building at opposite corner for Roxeth House to northeast.
- Two-storey semi-detached and detached buildings (including block of 2 maisonettes at 3/5 Shaftesbury Avenue) on Shaftesbury Avenue to the northwest.
- Site adjoins Scanmoor House, an office building that is currently subject to a planning application to change the use of the building from office to hotel use, including a scheme of rearward and upward extension.
- Scanmoor House also benefits from extant permission for an additional floor level.

- Wide pavement around site, with slip road on Northolt Road to front of the neighbouring Scanmoor House.
- Access road to the rear of the site, Osmond Close, where the ground level falls away.

c) Proposal Details

- Proposed extension to provide a complete fifth floor level, as opposed to the part fifth floor level constructed, to accommodate two additional two-bedroom flats.
- The proposed fifth floor extension would extend between the approved sixth floor element of the building and the neighbouring building, Scanmoor House.
- The existing three bedroom unit provided at fifth floor level would be reduced to a two bedroom unit to provide additional floorspace for the two proposed units.

Revisions to Previous Application:

Following the previous decision (P/2654/06/CFU), the following amendments have been made:

- Extension to the building to provide a complete fifth floor level, as opposed to the 'corner feature' element of the constructed building.
- The approved three bedroom fifth floor flat would be reduced to a two bedroom unit to provide corridor access and adequate floorspace for the two additional units proposed.
- No additional parking space are proposed as part of this development
- No additional affordable housing units are proposed

d) Relevant History

P/2395/05/CFU	Redevelopment: Part 3/5/6 storey building to provide 26 flats, access and parking (Resident Permit Restricted)	REFUSED 08-DEC-06 APPEAL DISMISSED 22-JUN-06
---------------	--	---

1. The proposed development, by reason of excessive size, bulk and site coverage by buildings, would not respect the scale and massing of the neighbouring properties on Shaftesbury Avenue, would amount to an over development of the site, and would be overbearing, to the detriment of the neighbouring residents at 3/5 Shaftesbury Avenue and the character of the locality.

P/1307/05/CFU	Redevelopment: part 3/4/6 storey building to provide 29 flats, access and parking	REFUSED 28-JULY-05 APPEAL DISMISSED 22 -JUN-06
---------------	---	---

- 1 The proposed development, by reason of excessive size, bulk and site coverage by buildings, would not respect the scale and massing of the neighbouring properties on Shaftesbury Avenue, would amount to an overdevelopment of the site, and would be overbearing, to the detriment of the neighbouring residents at 3/5 Shaftesbury Avenue and the character of the locality.
- 2 The proposed development would not provide an acceptable relationship with the highway on Shaftesbury Avenue and would result in an unsocial open space, to the detriment of the amenity of the future occupiers of the proposed development and the character of the locality.
- 3 The proposed roof amenity area over the second floor adjacent to 3/5 Shaftesbury Avenue and the rear windows of the upper levels would result in unacceptable direct and perceived overlooking to the rear of that building, to the detriment of the privacy and amenity of the neighbouring residents.

P/2654/06/CFU	Redevelopment: part 3 part 5 storey building and 6 th storey penthouse to provide 25 flats, 19 car parking spaces, cycle parking and associated landscaping	GRANTED 15-DEC-06
---------------	--	----------------------

e) Pre-Application Discussion

Informal telephone conversation with previous case officer Dave Thompson.

f) Applicant Statement

- The application seeks to make an amendment to the approved scheme to provide two additional 2-bedroom apartments on the fifth floor scheme consented under reference P/2654/06/CFU.
- This application proposes to incorporate two additional flats adjoining the consented fifth floor flat, thereby maximising the development potential of the site.
- The development would result in entire development providing 27 residential units comprising 1 three-bedroom dwelling, 22 two-bedroom flats and 4 one-bedroom flats with 19 parking spaces, including 3 disabled parking bays.
- All other elements of the scheme remain unchanged and conform to the original planning consent P/2654/06/CFU, December 2006.
- The application complies with policy S1 to reduce the need to travel and encourage travel by more sustainable modes. The site is served by excellent public transport options and within a reasonable range of shops and services.
- The parking provision would not exceed the maximum levels set out in schedule 5 of the UDP. The consented scheme provides 19 parking spaces, including 3 which would be suitable for disabled users, and cycle parking provision for 30 bicycles. The parking provision is considered appropriate for both consented scheme and two proposed apartments.

- The proposed two apartments will be located on the Northolt Road portion of the scheme where the character and scale of the townscape is more varied and extensive than the predominately residential character of Shaftesbury Avenue. Furthermore, the proposed units will not result in the scheme increasing in height beyond 6 storeys.
- The two new units, as per the consented penthouse apartment will be set back from the building line of the consented scheme fronting Northolt Road, thereby enhancing the visual appearance of the development as a whole.
- The proposed apartments would have access to the communal amenity space on the third floor roof terrace and have private amenity in the form of balconies or terraces. The balconies have been sited so as to avoid any loss of amenity to neighbouring property through overlooking and loss of privacy.
- The two additional units should not significantly impact upon daylight and sunlight levels as shown in the Planning and Design Access statement.

g) Consultations

Advertisement: General notification Expiry:12-MAR-09

Notifications:
Sent: 229 Replies: 3 Expiry:13-MAR-09

Summary of Responses:

Development would infringe on our right to light, reduce natural daylight to properties to the rear of the site and on the northern corner of Shaftesbury Avenue and Northolt Road, additional storey is inappropriate, development out of keeping in terms of height and type of development in the area, insufficient parking provision, would preclude development on No. 3 Shaftesbury Avenue.

APPRAISAL

It is considered that the main issues of the case are the principle of the proposed development, residential density, affordable housing provision, the design and appearance of the proposed extension to the building, the impact on neighbouring properties, the adequacy of the living conditions for future occupiers, accessibility, and traffic safety and parking arrangements.

1) Principle of Development

The principle of residential use on the site was accepted in the 2006 approval. The proposed two additional units are consistent with the approved (residential) use of the building that is currently under construction and compatible with the surrounding land uses. There is therefore no objection, in principle, to the proposed additional units.

2) Density

Policy 3A.3 and Table 3A.2 of the London Plan 2008 provide guidance on the suitable range of density for new residential development, based on the accessibility to public transport and services of the site, the site location and the surrounding character of development.

The approved 25 unit scheme had a density of 990 habitable rooms per hectare. The two additional units would see the density increase to 1058 habitable rooms per hectare. While this resulting density would be in excess of the applicable London Plan density guidance, it would be a small increase from the density of the approved scheme, and is not considered to be a sustainable reason for refusal. Furthermore, density assessment is intended as an indicator of development, and needs to be considered in relation to the way in which development is accommodated on the site.

3) Affordable Housing

London Plan policy 3A.9 states that affordable housing targets should be based on an assessment of regional and local housing need and a realistic assessment of supply and should take account of the strategic target that 35% of housing should be for social renting and 15% for intermediate provision; and the promotion of mixed and balance communities. Application of this policy therefore requires that development schemes that are subject to affordable housing requirements, should provide 50% of units as affordable housing, and of that 50%, the tenure should be split between 70% social rent and 30% intermediate provision.

London Plan policy 3A.10 requires boroughs to seek the maximum reasonable amount of affordable housing; having regard to own overall target for affordable housing.

The relevant policy guidance advises that in these circumstances, where further residential accommodation is proposed following an earlier approval, it is appropriate to consider the affordable housing requirement of the overall scheme. Accordingly, while this application seeks approval of only two units, the overall development of a total of 27 units should be considered in relation to the affordable housing requirements.

The original approval was for 25 units, of which 8 were proposed as affordable housing. This is equivalent to 32%.

The application proposes that the two additional units would be for private as opposed to affordable occupation. This would result in the affordable housing contribution of the scheme reducing to 29.6%. Financial viability information has been submitted to demonstrate that the scheme would not be viable if the additional units were provided as affordable housing. This detail has been appraised by the Council's Housing Officer and accepted as accurate. Accordingly the proposed private tenure of the additional units is considered acceptable.

4) Design and Appearance

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

Explanatory paragraph 4.11, states that 'all new development should have regard to the scale and character of the surrounding environment and should be appropriate in relation to other buildings adjoining and in the street'.

As existing, the partial fifth floor element appears unresolved, with a somewhat disjointed and discordant appearance. It is considered that the proposed addition to the building would contribute to a more coordinated overall appearance to the building.

The detailed design of the proposed extension to the building would follow the design of the remainder of the building, and is considered to be appropriate.

The Council recently resolved to grant planning permission, subject to the completion of a legal agreement, for a scheme of extension and change of use to the neighbouring building, Scanmoor House. This approved scheme included upward extension of the building to add another storey. The approved scheme of extension to Scanmoor House would result in the height of Scanmoor House exceeding the maximum roof height of the application building. The applicant argues that this neighbouring approval in part justifies the extension proposed by this application.

While the extant Scanmoor House permission is noted as a material consideration in the determination of this application, as it has not been implemented, it is not considered to contribute significantly to the existing site context. However, the Scanmoor House approval does signal the Council's general acceptance of the development height proposed by this application.

Accordingly, the design and appearance of the proposed extension are considered to be acceptable.

5) Residential Amenity

Policy D4 of the Harrow Unitary Development Plan 2004 requires new development to provide suitable living conditions for future occupiers.

The two proposed units would benefit from good levels of daylight and sunlight, outlook and privacy. The occupiers of the units would have access to external communal amenity space provided as a roof terrace at third floor level. It is therefore considered that the proposed units would provide adequate living conditions for future occupiers.

The proposed alterations to the existing three bedroom unit at fifth floor level would not compromise the living conditions provided for future occupiers of this unit.

Policy D5 of the Harrow Unitary Development Plan 2004 requires new development to provide amenity space which is sufficient to: protect the privacy and amenity of occupiers of surrounding buildings; as a useable amenity area for the occupiers of the development; as a visual amenity.

While the proposed development would increase the number of windows that overlook the rear gardens of the neighbouring Shaftesbury Avenue properties, it is not considered that the addition of 6 windows (2 of which would be obscurely glazed) would materially worsen the impact on these neighbouring properties. This increase to the number of windows overlooking the gardens of neighbouring properties would also be mitigated by the significant distance from these windows to the affected areas. The proposed development is therefore not considered to result in a worsening of the overlooking of neighbouring properties.

Given the site orientation in relation to neighbouring properties, and the existing significant scale building on the site, the proposed development is not considered to result in the detrimental loss of sunlight or daylight to neighbouring properties.

It is not considered that the proposed additional development would result in the additional enclosure of, or overbearing impact on, the neighbouring residential properties.

The impact of the proposed development on neighbouring properties is therefore considered to be acceptable.

6) Transport

Harrow UDP policy T1 requires new development to address the resulting travel demand, and requires that new development does not result in detriment to highway safety.

The application does not propose any alterations to the access or car parking arrangements approved with the earlier scheme.

The original approval scheme provided 19 car parking spaces for the 25 units, equivalent to a ratio of 0.76 car parking spaces per unit. The additional two units proposed would reduce this ratio to 0.7 car parking spaces per unit. This is considered to be acceptable given the proximity to public transport.

The development would provide a total of 30 cycle parking spaces. This provision would exceed the minimum provision of one space per unit, and is considered to be acceptable.

7) Accessibility

Policy 3A.5 of the London Plan Consolidated with Alterations since 2004 (2008) seeks to ensure that all new housing is built to Lifetime Homes standard.

Policy 3A.4 of the GLA document Housing The London Plan Supplementary Planning Guidance seeks to ensure that all new housing is built to lifetime homes standard. As a supplementary planning guidance note to the London Plan, this document is also a material consideration.

The proposed layout of the units, while tight, is not considered to prevent compliance with the lifetime homes standard. The proposed units would be accessible by lift from both the basement and ground floor levels. A condition accompanies the recommendation requiring the submission of details of compliance of the approved units with the lifetime homes standard.

8) S17 Crime & Disorder Act

Policy D4 of the Harrow Unitary Development Plan 2004 advises crime prevention should be integral to the initial design process of a scheme.

The application does not raise issues in respect of crime prevention through design.

9) Consultation Responses

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: 2/02
THE SACRED HEART LANGUAGE COLLEGE, P/0173/09/LM
186 HIGH STREET, WEALDSTONE

Ward WEALDSTONE

CONSTRUCTION OF NEW TWO STOREY BUILDING TO PROVIDE SIXTH FORM CENTRE; THREE NEW PARKING SPACES; LANDSCAPING; REMOVAL OF EXISTING SINGLE STOREY CLASSROOM BUILDING; NEW 2.1M HIGH FENCE

Applicant: Harrow Council

Agent: Aedas Architects Ltd

Statutory Expiry Date: | 10-APR-09

RECOMMENDATION

Plan Nos: L(0) 103, L(0) 100 Rev B, L(0) 101 Rev B, L(0) 102 Rev C, L(0) 104 Rev C, L(0) 105 Rev A, Site Plan and Design and Access Statement

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

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

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

2 The 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:

the extension/building(s)

the ground surfacing

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

3 The window(s) in the wall(s) of the approved development shall:

a) be of purpose-made obscure glass,

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

REASON: To safeguard the amenity of neighbouring residents.

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

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

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

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

6 The 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 thereafter shall be retained.

REASON: To ensure that adequate drainage facilities are provided.

7 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 thereafter shall be retained.

REASON: To prevent the increased risk of flooding

8 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.

9 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.

10 All construction works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place on site between the hours of 0800 to 1800 Monday to Friday and 0800 to 1300 hours on Saturday, and at no time during Sundays and bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of noise sensitive properties

11 All reasonable steps to minimise dust emissions from the site shall be employed throughout the construction phase of the development.

REASON: To protect the amenity of the area from excessive dust emissions.

12 The development hereby permitted shall not be occupied until a revised Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the amenity of neighbouring residents, and in the interests of highway safety.

13 No bonfires shall be permitted on site throughout the construction phase of the development

REASON: In order to protect residential amenity

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.1, 4A.3, 4A.4, 4A.7, 4B.1, 4B.5 and 4C.8

Harrow Unitary Development Plan:

C7, D4, D5, EP12, EP14 EP22, EP25, T6 and T13

2 INFORMATIVE:

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

3 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.)

4 INFORMATIVE:

There may be public sewers crossing / adjacent to the site, so no building will be permitted within 3m of the sewers. The applicant should contact the Area Service Manager, Mogden, at Thames Water Utilities at the earliest opportunity, in order to establish the likely impact of this development upon the sewerage infrastructure. Tel: 0645 200 8000.

5 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.

6 INFORMATIVE:

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

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

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area (4A.1, 4A.3, 4A.4, 4A.7, 4B.1) (C7 and D4)
- 2) Residential Amenity (D5 and EP25)
- 3) Access for All (4B.5) (C16)
- 4) Parking and Highway Safety (T6 and T13)
- 5) Surface Water Runoff and Drainage and Sewerage (4C.8) (EP12 and EP14)
- 6) S17 Crime & Disorder Act (D4)
- 7) Consultation Responses

INFORMATION

The application is reported to Committee because the Council is the applicant and the development would provide 584m² of gross floor space.

a) Summary

Statutory Return Type: Minor Development, all others
Council Interest: Council Owned

b) Site Description

- The school site is of an irregular shape and is located within a block ringed by properties fronting High Road to the west, Spencer Road to the north, east and southeast and Claremont Road to the southwest.
- These residential dwellings consists predominately of semi detached properties and a block of flats to the west. A light industrial building is located adjoining the site on the south east side of the end of Claremont Road.
- The site has two main access points, a main entrance off High Road and a secondary entrance at the end of Claremont Road. High Road is designated as a London Distributor Road.
- The school is made up of a number of single and two storey buildings, mainly located centrally and east within the site.
- This proposal is restricted to a roughly triangular site at the south east corner end of Claremont Road.
- This corner site presently contains a single storey school building 5.2m high and car parking area.

c) Proposal Details

- Demolition of existing single storey building in south eastern corner of site.
- Construction of a new, irregular shaped, two storey sixth form centre in south eastern corner consisting of Block A and Block B which would be linked by a covered central atrium.
- It would have an overall height of 8.5m and a footprint of approximately 390m².
- Blocks A and B would have mono-pitch roofs and the central atrium a flat roof recessed below Block A and B pitch roof.
- North elevation (front elevation) would have ground and first floor large windows and floor-to-ceiling glazed areas located either side of the central lift wall. Block A would be located approximately 4.0m from the boundary with Claremont Road.
- Western elevation would run parallel to the flank boundary of no. 45 Claremont Road. Southern elevation flank wall would be approximately 20m in length, would have a ground floor double door and would be located 1.0m from the boundary with no. 45 Claremont Road.
- Southern Elevation (Rear Elevation) would contain a floor-to-ceiling central glazed stairwell, large ground floor windows and small high level obscure glazed windows at first floor on Block A. Block B would contain one large obscure glazed first floor window. This wall would be located approximately 14.0m from the rear boundary with residential properties.
- Eastern elevation would be located between 1.5m-2.0m from the rear garden boundaries of the residential properties 42-50 Spencer Road. This elevation would contain two ground floor windows. The eastern flank wall would be approximately 18m in length.
- Provision for three new car parking spaces. These spaces would be adjacent to the front wall of Block B and would include one disable parking space.
- Provision for landscaping between eastern, western and southern flank walls and boundary.
- Provision for 12 additional full time employees.
- New 2.1m high railing with lockable entrance gates.
- Location of refuse bins behind the 2.1m high fence near Block A.

d) Revisions to Current Application:

- Relocation of refuse bins from outside Claremont Road to behind the 2.1m high fence
- Obscure glazed large windows on first floor on Elevation B (rear elevation).
- Removal of one car parking space adjacent front wall of Block A

e) Relevant History

EAST/491/01/FUL	Two storey teaching block (with removal of existing & temporary classrooms) (revised siting rear of main block)	GRANTED 06-JUL-01
-----------------	---	----------------------

A Pre Application Meeting (PAM) as held on the 22/01/09 regarding the proposed two storey building. A subsequent letter was issued on the 24/03/09 outlining the following:

Principle / Character / Design / Amenity Issues

- Proposal acceptable in principle
- Contemporary design cream coloured building with vertical lettering agreeable with preferred option presented
- Concern raised over amenity impact against boundary with rear garden area of residential property to the south west (38 Spencer Road)
- 1m set back from the boundary to adjacent properties 42-50 Spencer Road acceptable in principle, subject to suitable screen landscaping
- Section showing existing and proposed buildings would be useful for height comparison
- Suggested possible use of solar panels / thermal equipment on west elevation roof
- Use of green roof / green wall treatment on elevation 'D' discussed – you expressed concerns over the cost of maintenance and availability of school funds to provide upkeep calculated at around £4,000p.a.
- Our view is that this simply does not align with advice from a number of green roof / wall companies that we have talked to – the wide range of benefits arising from green roofs and walls need to be balanced over the life of the roof / wall, not to mention the educational opportunities that they create
- Secured by Design:
 - Boundary fencing to be 2.1m in height with anti-climb treatment and 100mm max gap in fencing uprights
 - secure internal locking points and hinges
 - use of PAS 24 doors as standard, especially to I.T suite
 - no ironmongery on fire doors
 - ground floor and easily accessible windows to be BS7950 standard with 6.4mm laminated outer pane
 - lighting: provision of low level bollard lighting to front; BS5489 with minimum 40% uniformity
 - suggested use of defensive planting, installation of CCTV and alarm system with bell boxes on all elevations
 - need for gating on east elevation of building
- Review existing travel plan to cover whole of site
- Reconfiguration of access agreeable – we discussed the quality of the Post 16 pedestrian access, involving access through the refuse storage facilities for the school as a whole – you said you would revisit that aspect of the proposals
- Tree constraints plan required in accordance with BS5837 and specifically off-site line of trees

f) Applicant Statement

- New Sixth Form Centre joint venture for Sacred Heart Language College and Salvatorian College to provide for 100 sixth form places for 16-18 year olds.
- Project will deliver flagship Sixth Form providing high quality, stimulating environment suitable to deliver 21st Century learning.
- Modern and cool response to tight site, maximising external space and optimising building footprint.
- Highly crafted courtyard landscape design.
- Sustainable solutions to energy requirements including natural ventilation.

- New accommodation arranged over 2 storeys with a massing of two wings that enclose an internal atrium space.
- Site would be fully accessible.

g) Consultations
Highways Engineer

No objection which is supported by substantial waiting restrictions on-street together with its sustainable location.

Landscape Architect

There is insufficient information on the ground floor plan.

A hard and soft landscape masterplan is required, together with the details of the hard landscape elements such as - the paving, pergolas, fencing, boundary treatment, gates, bin store, levels and soft landscape details and planting plan and plant schedule,

Note: a paved area has been indicated across the site, shown as cobble stone. How easy will this surface be to gain access across? Disabled access needs to be considered.

A soft landscape plan is required at an appropriate scale to show sufficient detail. For example, at a scale of 1:100, showing existing trees and shrubs together with proposed trees, the extent of proposed shrub planting, any other proposed planting and grass areas.

The planting plan should show the precise location of the plants (or group of plants) and the numbers of each plant species proposed.

As an example, if *Lavandula spica* 'Hidcote' are proposed, the planting location should be shown on the plan together with the actual plant numbers.

Clearly mark on the plan, for example "5 No *Lavandula spica* 'Hidcote'" indicating the position and extent of this group of plants.

A plant schedule is required listing:

- * plant species
- * plant sizes this should be the size of plant and the container size/ or bareroot / rootballed at time of planting, should also be included.
- * plant numbers / and plant densities including total plant numbers of each species

A management plan and maintenance schedule is required for the landscaping, explaining how the landscape is to be managed and maintained during the first year after completion and for the following 5 years.

Waste Management Policy Officer

This doesn't appear to adversely affect the refuse storage and collection arrangements.

Drainage Engineer

A copy of a letter from Thames Water with permission for connections to the public sewers is required.

The development is subject to a limitation on a discharge (5 l/s), consequently there will be storage implication and the system should be checked for no flooding for a storm of critical duration and return period of 1 in 100 years. These calculations should be submitted for our approval and should include all details of inputs and outputs together with impermeable and permeable areas drained. Please note that the M5-60(mm) is 21 and the Ratio "r" should read 0.43 for this region. Similarly the Volumetric Run-off Coefficient should be substantiated by calculations (Reference to Chapter 13 The Wallingford Procedure) or a figure of 0.95 should be used. Please note that a value for UCWI of 150 is appropriate when calculating Percentage Runoff (PR) for storage purposes.

Full details of drainage layout including details of the outlet and cross section of proposed storage are required.

Full details of any flow restrictions (hydrobrake) that are proposed for this scheme need to be submitted together with the relevant graphs.

The Council's Drainage Engineers have requested conditions relating to surface discharge, surface attenuation/storage and connections to Thames Water sewers. These have been attached.

Environmental Health No response

Notifications:

Sent: 32

Replies: 1

Expiry: 07-APR-09

Summary of Responses:

- Noise for next six months
- Future parking issues on road
- Too many buildings in borough and not enough open spaces

APPRAISAL

1) Design and Character of the Area

The proposed linked two, two storey buildings represents a modern addition to the existing school buildings. The north (front of building) and south (rear of building) elevations would contain a large area of glazing and external materials of a neutral coloured render. In terms of design, it is considered that the proposed additions would make a positive and modern contribution to the character and appearance of the school and would be consistent with the objectives of Policies 4A.1, 4A.7 and 4B.1 of the London Plan, Policy D4 of the HUDP and the Supplementary Planning Guidance: Designing New Development (March 2003).

Soft landscaping has been proposed throughout the development. However, as indicated by the Council's Landscape Architect, limited detail of this landscaping has been submitted. It is considered in principle that the provision of soft landscaping is acceptable and a condition is recommended requiring further detailed landscaping proposals.

The proposed development would remove a portion of hardstanding area on the site. However, it is considered that the operational use of the school is a predominate factor over this area of hardstanding open area and furthermore, the area in question has limited functional value within the school site.

2) Residential Amenity

The proposed development would be highly visible from the neighbouring residential properties to the northeast, southeast and west. The proposed development would create, generally, a large two-storey building approximately 8.5m high, between 18m to 20.0m in depth, 22.0m wide in the front and 15m wide in the rear. The applicant has attempted to reduce the potential for a monotonous façade by incorporating an interesting external façade and mixed design elements such as glazing and soft landscaping. Policy C7 of the HUDP seeks to ensure that the Council, as a Local Education Authority, discharges its statutory responsibilities in relation to student population growth. The proposed scheme is required to meet the needs of this growth. The amenities of the adjoining residential properties have been taken into account in the proposal. The teaching accommodation on each floor has been arranged so as to have a minimal impact on them.

Northern Elevation (Front of Building)

The front elevation would be most prominently viewed from those properties at the end of Claremont Road. Nos. 30 and 32 Claremont Road are located on the opposite side of the road and are some 21m from the external wall of Block A. Block B is angled facing away from these residential properties. It faces on to a side wall of existing school building.

Block A is directly facing no. 32 however it would have one small first floor window and two larger ground floor windows which would not service actual teaching areas. It is considered that the distance between Block A and nos. 30 and 32 would sufficiently mitigate any detrimental impact due to loss of privacy or overlooking.

Western Elevation (Exposed side elevation of Block A)

The western flank wall of Block A runs adjoining the flank wall of no. 45 Claremont Road. This property is currently utilised as a light industrial unit and it is considered that the proposed double doors on the flank wall of Block A would not have an undue detrimental impact on this property, particularly as the set of the double doors is to a plant room only.

Southern Elevation (Rear elevation of Blocks A and B)

The rear elevation would have both the walls of Blocks A and B facing directly towards the boundary of no. 38 Spencer Road at a distance of approximately 14.0m from the boundary. The rear elevation would consist of three large ground floor windows, three small, obscure glazed high level windows and one large obscure glazed window on the first floor and a large floor to ceiling central obscured glazed stairwell. No. 38 has a large rear garden, however, this rear garden is completely hardsurfaced and appears to be a car parking area. It is considered that the high level and obscured nature of the glazed windows on the first floor would not give rise to undue actual or perceived overlooking or loss of privacy to no. 38 Spencer Road. The proposed stairwell, while completely glazed, would be used as a means of access between the two floors. Furthermore, the entire structure would be obscure glazed and it is considered that these two points would mitigate against any actual overlooking or loss of privacy to no. 38 Spencer Road.

It is considered that the 14m setback of the proposed development from the rear boundary of no. 38 Spencer Road and 22.4m between the stairwell structure and the rear wall of no. 38 would be an adequate separation distance and as such it is considered that the bulk of the proposed development would not have a detrimental impact on the residential amenities of this property.

Eastern Elevation (Exposed side elevation of Block B)

The eastern elevation would contain two ground floor windows and would be located between 1.5 and 2.0m from the boundary with several residential properties (42 – 50 Spencer Road) for a length of approximately 18m along this boundary. Soft landscaping has been proposed between the boundary with these residential properties and the flank wall of Block B. It is considered that the lack of first floor windows and soft landscaping would adequately remove any detrimental impacts on these properties from overlooking or loss of privacy.

It is considered in principle that the good use of soft landscaping would adequately mitigate the detrimental impacts of the building along the boundary on these residential properties. The relevant conditions have been included in the recommendation. The Council suggested at the Pre Application Meeting that a green wall along the side elevation would be an appropriate tool to offset any excessive bulk of the development. While landscaping is considered to be acceptable in principle, further detailed plans are required to determine whether a green wall would still be the most appropriate, practical and functional tool.

The refuse bins have been relocated to adjoin the proposed 2.1m high boundary fence near the front wall of Block A. This area would allow the bins to be screened from Claremont Road and the public realm by boundary treatment. It is considered that the proposed location of the refuse bins would not give rise to any undue detrimental impact upon the residential amenities of the surrounding area.

The Waste Management Policy Officer has not raised any objections to the proposal.

Conditions relating to potential noise nuisance, dust emissions and bonfires would be included on the decision notice. It is considered that these conditions would adequately mitigate any adverse impacts, which may result during the construction of the proposed development.

3) Access for All

The proposed development seeks to accommodate people with disabilities by providing disabled car parking, level access around the site, to the ground floor of the building and provision of a lift to first floor and would include appropriate w/c. The above measures are considered acceptable and the proposed development is therefore considered to comply with Policy C16 of the HUDP and Access for All Supplementary Planning Document (April 2006).

4) Parking and Highway Safety

As a result of the proposal, pupil numbers would potentially increase as proposed in this development. As such, there is likely to be additional traffic movements to and from the school. The school has an existing Travel Plan, and a condition has been imposed to require its review in light of the proposed development.

In principle, it is considered that the development would not have a detrimental impact on the internal and external traffic movements in the site and would be consistent with the objectives of Policies T6 and T13 of the HUDP.

The Council's Highways Engineer has not raised any objections or issues with the proposal.

5) S17 Crime & Disorder Act

This development has been designed to minimise any potential for crime and disorder.

6) Consultation and Notification Responses

See above 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.

**THE LEAPING FROG, CARMELITE ROAD, P/0639/09/GL
HARROW**

Ward WEALDSTONE

CONSTRUCTION OF NINE TWO STOREY DWELLINGHOUSES IN TWO TERRACES WITH NEW ACCESS ROAD AND BOUNDARY FENCE; DEMOLITION OF PUBLIC HOUSE

Applicant: Seaview Homes Ltd
Agent: Landmark Consultancy
Statutory Expiry Date: 29-MAY-09

RECOMMENDATION

Plan Nos: SLP-01; EX01 Rev B; EX02 Rev A; PL05 Rev D; PL10 Rev D; PL11 Rev E; PL12 Rev D; PL14 Rev F; PL15 Rev D; Design and Access Statement; Sustainable Energy 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 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.

3 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.

4 The development hereby permitted shall not be occupied or used until all the works detailed in the application have been completed in accordance with the permission granted unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory form of development.

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

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

6 No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the local planning authority.

The boundary treatment shall be completed:

b: before the building(s) is/are occupied

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

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

7 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.

8 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.

9 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 5 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.

10 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.

11 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.

12 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.

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.

13 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.

14 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.

15 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.

16 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.

17 The development hereby permitted shall not commence until details of a scheme to achieve a reduction in predicted carbon dioxide emissions of 10% from on site renewable energy generation 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.

18 The development hereby approved shall not be occupied except in accordance with the definition of affordable housing in the London Plan Policy 3A.8.

REASON : To ensure provision for affordable housing.

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

3A.6 - Quality of New Housing

4A.4 - Energy assessment

4A.7 - Renewable Energy

4B.1 - Design principles for a compact city

Harrow Unitary Development Plan:

C16 - Access to Buildings and Public Spaces

D4 - Design and the Built Environment

D5 - New Residential Development - Amenity Space and Privacy

D9 - Streetside Greenness and Forecourt Greenery

D10 - Trees and New Development

T6 - The Transport Impact of Development Proposals

T13 - Parking Standards

EP25 - Noise

Supplementary Planning Guidance: Designing New Development (March 2003)

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

Accessible Homes: Supplementary Planning Document (April 2006)

Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (January 2008)

Secured by Design (2004)

Safer Places - The Planning System and Crime Prevention (2004)

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

- 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:

In aiming to satisfy the Community Safety condition(s) the applicant should seek the advice of the Borough Crime Prevention Design Advisors (CPDA). They can be contacted through the Crime Reduction Unit, Harrow Police Station, 74 Northolt Road, Harrow, Middlesex, HA2 ODN, tel. 020 8733 3465. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of this / these condition(s).

6 INFORMATIVE:

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

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

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1) **Design & Character of Area** (London Plan Policies: 3A.1, 3A.2, 3A.4, 3A.6, 4B.1; HUDP Policies: D4, D5, D9, D10, EP25; SPG: Designing New Development, SPG: Extensions: A Householders Guide, Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties)
- 2) **Residential Amenity** (London Plan Policies: 3A.6, 4B.1; HUDP Policies: D4, D5, EP25; SPG: Designing New Development, SPG: Extensions: A Householders Guide)
- 3) **Parking & Highway Safety** (HUDP Policies T6, T13)
- 4) **Housing Provision & Density** (London Plan Policies: 3A.1, 3A.2, 3A.4, 3A.5, 3A.9, 3A.10, 3A.11)
- 5) **Accessible Homes** (London Plan Policies: 3A.5, 3A.6; HUDP Policies: D4, C16; Accessible Homes: Supplementary Planning Document)
- 6) **Energy Efficiency and Sustainability** (London Plan policy 4A.7)
- 7) **S17 Crime & Disorder Act** (D4)
- 8) **Consultation Responses**

INFORMATION

a) Summary

Statutory Return Type:	Minor Dwellings	
Site Area:	0.18 ha gross	
Habitable Rooms:	36	
Density:	200 hrph, 50 dph	
Car Parking	Standard	15
	Justified	9
	Provided	9
Lifetime Homes:	9	
Wheelchair Standards:	0	
S106	No	
Council Interest:	Council owned freehold, third party leasehold	

b) Site Description

- Rectangular site on the eastern side of Carmelite Road, on the corner with Carmelite Walk, currently occupied by a Public House
- To the south is a row of three terraced properties 108a, 108b, 108, 106 Carmelite Road, the rear gardens of each of these residential properties adjoin the subject site
- To the north beyond Carmelite Way are nos 2 – 10 Carmelite Way, all semi-detached dwellinghouses. The front building lines of these properties are approximately 15 metres from the northern boundary of the subject site
- To the east are nos 29 – 35 Hampden Road, the rear gardens of these semi-detached dwellinghouses abut the subject site, and the rear building lines of these dwellings are approximately 30 metres from the boundary
- To the west, beyond Carmelite Road are nos 139-145 Carmelite Road, a block of four two-storey dwellinghouses.
- This area of Carmelite Road is predominantly characterised by two-storey semi-detached and terraced dwellinghouses.

c) Proposal Details

- Demolition of existing Public House;
- Construction of nine two storey dwellinghouses in two terraces.
- The first terrace (block 'A') would front Carmelite Road and would consist of 3 two-storey dwellinghouses
- The second terrace (block 'B') would run parallel with Carmelite Way and would consist of a two-storey block of 6 dwellinghouses with rooms in the roofspace
- Each dwellinghouse would contain 3 bedrooms
- Outbuildings (2m x 2m x 2.4m)proposed to be located in the rear garden of each proposed dwellinghouse
- Each of the dwellinghouses would have a car parking space in the front.
- The terrace of 6 dwellinghouses would be accessed via a driveway off Carmelite Road, parallel to Carmelite Way

Revisions to Previous Application:

Following the previous decision (P/3848/08) the following amendments have been made:

- Area of hardstanding in front of terrace of six dwellinghouses reduced and more soft landscaping introduced in front gardens to shield refuse storage areas
- Ground floor bathrooms redesigned to address Lifetime Homes requirements

d) Relevant History

HAR/3696	Erect Licensed Premises	GRANTED 25-SEP-50
P/3848/08	redevelopment: Construction of nine two-storey dwellinghouses in two terraces with new access and boundary fence	REFUSED 12-FEB-09

Reasons for Refusal:

- The proposed block of 6 dwellinghouses fronting Carmelite Walk, by reason of poor layout and design would not make a satisfactory contribution to the supply of accessible homes in the Borough and would fail to make adequate provision for persons with disabilities, to the detriment of the amenities of future occupiers of the site, contrary to Policy 3A.5 of the London Plan, Policies D4 and C16 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Document: Accessible Homes (2006).
- The proposal does not make satisfactory provision within the site for the storage of refuse and recycling material for the proposed dwellinghouses, to the detriment of the character and appearance of the locality, contrary to Policies D4 and D9 of the Harrow Unitary Development Plan (2004).
- The proposed forecourt arrangement would provide an excessive amount of hardsurfacing and leave insufficient scope for soft landscaping to the detriment of the character and appearance of the proposed properties and the area, contrary to Policies D4 and D9 of the Harrow Unitary Development Plan (2004).

e) Pre-Application Discussion

- PAT/ENQ/3942/09/09/2008

- Recognise changes made to proposal resulting from previous meeting (which suggested 12 units)
- Form of development with a frontage block and rear terraced block fronting Carmelite Way agreeable
- Retention of rear garden welcomed with reduced impact on trees
- Retention of 3 frontage trees welcomed
- Careful consideration of design needs to be taken with use of soft and hard landscaping treatment to frontage of Carmelite Way - concerns raised over hardsurfaced car parking area
- Roof detail on either side of the proposed frontage block looks confusing - concerns raised with the junction of the main roof and the two end units - design should tie in better
- Design does not incorporate any refuse storage within the buildings - no indication in proposed layout for communal storage
- Consideration should be given at an early stage to incorporate sustainable design & construction into the scheme
- Provision of access for refuse and emergency service vehicles required
- 1:1 parking provision agreeable

f) Applicant Statement

• Design and Access Statement:

- Proposal would comply with local, regional and national planning policy and guidance
- Proposal makes good use of brownfield site and would be in keeping with local context
- Design follows from consultation with the local planning authority
- Buildings would be constructed to a minimum of Sustainable Homes Code Level 3
- Site has reasonable public transport links and good local facilities
- Proposal would conform to Lifetime Homes standards

• Sustainable Energy Strategy:

- Ground source heating, wind turbines and biomass would not be feasible on this site
- Solar thermal panels, solar photovoltaics and air source heat pumps would be suitable for this site
- Measures would deliver a 10% reduction in predicted CO2 emissions
- Buildings would have natural ventilation to reduce energy demand

g) Consultations

Crime Prevention Design Officer: No response received

Waste Management Officer: Proposal would require three full sized bins for each property

Drainage Engineers: Conditions required for surface and foul water drainage, and surface water storage and attenuation.

Site Notice:

Expiry: 29-APR-09

Notifications:

Sent: 34

Replies: 2

Expiry: 29-APR-09

Summary of Responses:

Loss of privacy, loss of light; additional traffic movements due to additional traffic movements and parking; loss of green space; potential for flooding due to underground springs

APPRAISAL

1) Design & Character of Area

This part of Carmelite Road is characterised by traditional terraced and semi-detached dwellinghouses. Therefore, the provision of such development on this site is not objected to in principle.

Policy D4 of the Harrow Unitary Development Plan 2004 (HUDP), states that *'buildings should be designed to complement their surrounding and should have a satisfactory relationship with adjoining buildings and spaces'*. The proposed height of the two blocks is comparable in height with the buildings in the surrounding area and the proposed layout provides sufficient distance between the buildings to overcome any potential overbearing impact on neighbouring properties. Although the design of Block 'A' is different from the surrounding properties, as the front building line is not straight, it is considered acceptable and would not detract from the character of the surrounding area.

It is recommended that permeable surfacing should be applied to the access road & the parking areas fronting Carmelite Road. Additionally, to prevent excessive site coverage by hard surfaces, a condition restricting permitted development rights under Class F of Part of the General Permitted Development Order is recommended.

The development is required to provide three 240 litre refuse bins for each proposed dwellinghouse. The plans indicate that the refuse bins for both of the end dwellinghouses in Block 'A' would be located to the rear of the buildings and therefore not visible from the highway. The proposed refuse arrangement for these two dwellinghouses is considered acceptable.

The set of bins required for the middle dwellinghouse of Block 'A' would be located in the front garden within a bin storage shed. The bins required for the dwellinghouses in Block 'B' would also be located in the front gardens, within a bin storage shed. These bin storage sheds would be shielded by proposed landscaping, which is considered sufficient to overcome the previous second reason for refusal.

Although landscaping details have been provided with the application, these are considered to be indicative. Therefore, conditions requiring more detailed hard and soft landscaping measures to be approved and implemented are recommended. The indicated areas of landscaping, as well as shielding the refuse bins, would also result in less coverage of the site with hard surfaces. This is considered sufficient to overcome the previous third reason for refusal.

2) Residential Amenity

The 45-degree codes as outlined in paragraph 3.12 of the Supplementary Planning Guidance: Extensions A Householders Guide which also applies to new buildings, are intended to maintain a reasonable relationship between existing buildings and extensions; avoid an overbearing visual impact in terms of bulk and proximity to boundaries both from inside adjacent properties and from neighbouring gardens; and reduce potential loss of light and overshadowing. The proposed location of the two rows of terraced dwellinghouses would comply with the 45 degree code and therefore it is considered that the proposal would not result in a detrimental impact on residential amenity in relation to loss of light or outlook.

The dormer windows in the front roof slope of the block of six dwellinghouses would not result in overlooking to the rear gardens of No.s 108a, 108b, 108 and 106 Carmelite Road. No flank windows are proposed to the eastern elevation facing the rear gardens of the properties on Hampden Road. It is therefore considered that the proposal would not result in a loss of privacy to the occupiers of the adjoining properties.

Although the proposed rear amenity areas for each of the dwellings would be narrower and shorter in comparison to the rear gardens of the surrounding properties, the size of the proposed gardens is considered acceptable for the future occupiers of each of the 9 proposed three bedroom dwellinghouses.

Notwithstanding the above, any further development on this site by way of householder extensions or additional outbuildings, could result in a loss of light or outlook to neighbouring occupiers. Therefore, a condition restricting permitted development rights under classes A, B, D and E of Part 1 of the General Permitted Development Order is recommended.

3) Parking and Highway Safety

The proposal would provide 9 off-street parking spaces, which represents a 1:1 provision. This is below the maximum level of parking set out in Schedule 5 of the UDP (2004).

There is no objection on highway grounds regarding increased activity of use of the highway. It is therefore, considered that the proposal would be comply with policies T6 and T13 of the HUDP 2004.

4) Housing Provision and Density

The proposal represents an additional nine units to Harrow's housing stock, which would make a positive contribution with regards to meeting annual housing targets for the borough. The proposed density is within the range recommended in Table 3A.2 attached to London Plan policy 3A.3.

Furthermore, the development would provide 6 social rented and 3 intermediate housing units and would make a positive contribution to affordable housing in the borough.

This aspect of the proposal is therefore supported.

5) Accessible Homes

UDP policy C16 requires that all new development is accessible to all users. This policy supports the Council's Supplementary Planning Document on Accessible Homes. This policy also supports London Plan policy 3A.5 which requires that all new residential development should be built to Lifetime Homes standards.

The internal layouts of the ground floor bathrooms of the block of six dwellinghouses (Block B) have been redesigned to meet the requirements of Lifetime Homes standards. This is considered sufficient to overcome the previous first reason for refusal.

Notwithstanding the above, a condition requiring the development to be built to, and retained to, Lifetime Homes standards, is recommended.

6) Energy Efficiency and Sustainability

The applicant has provided a detailed Sustainable Energy Statement detailing how renewable energy and sustainable development initiatives will be incorporated into the overall scheme, which is compliant with Policy 4A.7 of the London Plan 2008.

Furthermore, the applicant has stated that the development would be built in accordance with the minimum requirements of Level 3 of the Sustainable Homes Code, as required for new social housing.

Conditions relating to the drainage of both foul and surface water, as well as details of surface water storage and attenuation are required to prevent an increased risk of flooding in the area.

The applicants have stated in the Design and Access Statement that sustainable drainage would be provided. However, no details of this have been provided, and therefore a suitable condition is recommended.

7) S17 Crime & Disorder Act

The applicant has addressed the requirements of Secure by Design in the Design and Access Statement and the principles and practices of Secured by Design and Safer Places have been incorporated into the design of the proposed scheme.

8) Consultation Responses

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.

402 KENTON ROAD, HARROW

Item: 2/04

P/4068/08/ML1

Ward KENTON EAST

CHANGE OF USE FROM FINANCIAL AND PROFESSIONAL SERVICES TO HOT FOOD TAKEAWAY (CLASS A2 TO A5) WITH EXTRACT FLUE AT REAR

Applicant: Mr Karsan Bhudia

Statutory Expiry Date: | 16-FEB-09

RECOMMENDATION

Plan Nos: 402/0808/1 Rev.1, 2 Rev.1, 3 Rev.1; Site Plan; Letter from CK DIRECT Ltd (received 22/12/08)

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 development hereby permitted shall not commence until a scheme for:
a: the storage and disposal of refuse/waste derived from the appearance of the development

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.

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 Storage shall not take place anywhere within the application site except within the building(s).

REASON: To safeguard the amenity of neighbouring residents.

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

10.30 hours to 23.00 hours, Monday to Saturday inclusive, and 10.30 hours to 22.30 hours on Sundays, without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

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

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

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

EP25 Noise

EM25 Food, Drink and Late Night Uses

T13 Parking Standards

2 INFORMATIVE:

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

3 INFORMATIVE:

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

1. work on an existing wall shared with another property;
2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building,

and that work falls within the scope of the Act.

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

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

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area (D4)
- 2) Residential Amenity and Accessibility (EP25, EM25)
- 3) Parking and Highway Safety (T13)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Change of Use
Council Interest: None

b) Site Description

- Ground floor unit in a three storey local parade, currently vacant and formerly in an A2 use as an Insurance Broker.
- The first and second floors of the parade contain residential units which are accessed from external staircases at the rear.
- The application site is one of five commercial units in this parade, a unit operating as a takeaway/restaurant at No. 400 adjacent being the only example of an A5/A3 use in the parade (although the lawful use of this adjacent unit is mixed A1/A3).
- Other uses in the parade are an off-licence, a public house and a wedding shop.
- The site lies within in a non-designated parade outside of a metropolitan, district or local centre.
- A service road at the rear of the site serves the parade's commercial units.
- There is a new building adjacent to the five commercial units to the east on the corner of Charlton Road, a four storey block containing three vacant ground floor commercial units and three storeys of residential above containing 34 flats.
- Properties face southwards, fronting onto a service road which runs parallel to Kenton Road.
- On the southern side of Kenton Road opposite the site is an entrance to St. Luke's Hospice.
- Kenton Road is classified as a London Distributor Road by the Council's UDP.

c) Proposal Details

- Change of use from financial and professional services to hot food takeaway (Class A2 to A5).
- A new extract duct mounted on the rear wall of a two storey rear element at the rear of the unit, sited approximately 2.6m above ground level and extracting 1.4m above the roof level of the two storey element, approximately 9.9m above ground level

- d) **Relevant History**
LBH/2660 Continued use of premises as betting office. GRANT
20-SEP-67
- e) **Pre Application Discussion**
None.
- f) **Applicant Statement**
• None.
- g) **Consultations:**
• Brent Council – No objections.

Notifications:

Sent:	Replies:	Expiry:
49	11	06-MAR-09

Summary of Response: Would detract from the quality of Albany Court; Lighting and signage would be unsightly; Increase in noise and activity late at night to the detriment of residential amenity; Smells at the front of the building; Extract would produce smells and noise; Could lead to vermin; Rental values at Albany Court will drop; Owners of flats in Albany Court understood the ground floor uses would be financial and professional services; Tenants will leave Albany Court; Bins will smell adjacent to flat entrances at the rear of the site; Longevity of unit is questionable due to the proximity of restaurants in the area; Smells would prevent the use of balconies at Albany Court; Possible legal action against the Council if there is a loss of value and rent at Albany Court as a result of the change of use; Council should take a long term view; Similar use at the adjacent unit No.400 which would seriously affect this existing business, which is already affected by a number of similar businesses in the area along Kenton Road and at Queensbury Circle; Increase in crime due to activity at late hours; Would restrict opening of windows/vents in Albany Court which is necessary due to the design of its heating system; Fumes unacceptable to vegetarian neighbouring residents.

APPRAISAL

1) Character and Appearance of the Area

This application seeks permission for the change of use of 402 Kenton Road from a vacant Insurance Brokers to a hot food takeaway. The site lies outside of a designated parade or metropolitan, district or local centre. There is no conflict between the change of use proposed and adopted policy. The adjacent unit at No.400 was granted planning permission in February 2002 for a change of use from a retail unit to a mixed use combining retail and the sale of hot food (Class A1/A3). There would be no loss of local retail provision use as a result of this proposal due to the current A2 use of the unit. It is considered, subject to the conditions proposed, that this change of use would not detrimentally harm the vitality of this local parade or be detrimental to the character and appearance of the area, its shopfront remaining fully glazed as at present.

The proposed extract duct would be sited on the rear wall of the two storey rear element at the rear of the unit. There is one other example of an extract duct at the rear of a unit in this parade which is in a similar location to that proposed here. It is considered that an extract duct such as that proposed at the rear of a commercial parade would therefore not be unduly detrimental to the character and appearance of the area.

2) Residential Amenity

The principle of the change of use of this site is deemed not to be detrimental in terms of its impacts upon the amenities of neighbouring residential occupiers. The site is located on a busy road which is classified as a London Distributor Road by the Council's UDP. It is considered that the impacts of any associated noise and other types of pollution associated with this use would be acceptable in this location on a busy road.

The proposed extract duct at the rear would be located approximately 15m from the residential units at Albany Court, and would have a similar relationship with the flats above the application site as the existing extract at the adjacent unit., the point of extraction proposed being approximately 9.9m above ground level, 1.4m above the roof level of the two storey element. This siting is considered to minimise the impacts of any fumes which would be extracted as a result of the proposed change of use. There are no objections to the proposal from the Council's Environmental Health Officer and suggested conditions should ensure the acceptability of the proposal in this regard.

3) Parking and Highway Safety

The Council's Highways Engineer has no objection to the proposed change of use, the site being located in an accessible location in terms of public transport. Off-street parking is available along the front of the parade in the service road, the rear service road also providing limited parking. It is considered that the proposed use can be adequately serviced without causing harm to highway safety and convenience.

4) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety, a suggested condition controlling its hours of use, and therefore the application is considered acceptable in this regard.

5) Consultation Responses:

- *Lighting and signage would be unsightly* – Changes to external lighting or signage would require separate planning permission or advertisement consent.
- *Increase in noise and activity late at night to the detriment of residential amenity* – Conditions in relation to noise and hours of use will limit the impact upon neighbouring residents.

- *Smells at the front of the building; Extract would produce smells and noise; Smells would prevent the use of balconies at Albany Court; Fumes unacceptable to vegetarian neighbouring residents; Would restrict opening of windows/vents in Albany Court which is necessary due to the design of its heating system* – There are no objections to the proposed scheme from the Council's Environmental Health Officer and the proposed extract is therefore considered to be acceptable and ensure no unacceptable air pollution as a result of the proposal, suggested conditions limiting the noise of any such plant machinery.
- *Rental values at Albany Court will drop; Tenants will leave Albany Court; Possible legal action against the Council if there is a loss of value and rent at Albany Court as a result of the change of use; Longevity of unit is questionable due to the proximity of restaurants in the area; Similar use at the adjacent unit No.400 which would seriously affect this existing business, which is already affected by a number of similar businesses in the area along Kenton Road and at Queensbury Circle* – These are not considered to be material planning considerations in relation to this proposal.
- *Owners of flats in Albany Court understood the ground floor uses would be financial and professional services* – The ground floor uses of commercial units outside of the Albany Court development are not restricted.
- *Bins will smell adjacent to flat entrances at the rear of the site; Could lead to vermin* – A suggested condition will ensure acceptable refuse storage.
- 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 this application is recommended for grant.

439 ALEXANDRA AVENUE, HARROW

Item: 2/05

P/0174/09/SB5

Ward RAYNERS LANE

LOWER GROUND FLOOR REAR EXTENSION, NEW EXTRACT FLUE AT REAR, 6 X AIR CONDITIONING UNITS ON ROOF OF SINGLE STOREY PROJECTION WITH SCREEN AROUND ROOF EDGE

Applicant: Mr Josh Arora

Agent: GA&A Design

Statutory Expiry Date: | 20-APR-09

RECOMMENDATION

Plan Nos: 12314_01_PES; PL/030/100 REV G; PL/030/110 REV F; PL/030/111 REV G; Design and Access Statement; Accessibility Appraisal

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

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

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

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

REASON: To safeguard the appearance of the locality.

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

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

4 Prior to the first use of either the extract flue or the air conditioning units, details of noise levels of the air conditioning units and sound attenuation measures shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall thereafter be permanently maintained.

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy
D14 Conservation Areas
D15 Extensions and Alterations in Conservation Areas
EP25 Noise
T13 Parking Standards
C17 Access to Leisure, Recreation, Community and Retail Facilities
Supplementary Planning Document Access for All (2006)

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB
Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 INFORMATIVE:

In June 2006 Harrow Council adopted two Supplementary Planning Documents: "Access for All" and "Accessible Homes", containing design guidelines for the provision of safe and convenient access for all disabled groups. Both documents can be viewed on the Planning pages of Harrow Council's website:

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

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

5 INFORMATIVE:

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

Tel:- 08459 200800.

6 INFORMATIVE:

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

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

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

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

INFORMATION

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

a) Summary

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

b) Site Description

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

- The application site also falls within Rayners Lane Conservation Area.

c) Proposal Details

- Single storey rear extension to existing restaurant premises;
- The proposed single storey extension would abut and run parallel with the southern site boundary for a depth of 19.45m;
- The extension would have a width of 5.15m and would maintain a gap of 0.85m from the northern site boundary;
- A minimum distance of 4m would be maintained between the proposed rear elevation of the extension and the rear site boundary;
- The refuse storage for the commercial premises would be incorporated into the proposed extension;
- The refuse storage for the flat above would be site adjacent to the fire escape stairs to this flat;
- Replace existing extract duct; the new system which would extend along the proposed northern flank elevation of the extension, along the flat roof over the extension and extend along the southern flank elevation of the three-storey rear projection and finish above the roof level of this projection;
- 6 new air condenser units are proposed on the rooftop of the single storey element of the extension;
- A screen is proposed around the condenser units.

Revisions to Previous Application:

Following the previous application (P/2701/08DFU) the following amendments have been made:

- Previously proposed upper ground floor (two storey element) has been omitted;
- The screening around the roof perimeter has been reduced in height from the previously proposed 1.5m to 0.9m high screening.

d) Relevant History

LBH/31361	Change of use from shop to restaurant	REFUSED 08/01/1987 ALLOWED ON APPEAL 13-JUL-88
LBH/34454	Extract duct at rear	GRANTED 24-FEB-88
P/1966/08DFU	Upper ground and lower ground floor rear extension (two storey) and external alterations	WITHDRAWN 30-JUL-08
P/2701/08	Upper Ground and Lower Ground Floor Rear Extension (Two Storey Extension with Single Storey Projection), New Extract Flue at Rear, 6 x Air Conditioning Units on Roof of Single Storey Projection With Screen Around Roof Edge	REFUSED 18-DEC-08

Reasons for Refusal:

1. The design, bulk, scale and mass of the proposal would represent an overdevelopment and would not preserve or enhance the character and appearance of the Rayners Lane Conservation Area contrary to HUDP policies D4, D14 and D15.

2. The proposal, by reason of the potential for over intensification of the existing use of the premises, would give rise to a loss of residential amenity to the occupiers in the locality by reason of disturbance and activity which would be generated by such an increase in the size of the building to the rear of the premises, contrary to HUDP policies D4 and EP25.

e) Pre-Application Discussion

- None

f) Applicant Statement

- Please refer to Design and Access Statement

g) Consultations

CAAC: No objections

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

- Recyclable waste
- Residual waste
- Future provision for the collection of food waste should also be made
- All waste collections will be chargeable
- Access to bins, in the bin store shown, looks very restricted

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

Advertisement: Character of Conservation Area Expiry: 26-MAR-09

Notifications:

First Notification

Sent: 16

Replies: 0

Expiry: 24-SEP-08

Second Notification

Sent: 16

Replies: awaited

Expiry: 07-MAY-09

Summary of Responses: n/a

APPRAISAL

- 1) Character and Appearance of the Area and Impact on Conservation Area**
This application follows on from a previous application P/2701/08 which was refused for reasons stated above. In this revised scheme, the applicant has sought to reduce the bulk of the development by removing the previously proposed upper ground floor extension and reducing the height of the screening around the roof edge of the proposed single storey extension. In terms of design and layout within the context of the commercial/ residential area, the proposed single storey rear extension would be obscured from view of the streetscene and would be in keeping with similar developments within the locality, it is not considered that the proposed development would appear unduly bulky or obtrusive to the detriment of the character and appearance of the locality and would preserve the character and appearance of the conservation area.

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

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

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

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

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

The proposed extract duct would be located adjacent to existing residential development located above the commercial premises and would replace an existing extraction duct. Under the previous application P/2701/08, the Council's Environmental Health officer raised no objections to the proposed extract duct and the air condenser units subject to a condition to ensure that the extract duct and air condenser units are maintained to ensure it does not cause any noise or odour issue to surrounding premises.

3) Parking Standards

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

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

4) Accessibility

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

5) S17 Crime & Disorder Act

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

6) Consultation Responses

Dealt with above

CONCLUSION

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

This application is recommended for grant.

157 - 159 VILLAGE WAY, PINNER

Item: 2/06

P/0014/09/SB5

Ward PINNER SOUTH

RETENTION OF SINGLE AND TWO STOREY BUILDING WITH ACCOMMODATION IN ROOF AND CONVERSION INTO THREE TERRACED DWELLINGHOUSES; PROPOSED VEHICLE ACCESS TO VILLAGE WAY; RETENTION OF DETACHED DOUBLE GARAGE AT THE REAR WITH PROPOSED ACCESS TO CANNON LANE

Applicant: RNB Properties

Statutory Expiry Date: | 14-APR-09

RECOMMENDATION

Plan Nos: Site Plan; 02/ 2116/ 19 REV C; 683/ VW/ 01 (Existing Plans); 01 REV B (Proposed Plans); 02 REV B (Existing Elevations); 02 REV B (Proposed Elevations); 03 (Existing Second Floor & Roof Plans); 03 REV B (Proposed Second Floor & Roof Plans); 04 REV C (Block Plan); 05 REV A (Existing Double Garage Plans & Elevations); 05 REV C (Double Garage Plans & Elevations); 06 REV B (Proposed Sections)

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

1 The development hereby approved shall be carried out and completed within 3 months of the date of this permission.

Reason: To safeguard the appearance and character of the area and to safeguard the amenity of neighbouring residents.

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 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.

4 Notwithstanding the details shown on drawing No. 683/VW/04 REV C, within 1 month of the development hereby approved, a scheme of hard and soft landscape works for the forecourt of the site shall be submitted to, and approved by, the local planning authority. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

6 The development hereby permitted shall not be occupied until full details including metric scaled elevations and samples of materials proposed for the bin enclosure have first been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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

7 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.

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.

8 The development hereby approved shall not be occupied until a suitable boundary treatment such as a fence or wall of a maximum height of 2000mm has been provided along the line of the proposed sub-division of the plot. Such fence or wall shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the privacy and amenity of future occupiers and neighbouring residents.

9 The ground floor window in the east elevation of garage shall be:

(a) be of purpose-made obscure glass,

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

REASON: To safeguard the amenity of neighbouring residents.

10 The proposed garage(s) and parking space(s) shall be used only for the parking of private motor vehicles (and domestic storage if appropriate) in connection with the development hereby permitted and for no other purpose.

REASON: To ensure that the parking provision is available for use by the occupants of the site and in accordance with the Council's parking standards.

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

Harrow Unitary Development Plan:

D4, D5, D9, T13

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

Supplementary Planning Guidance, Designing New Development (2003)

Supplementary Planning Document 'Accessible Homes (2006)

Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (January 2008)

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB
Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 INFORMATIVE:

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

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

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

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1) Character and Appearance of the Area, and Amenity (D4, D5, SPG)
- 2) Parking Standards (T13)
- 3) Accessibility (London Plan Policy 3A.5, SPD)
- 4) Provision of Housing (H10, D4, D9, London Plan Policies 3A.1, 3A.2, 3A.4)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Minor Dwellings	
Car Parking	Standard	5.4
	Justified	3
	Provided	2
Lifetime Homes:	Yes	
Wheelchair Standards:	None	
Council Interest:	None	

b) Site Description

- Two storey building located on a prominent corner junction of Village Way and Cannon Lane;
- Planning permission for a two storey building to provide three terraced dwellings was granted under P/256/03/CFU;
- Since the approval of the three terraced properties, a number of various planning applications have been made (see relevant history below). Amongst these, planning permission has also been granted for the construction of a single storey rear extension to each of the three dwellings and a single storey side extension (located at the rear of the garage) to dwelling no.157, These extensions have been built;
- The original garage that is located at the side of no.157 has been converted into a habitable room; the pitch roof over the garage has been replaced with a flat roof over;
- During the construction, the original three terraced dwellings have been converted to provide two semi-detached dwellings; the height and bulk of the building was also increased (site levels were not amended and extra building height between top of first floor windows and eaves); windows have also been inserted into the rear wall of the garage;
- An application was submitted under P/3452-07 for the retention of the building as a pair of semi-detached dwellings, this was refused for reasons stated below;

- The front garden to both dwellings has been extensively blocked paved (this has been recently completed);
- Brick wall along the boundary fronting Village Way and Cannon Lane, there is an opening for a vehicular access along the front boundary of no.157, however the dropped kerb to Village Way has not been constructed;
- Double detached garage located at the rear facing Cannon Lane; there is a steep bank adjacent to the boundary fronting Cannon Lane, a bridge access road has been constructed to provide access to the garages;
- The garages has two windows located at lower ground and upper ground on the east elevation facing no.155 (not in the planning permission);
- The rear garden has been sub-divided with a 1m high fencing between the both gardens; the rear garden is mainly laid to lawn;
- Neighbouring dwelling no.155 Village Way is a semi-detached dwelling, this property is set off the boundary shared with the application site and is unextended.

c) Proposal Details

- Planning permission is sought to convert the pair of semi-detached dwellinghouse as built without the benefit of planning permission back into three terraced dwelling, similar to that approved under P/256/03/CFU;
- This application is also seeking the retention of the change of use of the garage located at the side of no.157 into a part habitable room and seeking to proposed a refuse storage area for the remaining part;
- Refuse storage for the mid- terraced property would be located in the front garden; and the refuse storage for no.159 would be located in the rear garden;
- Retention of the detached garage as built at the rear, which would provide off street parking for two of three dwellings;
- Soft landscape works proposed to the front garden, which would incorporate the bricking up of this existing vehicular opening onto Village Way;

Revisions to Previous Application:

Following the previous decision (P/3452/07) the following amendments have been made:

- Conversion of the building

d) Relevant History

P/256/03/CFU	3 terraced properties with attached garage, forecourt parking and access and detached double garage at rear with access	GRANTED 15-APR-03
P/957/05/DFU	Single storey rear extension to each house	GRANTED 19-MAY-05
P/1673/05/DFU	Two storey side and single storey rear extension (159 Village Way)	REFUSED 12-OCT-05 APPEAL DISMISSED 07-MAR-06

Reasons for Refusal:

1. The two storey side and single storey rear extension, by reason of its prominent siting and unsatisfactory design, would be obtrusive and have an unduly discordant and bulky appearance with inadequate spatial setting in the street scene to the detriment of the visual amenity and character of the locality.
2. The proposal will result in an unacceptable loss of green space of significant amenity value which, in the opinion of the local planning authority, would be detrimental to the character and appearance of the locality.

P/1674/05/DFU	Single storey side extension (157 village way)	GRANTED 25-AUG-05
P/1675/05/DFU	First floor rear extension (157a Village Way)	REFUSED 03-OCT-05

Reason for Refusal:

1. The proposed first floor rear extension, by reason of excessive bulk, unsatisfactory design and appearance, would detract from the pattern of development in the locality and the appearance of the property to the detriment of the residential and visual amenities of neighbouring occupiers.

P/2643/05/DFU	First floor rear extension (revised) (157a Village Way)	REFUSED 06-DEC-05
---------------	--	----------------------

Reason for Refusal:

1. The proposed first floor extension, by reason of excessive bulk, unsatisfactory design and appearance, would detract from the pattern of development in the locality and the appearance of the property to the detriment of the residential and visual amenities of neighbouring occupiers.

P/1475/06	Single storey rear extension (157 Village Way)	REFUSED 02-AUG-006
-----------	---	-----------------------

Reason for Refusal:

1. The proposal, in conjunction with existing development on the site, would appear as a disproportionate rearward projection in relation to the original dwelling when viewed from the adjacent property and would detract from the prevailing pattern of houses and gardens in this locality, to the detriment of the visual amenity of neighbouring occupiers and the character of the area, contrary to Policies SD1, D4 and D5 of the Harrow Unitary Development Plan (2004).

P/1505/06	Single storey rear extension (157 Village Way)	REFUSED 02-AUG-06
-----------	---	----------------------

Reason for Refusal:

1. The proposal, in conjunction with existing development on the site, would appear as a disproportionate rearward projection in relation to the original dwelling when viewed from the adjacent property and would detract from the prevailing pattern of houses and gardens in this locality, to the detriment of the visual amenity of neighbouring occupiers and the character of the area, contrary to Policies SD1, D4 and D5 of the Harrow Unitary Development Plan (2004).

P/3452/07

Retention of single and two storey building with accommodation in roof to provide two dwellings (including conversion of attached side garage into habitable room); proposed forecourt parking and landscaping and two proposed vehicular accesses from village way and retention of detached double garage at rear with proposed access from Cannon Lane

REFUSED
30-OCT-08

Reasons for Refusal:

1. The houses, by reason of an unacceptable layout where each of the properties extends over and under each other and non-compliance with Lifetime Homes standards, result in an unsatisfactory relationship between the properties which leads to direct overlooking and unreasonable disturbance between the properties and overall substandard living conditions for future occupiers to the detriment of the residential amenities of the future occupiers of the site contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004), policy 3A.5 of the London Plan and Supplementary Planning Document: Accessible Homes (2006).
2. The siting and size of the first floor window on the rear elevation of the detached double garage leads to unacceptable levels of perceived and actual overlooking to the detriment of the residential amenities of the occupiers of 155 Village Way contrary to policy D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance: Extensions a Householders' Guide (2008)
3. The detached double garage at the rear, by reason of its unacceptable siting and inadequate levels cannot be accessed by vehicles and therefore the provision for off street parking on the site is insufficient and unsatisfactory for the dwelling houses as built and as such the development would give rise to conditions prejudicial to the free flow of traffic and highway safety in Village Way and Cannon Lane contrary to policies D4 and T13 of the Harrow Unitary Development Plan (2004).
4. The proposal fails to demonstrate the satisfactory provision for the storage of refuse/ recycling bins, which would be visually intrusive and detract from the appearance of the property and the character of the area and be detrimental to the amenities of the potential occupiers of the site and the neighbouring occupiers contrary to policies D4 and D9 of the Harrow Unitary Development Plan (2004).

e) Pre-Application Discussion

- None

f) Applicant Statement

- See Design and Access Statement

g) Consultations

The Pinner Association: no comments received;

Vehicle Crossing Officer: Refuse crossing on Village Way, offer a 4.5m lowered kerb to 0.9m taper x 2 on Cannon Lane.

Drainage Engineer: No objections subject to standard conditions.

Waste Management Policy Officer:

- The applicant will need to provide the following storage capacity for each unit:
 - o One brown bin for food and garden waste - collected weekly
 - o One blue bin for recyclable waste – collected fortnightly
 - o One waster bin for residual waste – collected fortnightly

Landscape Architect: On the Cannon Lane boundary there is a Tree Preservation Order, number 660 covering a group of trees. The design and Access statement states that no trees are to be removed. The Drawing number 02/2116/19 seems to contradict this, showing Cherry and Hawthorn to be removed. Russell Ball will comment on this.

The centre proposed terrace house shows very narrow strips of garden front and back, to about a maximum width of 4 metres. This garden would not be a very useable or pleasant space. There appears to be minimal space for planting in the front gardens, for street scene impact on Village Way and the corner with Cannon Lane.

If you are minded to grant this the following conditions would be required: Existing trees and shrubs, Tree Protection and method statement, Hard and Soft landscape including details of existing trees and shrubs to be retained and proposed planting details, planting plan and schedule, levels, details of refuse store/ storage areas, boundary treatment

Site Notice

Expiry: 02-APR-09

Notifications:

Sent: 10

Replies: 1

Expiry: 23-MAR-09

Summary of Responses:

- Impact on highway safety – the access point from 157 Village Way being less than 5 m from the traffic lights;
- Cannon Lane section of the road is narrow with a cycle lane and one side pavement, parking here during rush hour would result in traffic problems;
- Garages in latest proposal has windows, this gives lack of privacy due to height and position of window;
- First floor door on north elevation opens out to thin air as there is no stairs or balcony, making this unsafe;
- Windows on the flank elevation no properly obscured glazed;

APPRAISAL

1) **Character and Appearance of the Area, and Amenity**

This application follows on from a previous application P/3452/07/DFU for the retention of a single/ two storey building providing two semi-detached dwellinghouses. This application was refused for the reasons stated above. In this current application, the applicant is now seeking to revert the building as built to three terraced dwellings as previously approved under P/256/03/CFU. The principle of a two storey building on this site has already been established by the approval of the original planning permission for the three terraced dwellings (P/256/03/CFU). It would appear that compared to the original approved plans, the building has been built at a higher site level than what was originally approved and extra height has also been added above the first floor level windows between the eaves therefore giving the building a more bulky appearance in the streetscene. However, given the separation of the subject building and the neighbouring dwelling at no.155, together with the siting of the building on a corner plot and the rise in levels towards the southern direction, it is considered that a refusal on ground of excessive bulk could not be substantiated in this case.

In assessing the impact of the development in terms of the residential amenities of the future occupiers of the site, it is considered that the proposed layout of the development has shown to overcome the previous reasons for refusal under P/3452/07/DFU. The development as built has been constructed in a manner, where part of one dwellinghouse overlaps the other dwelling house, which results in an unsatisfactory relationship between the dwellings, which would lead to unreasonable disturbance between the properties. The applicant now seeks to amend the internal layout so that the each dwelling would be divided appropriately to avoid any overlapping between the dwellings and it seeks to divide the building back into the three terraced dwellings that were originally approved under P/256/03/CFU. For these reasons the proposed changes would be considered acceptable.

The applicant has inserted two windows on the rear (east) elevation of the detached double two-storey garage, which is located in the rear of the site and is accessed from Cannon Lane. These windows, of which one is positioned at first floor level directly outlooks onto the rear garden of the neighbouring garden no.155 Village Way. As existing, there is also a door at first floor level on the north elevation. In this revised scheme, the applicant is proposing to brick up the first floor window on the east elevation to overcome the concerns raised with regard to overlooking of the neighbouring garden at no.155 Village Way, and the applicant is also proposing to remove the first floor door on the north elevation. With regard to the ground floor window on the east elevation of the garage, given that this is at ground floor level and would serve a storage area, a condition is suggested to ensure that this window is replaced with obscured glazing and fix shut below the height of 1.7m above finished floor level. Based on these factors it is considered that the proposed changes to the garage would overcome the previous reason for refusal and therefore the proposed changes are considered to be acceptable.

Paragraph 4.24 of the reasoned justification to policy D4 states that provision must be made for bin and refuse storage, and goods to be recycled. This must be included in such a way to minimise its visual impact while providing a secure and convenient facility for occupiers and collection. The Council's 'Code of practice for the storage and collection of refuse and materials for recycling' requires for this size of development the provision of one 240 litre brown wheeled bin, one 240 litre blue wheeled bin and one 240 litre, dark grey wheeled bin for each household. The applicant is proposing to convert part of the side extension at the side of dwelling no.157 into a designated storage area for refuse bins, which is considered to be acceptable. With regard to the centre terraced dwelling, the refuse bins would be located in the front garden. Taking into consideration that the bins would be sufficiently screened within a designated bin enclosure, together with the soft landscaping proposed and the deep front garden, it is considered that the proposed location of the 3 no. bins in the front garden would not appear visually obtrusive in the streetscene. The refuse bins for the end terraced property no.159 would be located in the rear garden which is considered to be acceptable.

Paragraph 4.21 of policy D4, recognises the contribution front gardens can make to the character of an area or locality. The LPA will seek their retention, reinstatement and enhancement in proposals as stipulated in policy D9. This is to ensure that the greenery of the front gardens are enhanced to improve the appearance of the development and the street scene. The front gardens as existing to each of the dwellings are extensively hard-surfaced, with very small planting borders adjacent to the front boundary wall. In this revised scheme the applicant is seeking to divide the front garden area into three and has provided a landscaping plan to support this application. However, no planting scheme or density has been provided. In view of this, a time restricted condition is suggested to ensure further details are provided for the landscaping scheme and it is implemented within a specified period.

2) **Parking Standards**

The double detached garage located at the rear would provide off street parking for 2 cars. The applicant has now carried out the remedial works to allow the dropped kerb to be constructed from Cannon Lane. The garage would provide off street parking for the centre terraced dwelling and the end terraced dwelling no.159. This is considered to be acceptable.

With regard to the parking arrangement proposed for the other end terraced dwellinghouse no.157 the applicant originally sought to provide one off street parking space in the front garden, with the access from Village Way. Taking into consideration the comments made by the Vehicle Crossings Officer and the Highways Engineer, it was strongly recommended that the access from Village Way be omitted. Although, this would result in the nil provision of parking for this dwelling, the Highway Engineer does not consider that this action would cause parking displacement in the immediate area. For this reason, the applicant has amended his plans to show no parking provision for the dwellinghouse at 157, which has shown to overcome highway concerns.

3) Accessibility

When the original application was approved under P/256/03/CFU there was not a requirement to provide Lifetime Homes, as the approval predate current UDP and London Plan policies and the Council's SPD on 'Accessible Homes'. In view of this, and taking into consideration the applicant now seeks to revert the building back to three terraced dwellings, the proposed changes are shown to meet the most of the relevant criteria set out for Lifetime Homes.

4) Provision of Housing

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

5) S17 Crime & Disorder Act

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

6) Consultation Responses

Dealt with above

CONCLUSION

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

This application is recommended for grant.

4 AYLWARDS RISE, STANMORE**Item: 2/07****P/3603/08/ML1**

Ward STANMORE PARK

RETENTION OF 4 AIRCONDITIONING UNITS ON REAR ELEVATION, WITH ACOUSTIC PANEL SCREEN

Applicant: Dr Abhay Shah**Agent:** David R Yeaman & Associates**Statutory Expiry Date:** | 20-JAN-2009

RECOMMENDATION

Plan Nos: 752/01D; Acoustic report for external air conditioning condensers at 4 Aylwards Rise, Stanmore, HA7 3EH prepared by Philip Acoustics Ltd, October 2008; Dakin RXS50 Dimensional drawing & centre of gravity.

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

1 Noise levels of the air conditioning units hereby approved measured at a distance of 1 metre from the source should not exceed 47 dB(A) at any time. Noise levels of the air conditioning units hereby approved measured at any window on the western elevation of 3 Aylwards Rise should not exceed 27 dB(A) between the hours of 07:00 and 23:00 (daytime) and 22 dB(A) between the hours of 23:00 and 07:00 (night time).

REASON: To safeguard the amenity of neighbouring residents.

2 The development shall be carried out in accordance with the approved plans within three months of the date of the planning permission and shall thereafter be retained. Should this time period not be complied with the air conditioning units shall be removed within five months of the date of this permission.

REASON: To safeguard the amenity of neighbouring residents.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

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

INFORMATION

At the meeting of the Strategic Planning Committee on 22nd April 2009 consideration of this application was deferred.

This application is reported to the Committee under proviso F of the Schedule of Delegation issued 19th April 2007.

a) Summary

Statutory Return Type: Householder Development
Council Interest: None

b) Site Description

- The site is a roughly rectangular piece of land, set at the top of Aylwards Rise.
- Aylwards Rise is a cul-de-sac of 9 detached houses accessed from Aylmer Drive.
- The rear of the site abuts Little Common Conservation Area.
- The site is approximately 43m deep on the boundary with Nos.20, 21 & 22 Fallowfield, 27m wide on the boundary with No.3 Aylmer Close, 49m deep on the boundary with No.3 Aylwards Rise and 38m wide on the boundary with No.5 Aylwards Rise.
- The property occupies a position set at an angle to the corner of the road, further forward than the frontage of No.3 Aylwards Rise.
- The property is sited approximately 7.75m from the common boundary between Nos.4 and 5 at its closest point.
- The surrounding area is comprised of large detached family houses set in landscaped gardens with substantial tree blocks and individual tree masses forming the backdrop to the area and providing privacy and separation between dwellings.
- A number of neighbouring properties have been extended or rebuilt over the years including the adjacent property No.3 which has recently been rebuilt, other surrounding properties have been extended by a mixture of two-storey and single-storey additions including the adjacent property No.5 Aylwards Rise.
- Four air conditioning units are mounted on the rear wall of the property at ground floor level in its north eastern corner.

c) Proposal Details

- The retention of the four air conditioning units mounted on the rear wall of the property at ground floor level in its north eastern corner.
- The construction of a 2.1m high (2.4m including 0.3m gap at the base for air ventilation) x 50mm thick acoustic panel screen projecting 1.25m rearward from the north eastern corner of the property and extending 2.3m across the rear wall in front of the air conditioning units.
- The acoustic panel extends 0.3m higher than the two higher air conditioning units.
- It is proposed to screen the acoustic panel screen with garden trellis.

d) Relevant History

P/2712/05/DFU	Replacement two storey detached house with detached garage.	GRANTED 17-MAR-06
P/979/06/DFU	Replacement two storey house with rooms in roofspace and detached garage.	GRANTED 07-JUN-06
ENF/0282/07/P	Enforcement notice regarding the alleged demolition of a two-storey house and the construction of a replacement detached two-storey house and garage which is outside the scope of planning permission P/979/06/DFU.	APPEAL APP/M5450/C/07/ 2053532 ALLOWED, PLANNING PERMISSION GRANTED 24-APR-08

Item 2/07 : P/3603/08/ML1 continued/...

P/3622/08 Details of hard and soft landscaping pursuant to condition 4 of planning permission APP/M5450/C/07/2053532, granted 24 April 2008. CURRENT APPLICATION

P/4010/08 Details of: 1 i) The colour of the walls of the house and garage; ii) The colour and make of the clay roof tiles of the house and garage; iii) The window cills and facings; iv) The ground surfacing material; v) The boundary treatment, 2) Window details, and 3) Glazing to first floor bathrooms pursuant to conditions 1, 2 and 3 of planning permission APP/M5450/C/07/2053532, granted 24 April 2008. CURRENT APPLICATION

e) Pre Application Discussion

- None.

f) Applicant Statement

- None.

g) Consultations:

Notification:

Sent:
13

Replies:
8 + 7 signature
petition of objection

Expiry: 18-DEC-08

Summary of Response:

Wall colour needs to be toned down so that the building assimilates into its context and is therefore more sympathetic to its surroundings; Treatment of the roof tiles suggests they are inappropriate; The use of marble for the window cills and facings is inappropriate and inconsistent with drawing ARP/TP/6A; Permeability of ground surfacing and details regarding proposed pump are unclear; Only propose to replace first floor windows but the appeal decision requires all windows to be replaced as per drawing ARP/TP/6A; Soft landscaping along boundaries with adjacent properties is inadequate, in terms of species, height and location the proposals will not provide effective screening to adjacent properties and gardens; Portico should not be treated as a minor amendment; Original intent was to accommodate air conditioning units within the property, this is therefore where they should be relocated as opposed to attempting to mitigate their siting; Surprised to be receiving notification of applications concerning landscaping and air-conditioning units when building works required should take precedent; Any trellis should be no higher than the 1.68m high boundary wall between Nos.3 & 5, if plants, shrubs or trees grow higher than this wall they will block light to the rooms on the western side of No.3; Design of the galvanised wall and gate is out of character to the house and the existing wooden boundary fence; Dustbins are to be located close to No.3 which will be unsightly and lead to unpleasant smells; Unsure what Resin Bound Gravel is, will be unhappy if loose gravel is proposed due to noise and nuisance; Concerned planting will be within 2m of Small Weeping Cherry tree at No.3 which could cause damage; Screening of air conditioning units is unclear; Sound emitted from the air conditioning units should not exceed 30 decibels to prevent noise nuisance to No.3; Garden shed will be higher than the boundary wall and in vision from No.3 which will be unsightly and block light; Do not understand why all the constructions should be built on the eastern boundary and therefore effect No.3 when there are other suitable areas in the large site where they would not interfere with neighbours. To screen No.5 from No.4 through planting trees would need to be sited 3m from the boundary with No.5 and be evergreen and a certain height and should prevent windows in the front of No.4 overlooking the rear garden or bedroom window at No.5, this is clearly stated in Harrow policy and does not seem to have been addressed; The suggestion of Acoustic Panels which might help to dull some of the noise confirms that they will disturb the peace in respect of No.3; Ugly appearance when viewed from No.3; Should be relocated back to the planned site in the attic for where permission was originally granted; Concerned about excessive noise from air conditioning units, which will mainly be used in the summer when windows are open at day and night and therefore may disturb sleep of neighbouring occupiers; Occupiers of 5 Aylwards Rise have stated that they will forward further comments in response to the most recent set of drawings; Very concerned about noise level of air conditioning units; Very unhappy about ugly construction proposed to house the air conditioning units, can be fitted within the house or garage where permission was originally granted; Inspector required that all plant is positioned more than 3 metres from any boundary, presence of the screen and associated trellis now extends the built envelope of the dwelling along the boundary with No 3 to their visual detriment;

Reserve our position until have been able to view the submitted acoustic report and the considerations of the Council's Environmental Health Officers.

APPRAISAL

1) Character and Appearance of the Area

The proposed retention of the four air conditioning units sited on the rear wall of the property and the construction of an acoustic panel screen is not considered detrimental to the character and appearance of the area. The location of the units at the rear of the site, the distance of approximately 20m from the boundary with the adjacent Conservation Area and the proposed screening would result in the development having no discernable impact from the streetscene or detrimental impact on the character and appearance of the area. The installation of the acoustic panel screen and the adjacent trellis proposed will improve the appearance of the air conditioning units, to the benefit of the appearance of the character and appearance of the area.

2) Residential Amenity

Condition 8 of the planning permission relating to this property granted on appeal (reference APP/M5450/C/07/2053532) stated that 'No air conditioning units or similar plant or machinery shall be positioned within three metres of any boundary of the site'. As a result the air conditioning units subject to this application were re-sited to their present location from their previous location where they had been mounted on the boundary wall with the adjacent property No.3. The Inspector, in their appeal decision, noted that the Third Parties were concerned about the air conditioning units in their previous location and noted that no evidence had been provided by, for example, an Environmental Health Officer to suggest that they would cause any nuisance. However, in order to safeguard the amenities of the occupiers of properties adjacent to No.4 from any potential noise nuisance the Inspector added the aforementioned condition 8 to the appeal decision to negate any potential impact. The re-sited air conditioning units are now approximately 3.5m from the closest site boundary, that shared with No.3, and the Council's Environmental Health Officer has determined that the submitted noise assessment is suitable and sufficient.

The suggested condition 1 will ensure that the air conditioning units have no detrimental impacts on neighbouring occupiers in terms of noise, the condition requiring two levels of compliance, both at the source and the closest residential property 3 Aylwards Rise, and with different maximum noise levels being acceptable at daytime and night time, these levels being in accordance with the submitted noise assessment which the Council's Environmental Health Officer has assessed. The suggested condition 2 would require the installation of the proposed acoustic panel screen within 3 months of the date of planning permission in order to ensure the acceptability of the development in terms of the amenities of neighbouring occupiers.

It is therefore considered that by re-siting the air conditioning units and proposing the construction of an acoustic screen to reduce any resultant noise, the air conditioning units and screen, which would be sited 3m from the boundary with the closest adjacent property No.3, would have an acceptable impact in terms of neighbouring residential amenity.

3) S17 Crime & Disorder Act

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

4) Consultation Responses:

- *Original intent was to accommodate air conditioning units within the property, this is therefore where they should be relocated as opposed to attempting to mitigate their siting; Should be relocated back to the planned site in the attic for where permission was originally granted – A ‘Ventilation Plant’ was shown in the roofspace of drawings submitted for the approved application P/979/06/DFU, but it is believed that this was related to ventilation to bathrooms and not an air-conditioning plant. Notwithstanding this detail, such a siting was not required by the appeal decision APP/M5450/C/07/2053532.*
- *Sound emitted from the air conditioning units should not exceed 30 decibels to prevent noise nuisance to No.3; Concerned about excessive noise from air conditioning units, which will mainly be used in the summer when windows are open at day and night and therefore may disturb sleep of neighbouring occupiers – An Environmental Health Officer has confirmed the acceptability of the noise report provided with the application and a condition has been suggested which would limit noise levels to those outlined in the report.*
- *Do not understand why all the constructions should be built on the eastern boundary and therefore effect No.3 when there are other suitable areas in the large site where they would not interfere with neighbours – Some elements of the other current applications on the site close to the boundary with No.3 have been removed from these schemes. The appeal decision APP/M5450/C/07/2053532 did not rule out the current location of the air conditioning units.*
- *The suggestion of Acoustic Panels which might help to dull some of the noise confirms that they will disturb the peace in respect of No.3 – The appeal decision APP/M5450/C/07/2053532 indicates that a siting of the air conditioning units more than 3m from the boundary with adjacent properties would be acceptable, an Environmental Health Officer has also confirmed the acceptability of this location.*
- *Ugly appearance when viewed from No.3 – The existing boundary wall between Nos.3 & 4 will mean only obscure views of the air conditioning units are possible from No.3. The proposed acoustic panel screen and trellis will improve the appearance of the units.*
- *Very unhappy about ugly construction proposed to house the air conditioning units, can be fitted within the house or garage where permission was originally granted; Inspector required that all plant is positioned more than 3 metres from any boundary, presence of the screen and associated trellis now extends the built envelope of the dwelling along the boundary with No 3 to their visual detriment – The proposed acoustic screen and trellis is considered to be of no detriment to the visual amenities of the occupiers of No.3 due to its modest height, distance from the shared boundary and the existing wall along this boundary.*
- *Portico should not be treated as a minor amendment – It is considered that the proposed changes to the front elevation are material and so would require the submission of a separate planning application*

- *Surprised to be receiving notification of applications concerning landscaping and air-conditioning units when building works required should take precedent* – This is not a material planning consideration in relation to this application.
- The following issues are not relevant to this application and apply to the current applications P/3622/08 and P/4010/08:
Wall colour needs to be toned down so that the building assimilates into its context and is therefore more sympathetic to its surroundings; Treatment of the roof tiles suggests they are inappropriate; The use of marble for the window cills and facings is inappropriate and inconsistent with drawing ARP/TP/6A; Permeability of ground surfacing and details regarding proposed pump are unclear; Only propose to replace first floor windows but the appeal decision requires all windows to be replaced as per drawing ARP/TP/6A; Soft landscaping along boundaries with adjacent properties is inadequate, in terms of species, height and location the proposals will not provide effective screening to adjacent properties and gardens; Any trellis should be no higher than the 1.68m high boundary wall between Nos.3 & 5, if plants, shrubs or trees grow higher than this wall they will block light to the rooms on the western side of No.3; Design of the galvanised wall and gate is out of character to the house and the existing wooden boundary fence; Dustbins are to be located close to No.3 which will be unsightly and lead to unpleasant smells; Unsure what Resin Bound Gravel is, will be unhappy if loose gravel is proposed due to noise and nuisance; Concerned planting will be within 2m of Small Weeping Cherry tree at No.3 which could cause damage; Garden shed will be higher than the boundary wall and in vision from No.3 which will be unsightly and block light; To screen No.5 from No.4 through planting trees would need to be sited 3m from the boundary with No.5 and be evergreen and a certain height and should prevent windows in the front of No.4 overlooking the rear garden or bedroom window at No.5, this is clearly stated in Harrow policy and does not seem to have been addressed.
- All 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.

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None.

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None.